

## COUNTY COMMISSION - REGULAR SESSION

APRIL 20, 1998

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, APRIL 20, 1998, 9:00 O'CLOCK A. M. IN BLOUNT-VILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE COMMISSIONER O.W. FERGUSON, CHAIRMAN PRO-TEMPORE, (MORNING SESSION) AND HONORABLE GIL HODGES, COUNTY EXECUTIVE, (AFTER-NOON SESSION), GAY B. FEATHERS, COUNTY CLERK AND KEITH CARR, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by Chairman Pro-Tempore, Commissioner O. W. Ferguson. Sheriff Keith Carr opened the Commission and Commissioner Jim King gave the invocation. Pledge to the flag was led by Chairman Pro-Tempore, O.W. Ferguson.

Commissioners present and answering roll call are as follows:

CAROL J. BELCHER	JACK JONES
JAMES R. "JIM" BLALOCK	JAMES L. KING, JR.
BRYAN K. BOYD	CARL KRELL
RAYMOND C. CONKIN, JR.	DWIGHT MASON
TOM DANIEL	GARY MAYES
O. W. FERGUSON	WAYNE MCCONNELL
MIKE GONCE	PAUL MILHORN
RALPH P. HARR	RANDY MORRELL
EDLEY HICKS	MICHAEL B. SURGENOR
PAT HUBBARD	MARK A. VANCE
MARVIN HYATT	EDDIE WILLIAMS
JUNE CARTER	RONALD REEDY

24 Present

Motion was made by Commissioner Ralph P. Harr and seconded by Commissioner Mark Vance to approve the minutes of the regular session of Commission held on March 16, 1998. Said motion was approved by voice vote of the Commission.

The Quarterly Reports filed with the Clerk was approved by voice vote of the Commission.

The following pages indicates the action taken by the Commission on rezoning requests, approval of notary applicants and approval of personal surety notary bonds and resolutions.

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

## ELECTION OF NOTARIES

MARCH 16, 1998

Judith B. Ainsco

Sue Million

Heather R. Ball

Margaret N. Morrell

Bernard H. Buckles

Patton D. Mosley

Betty Lou Carrier

Deborah Simpson-Noe

Holly Faith Cepeda

Shirley D. Pecktol

Deana Collins

Richard Dale Robinson, Jr.

Buletta F. Conkin

Linda C. Rochester

Steven Todd Cope

Barbara K. Ryan

Lori B. Dishner

Patricia Sparkman

L. Eric Ebbert

James A. Tindall

Shelburne Ferguson, Jr.

Don E. White

Renah Anne Flatt

Julia R. Wilson

Linda Fletcher

Upon motion made by Commissioner Harr  
and seconded by Commissioner Boyd to  
approve the Notary Applicants listed  
hereon, said motion was approved by  
roll call vote of the Commission.

E. Mozelle Guffey

Mary Joyce Hagy

E. Guy Hardin

Marie Hubbard

20 Aye, 4 Absent

Gregory A. Johnson

Beverly J. Jones

James L. King, Jr.

Dinah Johnson-Kinhead

Sue F. Lott

Patsy G. Marlowe

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY PUBLIC  
SURETY BONDS

APRIL 20, 1998

Janice B. Addington

Clay Arnold

Anna D. Bacon

Glenna Bartley

Ellen Sue Belcher

Maxine Snyder Carter

Kenneth Michael Daffron

M. Gayle Daffron

Lloyd C. Hall

Jennifer C. Hilton

Linda L. Jones

Rodney S. Klein

Audrey G. McClintic

John C. Miller

Robert Lee Parker

Nancy Kay Tester

Diane G. Walls

Edna Wolfe

Upon motion made by Commissioner Harr abd seconded by Commissioner  
Brydn Boyd to approve the Notary Bonds of the above named persons,  
said motion was approved by roll call vote of the Commission.

20 Aye, 4 Absent

## SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

April 20, 1998

Consider the following:

- (1) File # 12/97-8 A request by Albert W. Graybill to rezone the property described below from R-1 to R-3A:

"Being a tract of land located in the 14th Civil District on the north side of Kendricks Creek Road approximately 400 feet north of its intersection with Oakmont Drive and further described as the southernmost 295 foot portion of parcel 30.00 group K map 92P of the Sullivan County Tax Maps."

REQUEST FAILED 4/20/98 ROLL CALL 9 Aye, 11 Nay, 2 Pass, 2 Absent  
The Planning Commission took the following action:

" File No. 12/97-8, Albert W. Graybill Request

Albert W. Graybill requested that a tract of land located in the 14th Civil District on the north side of Kendricks Creek Road approximately 400 feet north of its intersection with Oakmont Drive be rezoned from R-1 to R-3A to permit the location of an accessory building laundry for existing apartments.

The applicant was present and spoke in support of the request. Mike Ramsey and Tom English area residents spoke in opposition to the request citing negative impact, noise, devaluation of adjacent residential properties. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval noting that public sewer will be available to the apartment site.

Motion Childress, second Barnes to approve the request as recommended by staff. Vote in favor of the motion: Childress, Barnes, Mullins, Bennett, Greene; vote opposed - Brown. The motion carried 5 to 1.

- (2) File # 2/98-4 A request by John and Elma Moats to rezone the property described below from R-1 to B-4:

"Being a tract of land located in the 14th Civil District on the east side of Lebanon Road approximately 400 feet south of its intersection with Fort Henry Drive and further described as parcel 7.00 group B map 92J of the Sullivan County Tax Maps."

WITHDRAWN 4/20/98  
The Planning Commission took the following action:

" File No. 2/98-4, John and Elma Moats Request

John and Elma Moats requested that a tract of land located in the 14th Civil District on the east side of Lebanon Road approximately 400 feet south of its intersection with Fort Henry Drive be rezoned from R-1 to B-4 to permit the location of commercial use.

The applicant was present and spoke in support of the request. Claude Vance and other residents of the area spoke in opposition to the request citing decrease in residential property values, dangerous traffic and negative impact on livability of the residential development on Lebanon Road. A 41 signature petition in opposition was also presented. Staff stated that the request was incompatible with existing zoning and land use patterns and noted that the planning commission and county commission had denied the same request previously in October 1995. Staff recommended the request be denied.

Motion Bennett, second Barnes to deny the request based on opposition statements and staff recommendation. Vote in favor of the motion: Bennett, Barnes, Mullins, Hickam, Greene; vote opposed: Brown, Childress. The motion carried 5 to 2.

- (3) File # 2/98-5 A request by Little Family LLC to rezone the property described below from R-2A to PBD:

REQUEST APPROVED, 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 14th Civil District on the south side of E. Shipley Ferry Rd. approximately 1300 feet north of its intersection with Fort Henry Drive and further described as parcel 19.00 group C map 92M of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-5, Little Family LLC Request

Little Family LLC requested that a tract of land located in the 14th Civil District on the south side of E. Shipley Ferry Rd. approximately 1300 feet north of its intersection with Fort Henry Drive be rezoned from R-2A to PBD to permit the location of commercial development.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Barnes, second Childress to approve the request as recommended by staff. Vote in favor of the motion unanimous.

(4) File # 2/98-7 A request by Gary A. Musselman to rezone the property described below from R-1 to B-3:

REQUEST APPROVED 4/20/98 14 Aye, 8 Nay, 2 Absent

"Being a tract of land located in the 14th Civil District on the south side of Ft. Henry Drive approximately 600 feet east of its intersection with Fordtown Road and further described as the northernmost 600 foot portion of parcel 111.10 map 106 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-7, Gary A. Musselman Request

Gary A. Musselman requested that a tract of land located in the 14th Civil District on the south side of Ft. Henry Drive approximately 600 feet east of its intersection with Fordtown Road be rezoned from R-1 to B-3 to permit the location of commercial use.

The applicant was present and spoke in support of the request. Residents of the area presented a 12 name petition in opposition citing increased dangerous traffic conditions and decreased residential property values. Staff stated the request was incompatible with adjacent zoning and land use patterns and the site exhibited severe development problems. Staff recommended the request be denied.

Motion Bennett, second Barnes to deny the request based on opposition statements and staff recommendation. Vote in favor of the motion: Bennett, Barnes, Childress, Mullins, Hickam; vote opposed: Brown. The motion carried 5 to 1.

(5) File # 2/98-8 A request by Bradford N. Denton to rezone the property described below from A-1 to R-3:

REQUEST APPROVED 4/20/98 21 Aye, 1 Nay, 2 Absent

"Being a tract of land located in the 14th Civil District on the south side of Snapps Ferry Road approximately 400 feet west of its intersection with Cox Hollow Road and further described as parcel 88.00 map 119 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-8, Bradford N. Denton Request

Bradford N. Denton requested that a tract of land located in the 14th Civil District on the south side of Snapps Ferry Road approximately 400 feet west of its intersection with Cox Hollow Road be rezoned from A-1 to R-3 to permit the location of a mobile home park.

The applicant was present and spoke in support of the request. Mr. McCreary and other residents of the area spoke in opposition citing potential water pollution and drainage problems, and reduced residential property values. Staff stated the request would result in a small expansion of an existing mobile home park adjacent to I-81 and an M-2 zone and would not be incompatible with existing zoning and land use. Staff recommended the request be approved.

Motion Barnes, second Brown to approve the request based on staff recommendation. Vote in favor of the motion: Barnes, Brown, Childress; vote opposed: Hickam, Bennett, Mullins. The motion failed on a vote of 3 to 3.

(6) File # 2/98-9 A request by Edith M. Hooker to rezone the property described below from A-1 to R-3:

REQUEST APPROVED 4/20/98 18 Aye, 3 Nay, 1 Pass, 2 Absent

"Being a tract of land located in the 6th Civil District on both sides of Hooker Road approximately 4400 feet north of its intersection with U.S. Hwy. 11-W and further described as all of parcel 67 lying east of Hooker Rd. and an irregular 3.8 acre portion fronting approx. 320 feet on the west side of Hooker Rd. beginning at a point approx. 320 feet north of parcel 68 and being approx. 200 feet in depth running more or less parallel to Hooker Rd. approx. 480 feet southwest map 17 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-9, Edith M. Hooker Request

Edith M. Hooker requested that a tract of land located in the 6th Civil District on both sides of Hooker Road approximately 4400 feet north of its intersection with U.S. Hwy. 11-W be rezoned from A-1 to R-3 to permit the location of a mobile home park.

The applicant spoke in support of the request. Jack Begley and other residents of the area opposed the request citing creation of increased dangerous traffic conditions and a decrease in the general livability of the existing residential development. Staff stated that there were existing mobile homes adjacent to the request site which is surrounded by primarily vacant agricultural lands. Staff recommended the request be approved.

Motion Mullins, second Bennett to deny the request based on opposition statements. Vote in favor of the motion: Mullins, Bennett, Brown, Greene; vote opposed: Childress, Barnes; abstain: Hickam. The motion carried, request was denied on a vote of 4 to 2 with 1 abstention.

(7) File # 2/98-10 A request by Larry Frazier to rezone the property described below from R-1 to R-2: APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 5th Civil District on the north side of County Hill Road approximately 800 feet west of its intersection with Holston Institute Drive and further described as parcel 2.00 group A map 65D of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-10, Larry Frazier Request

Larry Frazier requested that a tract of land located in the 5th Civil District on the north side of County Hill Road approximately 800 feet west of its intersection with Holston Institute Drive be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Barnes, second Bennett to approve the request as recommended by staff. Vote in favor of the motion: Barnes, Bennett, Hickam, Mullins, Childress; opposed: Barnes. The motion carried 5 to 1.

(8) File # 2/98-11 A request by Frances Hogan to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 4/20/98 roll call 22 Aye, 2 Absent

"Being a tract of land located in the 8th Civil District on the north side of Enterprise Road approximately 2000 feet north of its intersection with Summer Sound Road and further described as parcel 47.00 map 96 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-11, Frances Hogan Request

Frances Hogan requested that a tract of land located in the 8th Civil District on the north side of Enterprise Road approximately 2000 feet north of its intersection with Summer Sound Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present and spoke in support of the request. No opposition was presented. Staff stated the request was incompatible with the existing zoning and land use patterns and recommended it be denied.

Motion Bennett, second Brown to deny the request as recommended by staff. Vote in favor of the motion Bennett, Brown, Barnes; opposed: Hickam, Childress, Mullins. The motion fails on a vote of 3 to 3. Motion Childress, second Mullins to approve the request. Vote in favor of the motion: Childress, Mullins, Hickam, Greene; opposed: Bennett, Brown, Barnes. The motion carried 4 to 3. The request for R-2 zoning is approved.

- (9) **File # 2/98-12** A request by Michael and Venessa Howard to rezone the property described below from R-1 to PRD :

APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent  
 "Being a tract of land located in the 10th Civil District on the west side of New Beason Well Road approximately 2400 feet north of its intersection with U.S. Hwy. 11-W and further described as all of parcel 40.00 minus the northernmost 400 foot portion map 31 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-12, Michael and Venessa Howard Request

Michael and Venessa Howard requested that a tract of land located in the 10th Civil District on the west side of New Beason Well Road approximately 2400 feet north of its intersection with U.S. Hwy. 11-W be rezoned from R-1 to PRD to permit the location of multi-family housing.

The applicant was present. No opposition was presented. Staff stated the preliminary site development plan for the request was compatible with adjacent development and recommended approval.

Motion Brown, second Mullins to approve the request based on staff recommendation. Vote in favor of the motion: Brown, Mullins, Bennett, Greene; opposed Childress, Hickam, Barnes. The motion carried 4 to 3.

- (10) **File # 2/98-13** A request by Cindy E. Rowland to rezone the property described below from B-3 to R-2 :

APPROVED 4/28/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 18th Civil District on the south side of Dunlap Road approximately 1600 feet west of its intersection with State Hwy. 75 and further described as parcel 22.00 map 94 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/98-13, Cindy E. Rowland Request

Cindy E. Rowland requested that a tract of land located in the 18th Civil District on the south side of Dunlap Road approximately 1600 feet west of its intersection with State Hwy. 75 be rezoned from B-3 to R-2 to permit the location of a single-wide mobile home.

The applicant spoke in support of the request. Jim Park spoke in opposition stating the request was not compatible with residential development. Staff stated the request was compatible with existing zoning and predominate land use patterns and recommended approval.

Motion Bennett, second Barnes to approve the request as recommended by staff. Vote in favor of the motion: Bennett, Barnes, Hickam, Mullins, Childress; opposed: Brown. The motion carried 5 to 1.

- (11) File # 3/98-1 A request by Sue Christian to rezone the property described below from R-1 to R-2:

APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 10th Civil District on the east side of Old Beason Well Rd. approximately 400 feet south of its intersection with Bloomingdale Rd and further described as parcel 32.30 group C map 14N of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-1, Sue Christian Request

Sue Christian requested that a tract of land located in the 10th Civil District on the east side of Old Beason Well Rd. approximately 400 feet south of its intersection with Bloomingdale Rd. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Childress, second Hickam to approve the request as recommended by staff. Vote in favor of the motion: Childress, Hickam, Mullins; Bames, Bennett; opposed Brown. The motion carried 3 to 1.

- (12) File # 3/98-2 A request by Ella Norris to rezone the property described below from R-1 to R-2: APPROVED 4/20/98 19 Aye, 3 Nay, 2 Absent

"Being a tract of land located in the 10th Civil District on the north side of Wayne Construction Rd. approximately 700 feet east of its intersection with Packing House Rd and further described as all of parcel 13.30 lying west of Wayne Construction Road map 32 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-2, Ella Norris Request

Ella Norris requested that a tract of land located in the 10th Civil District on the north side of Wayne Construction Rd. approximately 700 feet east of its intersection with Packing House Rd. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant spoke in support of the request. Phillip Ramsey spoke in opposition to the request stating he wished to stabilize the neighborhood. Staff noted the existence of single wide mobile homes, stated the request was compatible with existing land use patterns and recommended approval.

Motion Bames, second Hickam to deny the request based on opposition statements. Vote in favor of the motion Bames, Hickam, Childress, Bennett; opposed Brown, Mullins. The motion carried.

- (13) File # 3/98-3 A request by Gene Snapp to rezone the property described below from R-1 to PBD-3: APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 6th Civil District on the south side of U.S. Hwy. 11-W approximately 2000 feet east of its intersection with Evergreen Dr and further described as parcel 43.00 map 33 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-3, Gene Snapp Request

Gene Snapp requested that a tract of land located in the 6th Civil District on the south side of U.S. Hwy. 11-W approximately 2000 feet east of its intersection with Evergreen Dr. be rezoned from R-1 to B-3 to permit the location of mobile home sales.



The applicant and his attorney Shelton Hillman spoke in support of the request. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns but recommended the request be changed to RBD-3 to allow the plan review. The applicant accepted staff recommendation.

Motion Mullins, second Childress to approve the request for RBD-3 as recommended by staff. Vote in favor of the motion unanimous.

(14) File # 3/98-4 A request by Paul W. Dean to rezone the property described below from R-1 to R-2: APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 21st Civil District on the south side of Peters Rd. approximately 1200 feet west of its intersection with Cant Hook Hill Rd and further described as all of parcel 32 lying south of Peters Rd. and the entire remaining southwesterly portion of parcel 32 lying at the end of Peters Rd. approx. 280 feet in depth map 54 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-4, Paul W. Dean Request

Paul W. Dean requested that a tract of land located in the 21st Civil District on the south side of Peters Rd. approximately 1200 feet west of its intersection with Cant Hook Hill Rd. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant spoke in support of the request. Steve Wade and other residents spoke in opposition presenting a petition with 9 signatures, and stating that the rezoning would negatively impact the neighborhood. Staff stated that the request was not compatible with existing zoning or land use patterns and recommended it be denied.

Motion Mullins, second Bennett to deny the request based on opposition statements and staff recommendation. Vote in favor of the motion: Mullins, Bennett, Brown, Hickam, opposed, Childress, Barnes. The motion carried 4 to 2.

(15) File # 3/98-5 A request by Jimmy Epperson to rezone the property described below from B-3 to R-2: APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 1st Civil District on the east side of Old Hickory Tree Rd. approximately 2000 feet south of its intersection with Bristol Caverns Hwy and further described as parcel 44.00 map 55 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-5, Jimmy Epperson Request

Jimmy Epperson requested that a tract of land located in the 1st Civil District on the east side of Old Hickory Tree Rd. approximately 2000 feet south of its intersection with Bristol Caverns Hwy. be rezoned from B-3 to R-2 to permit the location of a single-wide mobile home.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Mullins, second Hickam to approve the request as recommended by staff. Vote in favor of the motion unanimous.

(16) File # 3/98-6 A request by Arthur Lunford to rezone the property described below from R-1 to R-2: APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 8th Civil District on the south side of Lunford Private Dr. approximately 800 feet west of its intersection with Muddy Creek Rd and further described as parcel 1.00 group B map 80G of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-6, Arthur Lunsford Request

Arthur Lunsford requested that a tract of land located in the 8th Civil District on the south side of Lunsford Private Dr. approximately 800 feet west of its intersection with Muddy Creek Rd. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Hickam, second Mullins to approve the request as recommended by staff. Vote in favor of the motion unanimous.

- (17) File # 3/98-7 A request by Hubert Ball to rezone the property described below from A-1 to R-2A:  
APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 13th Civil District on the east side of Hood Road West approximately 1100 feet west of its intersection with Hood Rd and further described as parcel 43.40 map 75 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-7, Hubert Ball Request

Hubert Ball requested that a tract of land located in the 13th Civil District on the east side of Hood Road West approximately 1100 feet west of its intersection with Hood Rd. be rezoned from A-1 to R-2A to permit the location of a duplex residence.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Bennett second Childress to approve the request as recommended by staff. Vote in favor of the motion: Bennett, Childress, Brown, Hickam, Mullins; opposed: Barnes. The motion carried 5 to 1.

- (18) File # 3/98-8 A request by J. Paul Frye trustee for United Methodist Church to rezone the property described below from A-1 to R-1:

APPROVED 4/20/98 ROLL CALL 22 Aye, 2 Absent  
"Being a tract of land located in the 9th Civil District on the north side of Methodist Church Rd. approximately 500 feet north of its intersection with Main St and further described as parcel 3.10 and that portion of parcel 4.00 lying east of Methodist Church Rd. group A map 135C of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/98-8, J. Paul Frye trustee for United Methodist Church Request

J. Paul Frye trustee for United Methodist Church requested that a tract of land located in the 9th Civil District on the north side of Methodist Church Rd. approximately 500 feet north of its intersection with Main St. be rezoned from A-1 to R-1 to permit the location of church related use.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing zoning and land use patterns and recommended approval.

Motion Mullins, second Childress to approve the request as recommended by staff. Vote in favor of the motion unanimous.

- (19) File # 1/98-1 A request by George Rodefer to rezone the property described below from R-1 to R-2:

APPROVED 4/20/98 ROLL CALL 16 Aye, 6 Nay, 2 Absent

"Being a tract of land located in the 5th Civil District on the south side of Cross Community Road approximately 650 feet east of its intersection with Johnson Hollow Rd and further described as parcel 55.00 map 35 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 1/98-1, George Rodefer Request

George Rodefer requested that a tract of land located in the 5th Civil District on the south side of Cross Community Road approximately 650 feet east of its intersection with Johnson Hollow Rd. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was not present. Franklin Diggs and Douglas Hartross were present and spoke in opposition to the request stating that single wide mobile homes would not be compatible with existing stick built houses. Staff stated that the request was incompatible with existing zoning and predominate land use patterns and recommended the request be denied.

Motion Brown, second Barnes to deny the request based on statements of those in opposition and on staff recommendation. Vote in favor of the motion unanimous.

"

(20) File # 1/98-7 A request by Billy Greer Jr. to rezone the property described below from R-1 to R-2: FAILED 4/20/98 ROLL CALL 7 Aye, 13 Nay, 2 Pass, 2 Absent

"Being a tract of land located in the 21st Civil District on the south side of Booher Dr. approximately 800 feet north of its intersection with Bullock Hollow Rd and further described as parcel 17.30 group A map 54N of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 1/98-7, Billy Greer Jr. Request

Billy Greer Jr. requested that a tract of land located in the 21st Civil District on the south side of Booher Dr. approximately 800 feet north of its intersection with Bullock Hollow Rd. be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present and spoke in support of the request. Harold McCroskey spoke in opposition to the request and presented a 46 signature petition stating that the requested zoning was incompatible with the neighborhood development. Staff stated that the request was incompatible with existing zoning and predominate land use patterns and recommended the request be denied.

Motion Brown, second Barnes to deny the request based on comments of those in opposition and staff recommendation. Vote in favor of the motion unanimous.

"

4/20/98

REGARDING: RICHARD BRIDWELL REZONING REQUEST  
on February 16, 1998

Motion was made by Commissioner Milhorn requesting to change his vote on Rezoning Request File #12/97-1. (Richard Bridwell Request) voted on in the Regular Session of County Commission 2/16/98. Motion was seconded by Commissioner McConnell. (Change No vote to Yes)

(Vote of the Commission --14 Aye, 8 Nay, 2 Absent). The vote on 2/16/98 was 12 yes, 10 no, 1 pass and one (1) seat vacant. The minutes of 3/16/98 reflect that on 3/16/98, Commissioner Hubbard changed her vote on this rezoning request from yes to no which changed the 2/16/98 vote to 11 yes, 11 no, 1 pass and one (1) seat vacant. Accordingly, this change of vote of Commissioner Milhorn changes the final tally to 12 yes, 10 no, 1 pass and one (1) seat vacant and accordingly the zoning request passes.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF April 1998.

RESOLUTION AUTHORIZING The Sullivan County Board of Commissioners to Consider Amendments to the Sullivan County Zoning Resolution as Amended

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of April 1998.

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

WHEREAS, Such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution;

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

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_\_\_, the public welfare requiring it.

Duly passed and approved this 20th day of April, 1998

Attested: B. Ferguson Date: 4/20/98 Gil Hodges Date: 27-4-98  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Ferguson FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	x				

COMMENTS: Motion by: Comm. Harr. and seconded by: Comm. \_\_\_\_\_  
Vance - TO APPROVE APPROVED 4/20/98 VOICE VOTE

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Called SESSION THIS THE 5th DAY OF February 19 98.

RESOLUTION AUTHORIZING Requesting Tennessee State Legislature to Pass a Private Act Establishing the County Seat of Sullivan as a Special District Not Subject to Annexation

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Called Session on the 5th day of February 1998.

THAT WHEREAS, Concerns have been raised that it would be in the best interest of the citizens of Sullivan County that the County Seat of Sullivan remain outside any municipal limits or boundaries.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners hereby requests the Tennessee State Legislature to pass a private act establishing the County Seat of Sullivan, as more particularly defined on the attachment hereto, as a special district not subject to annexation.

MOTION BY: COMM. GONCE To defer until regular session  
2ND BY: COMM. BLALOCK of County Commission, February 16, 1998.

{ SEE COMMENTS BELOW }

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this \_\_\_ day of \_\_\_\_\_, 19\_\_.

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Milhorn ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Belcher/Hicks FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive			✓	3/4/98

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	14	9		1	
Voice Vote					

Motion Approved  
ROLL CALL  
2/5/98

COMMENTS: Motion by: Comm. Gonc, And seconded by Comm. Blalock to defer and a Committee be appointed to meet with the cities, (Bristol, Kingsport, Bluff City) and try to reach an agreement on a no-annexation zone. Committee Members - COMM. CAROL BELCHER AS CHAIRMAN  
COMM. MARVIN HYATT, COMM. PAUL MILHORN, COMM. O. W. FERGUSON,  
COUNTY EXECUTIVE GIL HODGES AND REPRESENTATION FROM KINGSFORT AND BRISTOL. DEFERRED 2/16/98 DEFERRED 3/16/98 WITHDRAWN 4/20/98

RESOLUTION NO. 84

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16th DAY OF MARCH, 1998.

RESOLUTION AUTHORIZING Sullivan County Board of Commissioners To Go On Record That It Will Not Subsidize Sullivan County E-911

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 16th day of March, 1998;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby go on record that Sullivan County will not subsidize Sullivan County E-911's operations in any way other than assistance previously provided pursuant to Resolution No. 7 approved on August 18, 1997.

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_\_\_, the public welfare requiring it.

Duly passed and approved this \_\_\_\_ day of \_\_\_\_\_, 1998.

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER P. Hubbard ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER G. Mayes; M. Vance; FUND: \_\_\_\_\_  
B. Boyd

Committee Action	Approved	Disapproved	Deferred	Date
Administrative <i>No Action</i>				<i>3/2/98</i>
Budget				
Executive	✓			<i>3/4/98</i>

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	14	4	4	2	
Voice Vote					

COMMENTS: WAIVER OF RULES FAILED ROLL CALL 3/16/98  
PUT BACK ON FIRST READING FAILED 4/20/98 ROLL CALL  
12 Aye, 5 Nay, 3 Pass, 4 Absent

RESOLUTION NUMBER 125

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 16th DAY OF March 1998.

RESOLUTION AUTHORIZING Requirement for House Numbers to be Visibly Posted at Roadway

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 16th day of March 1998.

THAT WHEREAS, Public Chapter No. 136 passed by the Tennessee Legislature in 1997 allows a county to establish and enforce policies for assignment and posting of property/house numbers, and \_\_\_\_\_

WHEREAS, Public safety and the need for appropriate response for emergency services is of great concern, and \_\_\_\_\_

WHEREAS, Emergency service providers are experiencing difficulty in locating some property numbers that can't easily be identified from the roadway and subsequent delay could result in the loss of life, \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED, By the Sullivan County Board of Commissioners that all residential or business property numbers not clearly visible from any road or street be conspicuously placed at the street/road of said residential or business property. \_\_\_\_\_

FURTHER BE IT RESOLVED, That the E-911 Boards and municipal governments be requested to consider similar resolutions or ordinances. \_\_\_\_\_

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

This resolution shall become effective on \_\_\_\_\_, 1998, the public welfare requiring it.

Duly passed and approved this \_\_\_\_ day of \_\_\_\_\_, 1998.

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ County Executive  
County Clerk

INTRODUCED BY COMMISSIONER Mayes ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Surgenor FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			3/2/98
Budget				
Executive	✓			3/4/98

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 3/16/98 WITHDRAWN 4/20/98



085

RESOLUTION NO. 46

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16th DAY OF MARCH, 1998.

RESOLUTION AUTHORIZING Changes in Retirement Benefits Program for Sullivan County Employees

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 16<sup>th</sup> day of MARCH, 1998;

WHEREAS, TENNESSEE CODE ANNOTATED; Title 8, Chapter 34-37 provides that a political subdivision opting to join the Tennessee Consolidated Retirement System does so under the laws governing the System as they exist at the time the political subdivision joins the Retirement System:

WHEREAS, SULLIVAN COUNTY desires to adopt certain optional benefit improvements for employees of the political subdivision which have been enacted since the date the subdivision joined the Retirement System; and

WHEREAS, the recommended employer contribution rate effective July 1, 1998 as the plan exist today is 5.26% a reduction from 7.39% ; and

WHEREAS, the optional benefit improvements and the respective cost which Sullivan County desires to provide it's employees are as follows:

(1.) T.C.A. 8-36-701(b) providing for the compounding of cost-of-living increases with an accrued liability of \$3,408,696 and an increase in rate of 1.52%.

(2.) Various provisions resulting in an accrued liability of \$252,850 and an increase in rate of .14%. These are - T.C.A. 8-36-209 providing for the minimum benefit level increase. T.C.A. 8-34-605 providing service credit for certain periods of military service. T.C.A. 8-36-208 (b) providing for an actuarial equivalent of an age 65 benefit for employees retiring after age 65. T.C.A. 8-34-625 providing service credit for periods of temporary disability during which the employee was receiving workers' compensation payments based covered employment. T.C.A. 8-35-203(b)(1) providing credit for service credit lost as a result of advanced age. T.C.A. 8-36-108(b) providing for benefits upon death in line of duty. T.C.A. 8-36-301(a) providing for 25-year retirement with actuarially reduced benefits. T.C.A. 8-36-501(c)(3) providing for reinstate ordinary disability projection. T.C.A. 8-37-202(a) 4 limiting Group 1 contribution rate to 5% & 5.5% for Group 2 members. T.C.A. 8-36-123 provides inactive members with certain death and disability benefits.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of the Sullivan County hereby authorizes all its employees to receive the benefit improvements listed above pursuant to the terms and conditions contained in the applicable sections of the Tennessee Code and hereby agrees to accept the associated liability; and

WHEREAS, the recommended employer contribution rate effective July 1, 1998 including the above benefit improvements will be 6.92% a reduction of .47 %.

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

This resolution shall become effective on \_\_\_\_\_, 1998, the public welfare requiring it.

Duly passed and approved this 20<sup>th</sup> day of April 1998.

Attested: [Signature] Date: 4/20/98 [Signature] Date: 4/20/98  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Ferguson FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative <i>No Action</i>				4/6/98
Budget	✓			3/2/98
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20		1	3	
Voice Vote					

COMMENTS: WAIVER OF RULES REQUESTED  
First Reading 3/16/98  
APPROVED 4/20/98 ROLL CALL

Attachment  
Res # 14  
6 0743

PROPOSED AMENDMENT TO

RES. #14 - Changes in Retirement Benefits Program for  
Sullivan County Employees

Add the following paragraph to read as follows:

BE IT FURTHER RESOLVED that upon the retirement of an employee who has completed thirty (30) years of service with Sullivan County, the employee's health insurance premium shall be paid by Sullivan County regardless of the employee's age.

Introduced by: Mayes  
Seconded by: Conkin

COMMENTS: WITHDRAWN 4/20/98 by Sponsor -  
Comm. Mayes indicated this will be  
introduced on a seperate resolution.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NUMBER 177

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 16th DAY OF March 1998 .

RESOLUTION AUTHORIZING Permission for County Property to be Utilized as Pasture Land by Adjoining Property Owner

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 16th day of March 1998 .

THAT WHEREAS, A plot of land (approximately 1-1/4 acres) owned by Sullivan County and located near the Sullivan House, which was once part of the Old County Home Farm, has required regular maintenance and cleanup, and

WHEREAS, Clarence E. Frye, an adjoining property owner, requests to use this area for pasturing livestock that would alleviate said maintenance, and

WHEREAS, Mr. Frye agrees to build and maintain fences around the area and to accept liability for the property, vacating it in ninety (90) days if the County needs to use it,

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners grants permission to Mr. Clarence E. Frye to utilize the property for the purpose of pasture land as requested.

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

This resolution shall become effective on \_\_\_\_\_, 1998, the public welfare requiring it.

Duly passed and approved this 20th day of April, 1998

Attested: [Signature] Date: 4/20/98  
County Clerk County Executive Date: 0-0-98

INTRODUCED BY COMMISSIONER Hicks ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Belcher FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: FIRST READING 3/16/98 APPROVED 4/20/98 ROLL CALL

RESOLUTION NO. 228

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16th DAY OF MARCH, 1998.

RESOLUTION AUTHORIZING Amendment to Model Rules Regulating the Procedures of the Board of County Commissioners

WHEREAS, TENNESSEE CODE ANNOTATED, SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 16th day of March, 1998;

NOW, THEREFORE, BE IT RESOLVED that Section 1-2-38.3(e) of the Sullivan County Laws and Resolutions be amended to read as follows:

(e) Change of Vote: It shall be the duty of the clerk, at the end of each roll call, to inquire of those who passed or were absent when the roll was called if they desire to vote; also, if any member who has voted wishes to change their vote. Subsequently, the clerk shall announce the results. Thereafter, if anyone wishes to change their vote, to do so shall require an affirmative two-thirds vote of the entire legislative body granting permission for the member to change his or her vote.

Amend:  
Comm.  
Williams  
3/16/98

~~AND FURTHER BE IT RESOLVED THAT AFTER APPROVAL OF THE County Commission Minutes, NO VOTE CAN BE CHANGED.~~  
4/20/98 Delete the above amendment and add the attached amendments.

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this 20 day of April 1998.

*Gayle B. Feathers* Date: 4/20/98 *Gil Hodges* Date: 3-16-98  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER Gonce FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	15	5	1	3	
Voice Vote					

COMMENTS: FIRST READING 3/16/98 APPROVED AS AMENDED -

ROLL CALL

SEE FOLLOWING ADMENDMENTS

RESOLUTION #8

AMENDMENTS TO RESOLUTION #8

4/20/98

Motion by: Commissioner Blalock

2nd by: Commissioner Boyd

BE IT RESOLVED that after the clerk has announced the vote, only during the meeting session in which the original vote was taken will a vote be allowed to be changed, and the request for change of vote must be approved by two thirds (2/3) vote of the Commission.

BE IT FURTHER RESOLVED that no vote can be changed after adjournment of the session of County Commission in which the vote was taken.

COMMENTS: APPROVED 4/20/98 ROLL CALL

RESOLUTION NUMBER 9

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF April 1998.

RESOLUTION AUTHORIZING Additional Water Wells for Observation Knob Park

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of April 1998.

THAT WHEREAS, Observation Knob Park continues to experience exceptional growth with annual revenue far exceeding expenditures. The Park Committee, dedicated to undertaking new projects to meet the growing needs of the public, has determined that one such project, access to a public water supply, is not feasible at this time; and

WHEREAS, The two existing wells which provide the Park's only water supply are not adequate to meet increasing usage. [One of the wells maintains a reliable supply, however, the second well becomes dry with extensive use and the potential for water shortage is very real].

WHEREAS, The Park Committee proposes the drilling of two additional wells and installation of larger storage reservoirs strategically located in the picnic and campground areas. These two areas are recommended for their utility and economic benefits. Funds which were appropriated in 1996 for the purpose of installing a water line to serve the Park from a public water supply remain in the FY 1997-98 budget. Authorization to utilize those funds for this project is requested;

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes utilization of funds designated in the FY 1997-98 budget as Account 56700.700 [Park-Observ.Knob/Waterline] for the purpose of installing the additional wells and water reservoirs at Observation Knob Park and further, authorizes the Purchasing Agent to proceed with the proper procurement procedure involved in the installation of the wells and reservoirs.

FURTHER BE IT RESOLVED, That the Observation Knob Park budget retain within its account the remaining fund balance in excess of the cost of the wells/reservoirs to be carried forward to the next fiscal year to be utilized for future improvements, said improvements subject to authorization by the Sullivan County Board of Commissioners.

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

This resolution shall become effective on \_\_\_\_\_, 1998, the public welfare requiring it.

Duly passed and approved this \_\_\_\_ day of \_\_\_\_\_, 1998.

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ County Clerk  
County Executive ✓ Date: \_\_\_\_\_

INTRODUCED BY COMMISSIONER R. Morrell ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER M. Vance FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: WITHDRAWN 4/20/98  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



RESOLUTION NUMBER 10

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF April 1998.

RESOLUTION AUTHORIZING Payment to the City of Elizabethton for the Sale to Sullivan County of their 12.5 Percent Interest in the Tri-County Industrial Park

WHEREAS, TENNESSEE CODE ANNOTATED, SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of April 1998.

THAT WHEREAS, Sullivan County wishes to secure Elizabethton's interest in the Tri-County Industrial Park in order to control the availability of industrial sites and ensure the proper development of the park's infrastructure, and

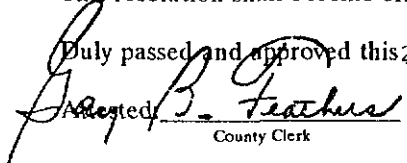
WHEREAS, The City of Elizabethton has indicated a willingness to sell their interest in the park for \$120,000, and

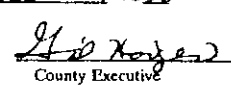
NOW, THEREFORE BE IT RESOLVED, That Sullivan County authorizes the payment of \$120,000 for the acquisition of Elizabethton's 12.5 percent interest in the Tri-County Industrial Park, with said funds appropriated from Undesignated Fund Balance 39000.000.

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this 20th day of April, 1998


 Date: 4/20/98  
 County Clerk


 Date: 4/20/98  
 County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Williams FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20	1		3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 ROLL CALL

RESOLUTION NUMBER 11

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF April 1998.

RESOLUTION AUTHORIZING Expenditure of Funds for the Development of a Sewer Line in the Tri-County Industrial Park - Park View Circle

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of April 1998.

THAT WHEREAS, Sullivan County wishes to see the expansion of industry and the creation of new jobs in the Tri-County Industrial Park, and

WHEREAS, A sewer line is needed o Park View Circle to allow the development of several industrial buildings on that road. This will result in the initial creation of two new businesses employing more than 20 persons and the future development of two additional industries.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the expenditure of up to \$38,500 for construction and engineering services to have an 8-inch sewer line installed along Park View Circle, and

FURTHER BE IT RESOLVED, That funding for said sewer line costs be appropriated from Account No. 58120 [Industrial Commission - From Sale of Land] which was established for such purposes from funds originating from previous land sales within the Tri-County Industrial Park.

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

This resolution shall become effective on \_\_\_\_\_, 1998, the public welfare requiring it.

Duly passed and approved this 20th day of April, 1998

Attested: B. Feathers Date: 4/20/98 Gil Hodges Date: 02-01-98  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Hyatt FUND: \_\_\_\_\_




Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20		1	3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 ROLL CALL

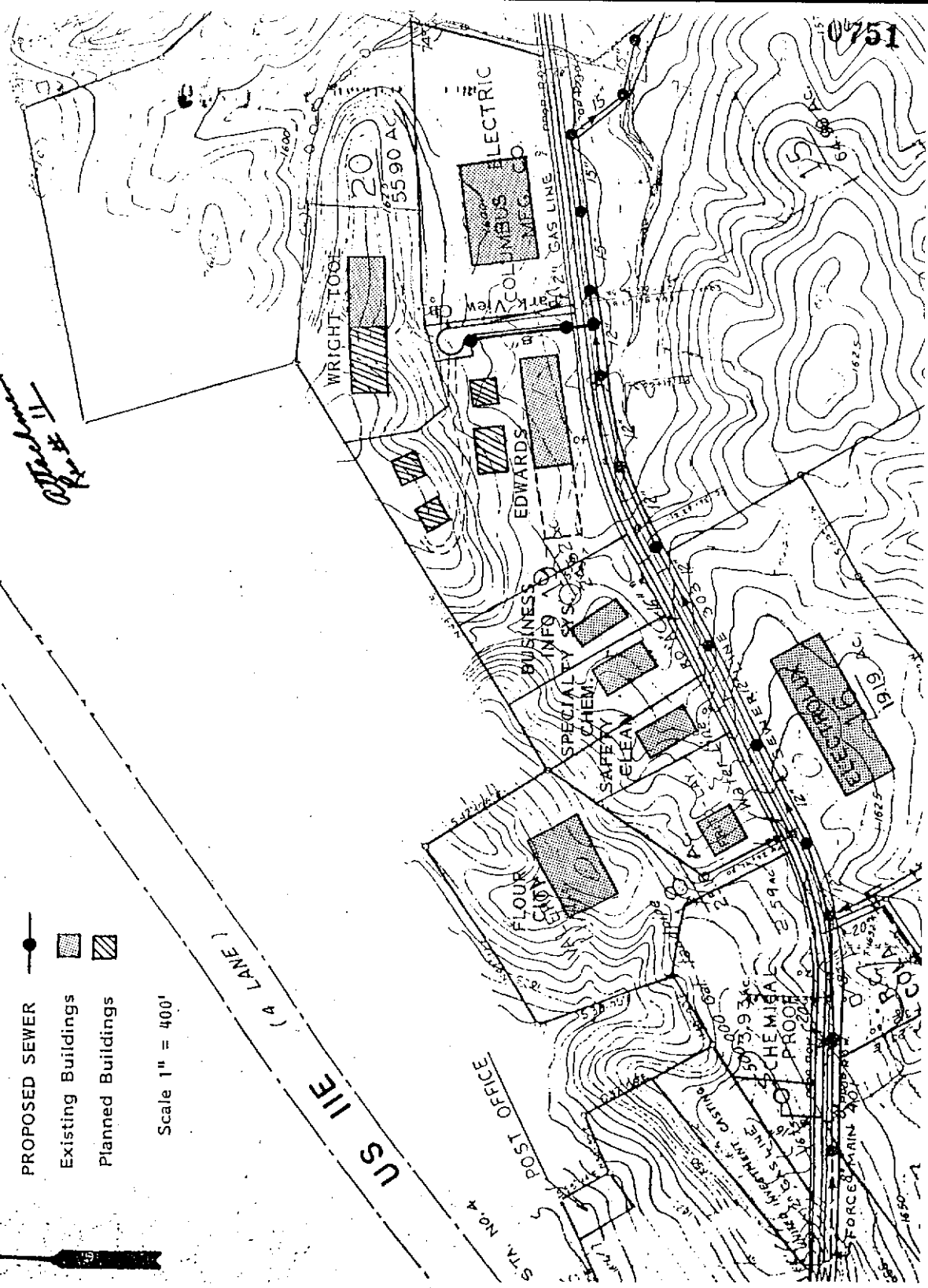


*Attachment II  
Part II*

- PROPOSED SEWER 
- Existing Buildings 
- Planned Buildings 

Scale 1" = 400'

US ILE (4 LANE)



0751

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF APRIL, 1998.

**RESOLUTION AUTHORIZING APPROPRIATION FOR RENOVATION OF COUNTY BUILDING (OLD CHEVROLET)**

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20<sup>TH</sup> day of APRIL, 1998;

WHEREAS, bids have been taken for renovation of the county building (old Wallace Chevrolet) for the offices of County Clerk, Agriculture Extension and Election Commission.

WHEREAS, the Building Committee has review the bids and made its recommendation.

THEREFORE BE IT RESOLVED THAT the Sullivan County Board of Commissioners budget funds including contingencies for the Renovation of this County Building, as follows:

**APPRORIATIONS**

91110 700 001	Building Construction	\$693,957
39000	Unappropriated Surplus	\$693,957

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

This resolution shall become effective on APRIL 20, 1998, the public welfare requiring it.

Duly passed and approved this 20TH day of APRIL, 1998.

Attested: B. Feathers County Clerk Date: 4/20/98  
Gil Hodges County Executive Date: 4-20-98

INTRODUCED BY COMMISSIONER HARR ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER WILLIAMS FUND: 101

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				<u>4/20/98</u>

NO ACTION

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	1	1	3	
Voice Vote					

COMMENTS: WAIVER OF THE RULES  
APPROVED 4/20/98 ROLL CALL

RESOLUTION NO. 13

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20<sup>th</sup> DAY OF April, 1998.

RESOLUTION AUTHORIZING Sullivan County Board of Commissioners To Go On Record as Being in Support of Efforts of Public Records Commission to Create County Archives

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20<sup>th</sup> day of April, 1998;

WHEREAS, the Sullivan County Public Records Commission was created by the Sullivan County Board of Commissioners pursuant to Resolution No. 12 approved April 15, 1996, a copy of which is attached hereto; and

WHEREAS, the Public Records Commission has expressed its desire to establish county archives for Sullivan County;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby go on record as being in support of the Public Records Commission's efforts to establish county archives for Sullivan County and to secure grants to further their goal of creating said archives; however, such support shall not obligate Sullivan County for any funds associated with said efforts.

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this 20<sup>th</sup> day of April 1998.

Attested: [Signature] County Clerk Date: 4/20/98 [Signature] County Executive Date: 02-01-98

INTRODUCED BY COMMISSIONER R. Conkin ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER M. Surgenor FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 voice vote

RESOLUTION NUMBER 12

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 15th DAY OF April 19 96.

RESOLUTION AUTHORIZING Establishment of the Sullivan County Public Records Commission

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of April 19 96.

THAT WHEREAS, Tennessee Code Annotated §10-7-401 was amended in 1994 to require that counties appoint a County Public Records Commission, and

WHEREAS, The County Public Records Commission is to be composed of six (6) members, three (3) of whom are to be appointed by the County Executive and confirmed by the county legislative body. Of the three (3) appointees, one (1) must be county commissioner, one (1) must be a judge of the courts held within the county, and one must be a genealogist. The other three members are to be the county clerk, county register and county historian serving as ex officio members., and

WHEREAS, T.C.A. §10-7-402 provides that members of this commission shall serve without compensation except that any member of the commission not receiving a fixed annual salary from the state or the county may be paid a per diem of \$25.00 for each day of actual meeting; further, that members may be reimbursed for actual necessary expenses and that the commission meet not less than twice each year.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners confirms the appointees listed below as members of the County Public Records Commission:

- APPOINTEES:
- The Honorable John S. McLellan, III  
Judge, Circuit Court, Part I
  - The Honorable Raymond C. Conkin, Jr.  
County Commissioner, 8th District
  - Sheila Steele Hunt, A.P.G.  
Professional Genealogist

- EX OFFICIO MEMBERS:
- |  |   |
|--|---|
| <u>Gay B. Feathers</u><br><u>County Clerk</u>      | <u>Nancy Hamblen Acuff, Ph.D.</u><br><u>Co-historian, Sullivan County</u> |
| <u>Mary Lou Duncan</u><br><u>Register of Deeds</u> | <u>Mrs. Muriel C. Spoden</u><br><u>Co-historian, Sullivan County</u>      |

FURTHER BE IT RESOLVED, That members of the Public Records Commission receive compensation for their services pursuant to T.C.A. §10-7-402.

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this 15th day of April, 19 96

ATTACHMENT TO RESOLUTION NO. 13

Attested: \_\_\_\_\_ Date: 4/15/96  
County Clerk H. P. Hodges County Executive Date: 4/15/96

INTRODUCED BY COMMISSIONER Ferguson ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Hyatt/McConnell/Williams FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			4/15/96
Budget				
Executive	✓			4/15/96

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/15/96 ROLL CALL  
\_\_\_\_\_  
\_\_\_\_\_

Attachment to Resolution # 13

RESOLUTION NUMBER 14

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF April 1998.

RESOLUTION AUTHORIZING Sullivan County to Provide \$3,000.00 Toward the Cost of Conducting a Feasibility Study for Establishing a Business Incubator for the Tri-Cities

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of April 1998.

THAT WHEREAS, Business incubators are a proven tool in encouraging new start-up business and the creation of jobs, and

WHEREAS, A feasibility study is required to determine the viability of the establishment of a business incubator for the Tri-Cities area, and

WHEREAS, The State of Tennessee will provide \$15,000 to conduct such a study provided Sullivan County, Washington County, and the cities of Kingsport, Bristol and Johnson City each contribute \$3,000 to fund said study,

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the expenditure of \$3,000 toward funding of said feasibility study with said funds to be appropriated from Undesignated Fund Balance 39000.000. This funding is to be channeled through the First Tennessee Development District).

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Truly passed and approved this 20th day of April, 1998

Attested: B. Feathers Date: 4/20/98  
County Clerk County Executive Date: 4-20-98

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Williams FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 ROLL CALL



RESOLUTION NO. 15

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF APRIL, 1998;

RESOLUTION AUTHORIZING Ratification of Private Chapter No. 112 (House Bill No. 2950) of the 100th General Assembly of the State of Tennessee Relative to the Office of the Sullivan County Purchasing Agent

WHEREAS, TENNESSEE CODE ANNOTATED, SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of April, 1998;

WHEREAS, Private Chapter No. 112 (House Bill No. 2950) of the Private Acts of 1998 has been approved by the 100th General Assembly of the State of Tennessee subject to ratification by the governing body of Sullivan County;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby ratify Private Chapter No. 112 (House Bill No. 2950) of the Private Acts of 1998, a copy of which is attached hereto.

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this 20 day of Apr, 19 98,

Attested: Gay B. Feathers Date: 4/20/98 Gil Hodges Date: 07-21-98  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Reedy ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Daniel FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19			5	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/30/98 ROLL CALL

# State of Tennessee



*Attachment  
Res# 15*

## Department of State

*To all to whom these Presents shall come, Greeting:*

*I, Riley C. Darnell, Secretary of State  
of the State of Tennessee, do hereby certify that the annexed is a true  
copy of*

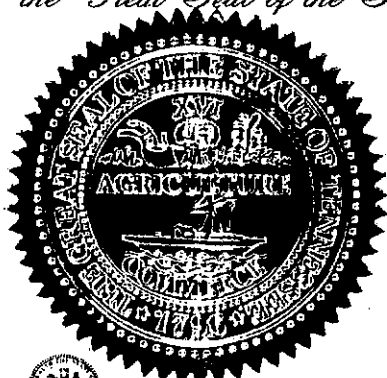
Private Chapter No. 112

House Bill No. 2950

Private Acts of 1998

*the original of which is now on file and a matter of record in this office.*

*In Testimony Whereof, I have hereunto  
subscribed my Official Signature and by order of the Governor affixed  
the Great Seal of the State of Tennessee at the Department in the  
City of Nashville, this 24th day  
of March, A. D. 1998*



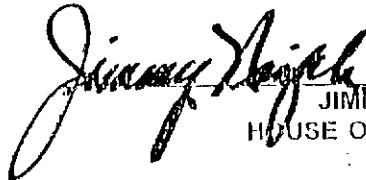
*Riley C. Darnell*  
Secretary of State



8280

HOUSE BILL NO. 2950

PASSED: MARCH 2, 1998

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 17<sup>th</sup> day of March 1998

  
DON SUNDQUIST, GOVERNOR

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF April 19 98.

RESOLUTION AUTHORIZING The Tennessee Department of Transportation Proposal Described as State Route 347 Over Walker Fork Creek 82023-4315-04 in the 15th Civil District of Sullivan County

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

\_\_\_\_\_ NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 20th day of April 19 98.

THAT BE IT RESOLVED. That the Sullivan County Board of Commissioners approves the proposal from the Tennessee Department of Transportation to construct a project designated as No. 82023-4315-04 and is described as SR-347 over Walker Fork Creek at L.M. 3.75 in the 15th Civil District of Sullivan County. (A copy of the proposal is attached to this Resolution).

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_\_\_, the public welfare requiring it.

Duly passed and approved this 20th day of April, 19 98

Attested: [Signature] Date: 4/20/98 [Signature] Date: 02-01-98  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Conkin FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 ROLL CALL



## State of Tennessee

PRIVATE CHAPTER NO. 112

HOUSE BILL NO. 2950

By Representatives Westmoreland, Godsey, Mumpower

Substituted for: Senate Bill No. 3159

By Senator Ramsey

AN ACT to amend Chapter 261 of the Private Acts of 1947, as amended by Chapter 212 of the Private Acts of 1976, Chapter 183 of the Private Acts of 1978, Chapter 6 of the Private Acts of 1981, Chapter 37 of the Private Acts of 1987, Chapter 84 of the Private Acts of 1993, and any other acts amendatory thereto, relative to the purchasing agent of Sullivan County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 261 of the Private Acts of 1947, as amended by Chapter 212 of the Private Acts of 1976, Chapter 183 of the Private Acts of 1978, Chapter 6 of the Private Acts of 1981, Chapter 37 of the Private Acts of 1987, Chapter 84 of the Private Acts of 1993, and any other acts amendatory thereto, is amended in Section 3 by deleting subsection (a) in its entirety and substituting instead the following new language:

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 such 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 the 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.

SECTION 2. Chapter 261 of the Private Acts of 1947, as amended, is amended by deleting Section 4 in its entirety and substituting instead the following new language:

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, firm 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 exceeds 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.

SECTION 3. Chapter 261 of the Private Acts of 1947, as amended, is amended by deleting Section 7 in its entirety and substituting instead the following new language:

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.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which 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 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Sullivan County. Its approval or non-approval shall be proclaimed by the presiding officer of the County Legislative Body of Sullivan County and certified to the Secretary of State.

SECTION 6. 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 upon being approved as provided in Section 5.



STATE OF TENNESSEE  
 DEPARTMENT OF TRANSPORTATION  
 P. O. BOX 58  
 KNOXVILLE, TENNESSEE 37901

March 16, 1998

*Attachment  
 Res # 16*

The Honorable Gil Hodges  
 Sullivan County Executive  
 P. O. Box 509  
 Blountville, TN 37617

RE: **PROPOSAL TO COUNTY OF SULLIVAN**

Federal Project No: N/A  
 State Project No: 82023-4315-04  
 SR-347 over Walker Fork Creek  
 @ L.M. 3.75  
 Sullivan County

Dear Mr. Hodges:

Mr. Steve Head is handing you one (1) set of plans and two (2) copies of the proposal on the above referenced project. The state representative handing you the proposal will be willing to answer any questions you may have or obtain the answers for you.

Following acceptance, one (1) copy of the proposal should be returned to me accompanied by a certified copy of the resolution accepting the proposal.

It is to be noted that we cannot begin buying the rights-of-way for this project until the county court has accepted the proposal and same has been reviewed and approved by our staff attorney. Therefore, your earliest attention to this matter will be appreciated.

We appreciate your cooperation and if we can be of assistance in any way, please do not hesitate to contact us.

Yours truly,

*Glenn C. Malone*

Glenn Malone *f.m.*  
 Transportation Manager  
 Right-of-Way Office

GM/dd

Attachment

c: Mr. Martin Kennedy

076A

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

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter "DEPARTMENT", proposes to construct a project designated as No. 82023-4315-04 that is described as SR-347 over Walker Fork Creek @ L.M. 3.75 in the COUNTY of SULLIVAN, hereinafter COUNTY, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program may be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

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



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

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

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

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

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

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

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

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

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

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

11. If, as a result of acquisition and use of right of way for the project, any building improvements become in violation of a COUNTY setback/building line

requirement, the COUNTY agrees to waive enforcement of the COUNTY setback/building line requirement and take other proper governmental action therefor.

The acceptance of this proposal shall be evidenced by the passage of a resolution, or by other proper governmental action, which shall incorporate this proposal verbatim, or by reference thereto. Thereafter, the DEPARTMENT will acquire the right of way and easements, construct the project and defend any inverse condemnation or damage civil actions of which the Attorney General has received the notice and pleadings provided for herein.

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

IN WITNESS WHEREOF, the DEPARTMENT has caused this proposal to be executed by its duly authorized official on this \_\_\_\_ day of \_\_\_\_\_, 1998.

SULLIVAN COUNTY

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

BY: *Gil Hodges*  
Gil Hodges  
County Executive

BY: \_\_\_\_\_  
J. Bruce Saltsman, Sr.  
Commissioner

APPROVED:

BY: \_\_\_\_\_  
Tim Gary  
Department Attorney

RESOLUTION NO. 20

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF April, 1998;

RESOLUTION AUTHORIZING Transfer of Real Property to State of Tennessee Relative to State Road Project 82010-2227-04 [Relocation of State Route 93]

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of April, 1998;

WHEREAS, the State of Tennessee has requested that Sullivan County convey to it certain property owned by Sullivan County which the State deems necessary for State Project 82010-2227.04 [Relocation of State Route 93 ] in exchange for the sum of \$4,100.00; and

WHEREAS, included in the proposed transfer is a permanent take, a permanent drainage easement and a temporary construction easement, all of which are more particularly described in the proposed deed, a copy of which is attached hereto; and

WHEREAS, the property involved in the proposed transfer is titled in the name of Sullivan County, Tennessee, but is currently being used by the Sullivan County Board of Education as Sullivan Middle School; and

WHEREAS, the Sullivan County Board of Education has heretofore approved said transfer as evidenced by the attached Agreement of Sale which has been duly executed by said Board;

NOW, THEREFORE, BE IT RESOLVED that Sullivan County convey to the State of Tennessee certain property as is more particularly described on the attached deed and the County Executive is hereby authorized to execute the attached deed on behalf of Sullivan County.

(WAIVER OF RULES REQUESTED)

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this 20 day of April 1998.

Attested: [Signature] Date: 4-20-98 Date: 07-01-98  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Conkin ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER Williams FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

RESOLUTION NO. 20  
Page Two

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	18			6	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 ROLL CALL  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attachment  
Ref # 20

TENNDOT

ROW FORM 30A  
FEBRUARY 1986

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
AGREEMENT OF SALE

FEDERAL PROJECT N/A COUNTY: Sullivan  
STATE PROJECT 02010-2227-04 TRACT: 15

This agreement entered into on this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
between SULLIVAN COUNTY TENNESSEE  
hereinafter called Seller and the Department of Transportation hereinafter  
called Department shall continue for a period of 90-days under the terms and  
conditions listed below. This Agreement embodies all considerations agreed  
to between the Seller and the Department.

A. The Seller hereby offers and agrees to convey to the Department  
all interest in the lands identified as Tract 15 on the  
right-of-way plan for the above referenced project upon the  
Department tendering the purchase price of \$ 4,200.00  
said tract being further described as follows:

See the attached Exhibit "A".

D. The Department agrees to pay for the expenses of title examination,  
preparation of instrument of conveyance and recording of deed. The  
Department will reimburse the Seller for expenses incident to the  
transfer of the property to the Department. Real Estate Taxes will  
be prorated.

The following terms and conditions will also apply unless otherwise indicated:

C. Retention of Improvements ( ) RETAINED ( ) NOT RETAINED (X) N/A  
Seller agrees to retain improvements under the terms and conditions  
stated in ROW FORM 32-A attached to this document and made a part of  
this Agreement of Sale.

D. Utility Adjustment (X) Not Applicable  
The Seller agrees to make at his expense the below listed repair,  
relocation or adjustment of utilities owned by him. The purchase  
price offered includes \$ NA to compensate the owner  
for his expenses.

E. Other

F. The Seller states in the following space the name of any Lessee of  
any part of the property to be conveyed and the name of any other  
parties having any interest of any kind in said property.

NONE

Alvie Bright  
ALVIE BRIGHT

Charles Bridwell  
CHARLES BRIDWELL

Dana H. Carrier  
DANA H. CARRIER

Jack Bales  
JACK BALES

Larry Harris  
LARRY HARRIS

Jim Kiss  
JIM KISS

Jerry Greene  
JERRY GREENE

## WARRANTY DEED

Project:  
82010-2227-04

County:  
Sullivan

Tract:  
15

KNOW ALL MEN BY THESE PRESENTS, That, I/we,

Sullivan County, Tennessee

have bargained and sold, and by these presents do transfer and convey unto the State of Tennessee, the land and / or lands rights, more particularly described as follows:

SITUATED, lying and being in Civil District No. 15 of Sullivan County, Tennessee and being more fully described as follows:

BEGINNING at a right of way marker on the south proposed uncontrolled right of way line at the point of intersection with the common property line between Paul Riggs and the grantors herein, said marker located 56.61 feet right of centerline station 440+25.85; thence with the said south proposed uncontrolled right of way line south 74 degrees 31 minutes 51 seconds west 200.85 feet to a right of way marker located 57 feet right of centerline station 438+25; thence south 55 degrees 47 minutes 20 seconds west 32.66 feet to a point on the common property line between Berneda Jackson and the grantors herein, said point located 67.55 feet right of centerline station 437+94.09; thence with the said property line north 53 degrees 49 minutes 28 seconds west 210.52 feet to a point on the north proposed uncontrolled right of way line, said point located 97.77 feet left of centerline station 436+64.17; thence with the said north proposed uncontrolled right of way line north 72 degrees 34 minutes 48 seconds east 56.47 feet to a right of way marker located 99.46 feet left of centerline station 437+20; thence south 87 degrees 08 minutes 06 seconds east 74.14 feet to a right of way marker located 76.19 feet left of centerline station 437+90; thence north 76 degrees 21 minutes 58 seconds east 60.03 feet to a right of way marker located 73 feet, more or less left of centerline station 438+50; thence south 81 degrees 49 minutes 03 seconds east 43.52 feet to a right of way marker located 57 feet left of centerline station 438+90; thence north 73 degrees 50 minutes 34 seconds east 220.15 feet to a point on the common property line between Paul Riggs and the grantors herein, said point located 59.89 feet left of centerline station 441+12.50; thence with the said property line south 32 degrees 19 minutes 00 seconds west 18.95 feet to a turn; thence south 19 degrees 24 minutes 00 seconds west 126.51 feet to the Point of BEGINNING.

Containing 0.983 acres, more or less.

The above described tract of land is conveyed to the grantee in fee simple.

PERMANENT DRAINAGE EASEMENT

PARCEL #1

BEGINNING at a point on the north proposed uncontrolled right of way line at the point of intersection with the east limits of the proposed easement, said point located 98.56 feet right of centerline station 436+92.81; thence with the said north proposed uncontrolled right of way line south 72 degrees 34 minutes 48 seconds west 29.26 feet to a point on the common property line between Berneda Jackson and the grantors herein, said point located 97.77 feet left of centerline station 437+20; thence with the said property line north 53 degrees 49 minutes 28 seconds west 43.46 feet to a point on the north limits of the proposed easement, said point located 132.07 feet left of centerline station

436+37.51; thence with the said proposed easement north limits north 72 degrees 34 minutes 48 seconds east 55.00 feet to a point on the east limits, said point located 133.39 feet left of centerline station 436+85.86; thence with the said proposed east limits south 17 degrees 29 minutes 47 seconds east 35.00 feet to the Point of BEGINNING.

PARCEL #2

BEGINNING at a point on the south proposed uncontrolled right of way line at the point of intersection with the common property line between Berneda Jackson and the grantors herein, said point located 67.55 feet right of centerline station 437+94.09; thence with the said south proposed uncontrolled right of way line north 55 degrees 47 minutes 20 seconds east 26.97 feet to a point on the east limits of the proposed easement, said point located 58.84 feet right of centerline station 438+19.61; thence with the said proposed east limits south 53 degrees 24 minutes 28 seconds east 50.00 feet to a point on the south limits of the proposed easement, said point located 98.21 feet right of centerline station 438+50.43; thence with the said proposed south limits southwesterly 25.04 feet to a point on the common property line between Berneda Jackson and the grantors herein; thence with the said property line north 53 degrees 49 minutes 28 seconds west 58.87 feet to the Point of BEGINNING.

Containing 2,854 square feet, more or less in the two above described parcels.

By this instrument the grantors hereby convey a permanent easement for construction and maintenance of a drainage facility. The land on which the drainage facility is to be constructed is to remain the property of the undersigned and may be used for any purpose desired, provided such use does not interfere with the use or maintenance of said facility.

CONSTRUCTION EASEMENT

BEGINNING at a point on the east limits of a proposed easement at the point of intersection with the south limits of a proposed drainage easement, said point located 98.21 feet right of centerline station 438+50.43; thence with the said proposed east limits south 53 degrees 24 minutes 28 seconds east 126.03 feet to a point on the common property line between Paul Riggs and the grantors herein; thence with the said property line south 19 degrees 24 minutes 00 seconds west 25.25 feet to a corner common to Berneda Jackson; thence with the Jackson property line north 53 degrees 49 minutes 28 seconds west 133.50 feet to a point on the south limits of a proposed drainage easement; thence with the said south limits northeasterly 25.04 feet to the Point of BEGINNING.

Containing 3,207 square feet, more or less.

By this instrument the grantors hereby convey an easement for the construction of a ditch outside of the proposed right of way line. The title to the above described land remains vested in the grantor and is to be used by the State of Tennessee, its contractors or its assigns for a period of 2 & 1/2 years from and after the commencement of construction.

The grantors acquired title to said land under Deed of record in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, in the Register's Office of Sullivan County, Tennessee.



The consideration mentioned herein includes payment for the property taken, also payment for any and all incidental damages to the remainder compensable under eminent domain.

The above described property is a portion of Parcel No. 014, Tax Map 090 NA.

\*See Final Judgments of record in Deed Book 288, Page 388, and Deed Book 288, Page 390 in the Register's Office for Sullivan County, Tennessee.

This conveyance is made in consideration of Four Thousand One Hundred

( \$ 4,100.00 ) Dollars, cash in hand paid, the receipt of which is hereby acknowledged.

TO HAVE AND TO HOLD said land, with the appurtenances, estate, title and interest thereto belonging, except as may be specified otherwise herein, to the said State of Tennessee. And they do covenant with the said State of Tennessee that they are lawfully seized and possessed of said land in fee simple, have a right to convey it and the same is unencumbered.

And they do further covenant and bind themselves, their agents and representatives to warrant and forever defend the title to said land to the said State of Tennessee against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF the County of Sullivan, Tennessee, has caused this instrument to be signed in its name by its County Executive, duly authorized, and its seal to be hereto affixed by its County Court Clerk on this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

County of \_\_\_\_\_, Tennessee.

By: \_\_\_\_\_

\_\_\_\_\_  
County Court Clerk

STATE OF TENNESSEE

COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, a Notary Public in and for the State and County aforesaid, personally appeared \_\_\_\_\_

\_\_\_\_\_, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be the County Executive of \_\_\_\_\_ County, Tennessee, the within named bargainor, a duly constituted County of Tennessee, and that he as such County Executive, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the County of \_\_\_\_\_, Tennessee, by himself as County Executive.

WITNESS my hand and seal at office in the State and County aforesaid on this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:  
\_\_\_\_\_

RESOLUTION NO. 21

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF APRIL 1998.

RESOLUTION AUTHORIZING Ratification of House Bill No. 3396/Senate Bill No. 3391 of the 100th General Assembly of the State of Tennessee Relative to Election of General Sessions Court Judges in Sullivan County

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of April 1998;

WHEREAS, the Sullivan County Board of Commissioners on July 21, 1997 approved Resolution No. 8 ratifying Private Chapter No. 35 (House Bill No. 1970) of the Private Acts of 1997 relative to the election of General Sessions Court Judges in Sullivan County; and

WHEREAS; certain necessary language was omitted when the Private Act was drafted in Nashville; and

WHEREAS, a new bill identified as House Bill No. 3396/Senate Bill No. 3391 (Private Chapter No. not yet assigned) was drafted to include the language previously omitted from Private Chapter No. 35 of the Privates Act of 1997 and has been approved by the 100th General Assembly of the State of Tennessee subject to ratification by the county legislative body.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby ratify House Bill No. 3396/Senate Bill No. 3391, a copy of which is attached hereto.

(WAIVER OF RULES REQUESTED)

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_\_\_, the public welfare requiring it. Duly passed and approved this 20 day of Apr 19 98

Attested: *Gay B. Feathers* Date *4/20/98* *Gil Hodges* Date *20-04-98*  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Conkin FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19			5	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 ROLL CALL

*SB 3391*  
*Sen. Ramsey*

AN ACT to amend Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, Chapter 34 of the Private Acts of 1997, Chapter 35 of the Private Acts of 1997, and any other acts amendatory thereto, relative to the General Sessions Court of Sullivan County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, Chapter 34 of the Private Acts of 1997, Chapter 35 of the Private Acts of 1997, and any other acts amendatory thereto, is amended in Section 17 by deleting the language "civil district" wherever it appears and substituting instead the language "voting precinct".

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

SECTION 3. 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 upon being approved as provided in Section 2.

*Amendment to Resolution NO. 21*



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TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF APRIL, 1998.

RESOLUTION AUTHORIZING Establishment of Blountville Heritage District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20<sup>th</sup> day of April, 1998;

WHEREAS, the community of Blountville has served as the county seat of Sullivan County government since the establishment of the county in 1779; and

WHEREAS, Sullivan County is unique among the ninety-five (95) counties of the State of Tennessee in having its seat of county government in an unincorporated community;

WHEREAS, the community of Blountville has played a vital role in the rich heritage of Sullivan County; and

WHEREAS, the establishment of a "Blountville Heritage District," established according to the following principles, has been proposed which will help preserve the heritage of the county seat while allowing for its enhancement through the provision of necessary urban services; and

WHEREAS, the cities of Bristol, Kingsport and Bluff City have indicated their support for the establishment of the Blountville Heritage District according to the following principles;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners supports and encourages the establishment of the Blountville Heritage District in the geographical area so designated on the map attached hereto subject to the following terms and conditions:

1. No municipality located within Sullivan County will include any portion of such district within its corporate limits (with the exception of property identified in Item 3 below), whether by annexation or otherwise, until and unless (a) the owner of real property located within such district requests the inclusion of such property within the boundaries of such municipality, and (b) such municipality first consults with Sullivan County concerning same and gains approval of a ~~simple~~ majority of the Sullivan County Commission.
2. In the event property located within the Blountville Heritage District becomes located within the corporate boundaries of a municipality in Sullivan County pursuant to Item 1 or Item 3 of this Resolution, then (a) the local share of any sales tax revenue generated by such property will be split equally between Sullivan County and the municipality in which the property is located, and (b) the cost of any public infrastructure constructed on the property by the municipality will be shared equally between Sullivan County and the municipality.
3. The area designed "Zone 1" on the attached map (currently owned by William Cox Heirs and designated as Parcel 33.00 on Tax Map 66) shall not be subject to the provisions of Item 1 of this Resolution; however, the City of Bristol, Tennessee will not include any portion of "Zone 1" within its corporate limits, whether by annexation or otherwise, until and unless sanitary sewer service from the City of Bristol, Tennessee is available to the property and such sewer service is requested by the owner and approved by a ~~simple~~ majority of the County Commission.

4. The Blountville Heritage District as defined by the terms and conditions set forth herein and the agreements between the parties as set forth herein shall be effective upon Sullivan County entering into a contract with the three municipalities in Sullivan County to effectuate the substantive provisions of this Resolution. The County Executive is hereby authorized to execute such contract upon approval of the contract by the County Attorney.

BE IT FURTHER RESOLVED that Resolution No. 19 approved by the Board of Commissioners on March 16, 1998, a copy of which is attached hereto, is hereby rescinded.

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_, the public welfare requiring it.

Duly passed and approved this 20 day of April 98.

*Day* Witnessed - *Teach* Date: *4/20/98*  
County Clerk County Executive

INTRODUCED BY COMMISSIONER R. Harr ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Belcher, Milhorn, Boyd, FUND: \_\_\_\_\_  
Vance, Hubbard, Ferguson, Hicks, Maves

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	16	1	2	5	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 4/20/98 ROLL CALL

RESOLUTION NO. 19

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16th DAY OF MARCH, 1998.

RESOLUTION AUTHORIZING Establishment of Blountville Heritage District

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 16th day of March, 1998;

WHEREAS, the community of Blountville has served as the county seat of Sullivan County government since the establishment of the county in 1779; and

WHEREAS, Sullivan County is unique among the ninety-five (95) counties of the State of Tennessee in having its seat of county government in an unincorporated community;

WHEREAS, the community of Blountville has played a vital role in the rich heritage of Sullivan County; and

WHEREAS, the establishment of a "Blountville Heritage District," established according to the following principles, has been proposed which will help preserve the heritage of the county seat while allowing for its enhancement through the provision of necessary urban services; and

WHEREAS, the cities of Bristol, Kingsport and Bluff City have indicated their support for the establishment of the Blountville Heritage District according to the following principles;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners supports and encourages the establishment of the Blountville Heritage District in the geographical area so designated on the map attached hereto subject to the following terms and conditions

Amend:  
Comm. Belche  
3/16/98

1. No municipality located within Sullivan County will include any portion of such district within its corporate limits (with the exception of property identified in Item 3 below), whether by annexation or otherwise, until and unless (a) the owner of real property located within such district requests the inclusion of such property within the boundaries of such municipality, and (b) such municipality first consults with Sullivan County concerning same AND gains approval of Sullivan County Commission.
2. In the event property located within the Blountville Heritage District becomes located within the corporate boundaries of a municipality in Sullivan County pursuant to Item 1 or Item 3 of this Resolution, then (a) the local share of any sales tax revenue generated by such property will be split equally between Sullivan County and the municipality in which the property is located, and (b) the cost of any public infrastructure constructed on the property by the municipality will be shared equally between Sullivan County and the municipality.
3. The area designated "Zone 1" on the attached map (currently owned by William Cux Heirs and designated as Parcel 33.00 on Tax Map 66) shall not be subject to the provisions of Item 1 of this Resolution; however, the City of Bristol, Tennessee will not include any portion of "Zone 1" within its corporate limits, whether by annexation or otherwise, until and unless sanitary sewer service from the City of Bristol, Tennessee is available to the property and such sewer service is requested by the owner.

Attachment to Resolution No. 23

4 The Blountville Heritage District as defined by the terms and conditions set forth herein and the agreements between the parties as set forth herein shall be effective upon Sullivan County entering into a contract with the three municipalities in Sullivan County to effectuate the substantive provisions of this Resolution. The County Executive is hereby authorized to execute such contract upon approval of the contract by the County Attorney and the term of the contract shall be for 99 years.

AMEND:  
1st: Hyatt  
2nd: Vance

(term of contract shall be for 99 years)

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

This resolution shall become effective on \_\_\_\_\_, 19\_\_ the public welfare requiring it.

Duly passed and approved this 16 day of March, 1998.

Attested: \_\_\_\_\_ Date: 3/16/98  
County Clerk [Signature] County Executive

INTRODUCED BY COMMISSIONER R. Harr ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER C. Belcher FUND: \_\_\_\_\_  
AND Commissioners Milhorn, Boyd, Vance, Hubbard, Ferguson, Hicks, Mayes

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	1	1	3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED AS AMENDED 3/16/98  
ROLL CALL VOTE



613

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET  
AGAIN IN REGULAR SESSION MAY 18, 1998.

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GIL HODGES, COUNTY EXECUTIVE

