

COUNTY COMMISSION - REGULAR SESSION

APRIL 19, 1999

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, APRIL 19, 1999, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, JEANIE F. GAMMON, COUNTY CLERK AND CURTIS TACKETT, DEPUTY SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Executive, Gil Hodges. Deputy Sheriff Curtis Tackett opened the commission and Commissioner James L. King, Jr. gave the invocation. Pledge to the flag was led by County Executive, Gil Hodges.

Commissioners present and answering roll call are as follows:

CAROL J. BELCHER
BRYAN K. BOYD
FRED CHILDRESS
MIKE GONCE
DENNIS HOUSER
SAMUEL JONES
JAMES "BUDDY" KING
DWIGHT MASON
WAYNE MCCONNELL
RANDY MORRELL
ARCHIE PIERCE
MARK A. VANCE

JAMES R. "JIM" BLALOCK
JUNE CARTER
O.W. FERGUSON
RALPH HARR
MARVIN HYATT
ELLIOTT KILGORE
JAMES L. KING, JR.
GARY MAYES
PAUL MILHORN
HOWARD PATRICK
EDDIE WILLIAMS

23 PRESENT 1 ABSENTABSENT MICHAEL B. SURGENOR

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

Motion was made by Comm. Harr and seconded by Comm Hyatt to approve the minutes of the March 15, 1999 regular session of County Commission. Motion was approved by voice vote.

PUBLIC COMMENTS:

Those speaking during the public comment time were as follows;

1. Steve Jones regarding Juvenile Court Probation Department
2. Mr. Ratliff on Airport Commission.
3. Jeff Bridwell, Chairman of Strategic Planning Commission Report
4. Stanley Harrison of the State Planning Office reporting on their progress of Public Chapter 110 of 1998 "Growth Policy, Annexation and Incorporation". Reported that meetings are scheduled at the four High Schools beginning this week. Motion was then made by Blaylock and seconded by Patrick to defer the scheduled meetings until a later date so the public could be made more aware of the dates. Roll Call vote was taken and the motion failed. 6 Aye, 14 Nay, 3 Pass, 1 Absent. Motion was then made by Comm. Vance that a roster with names and addresses be gotten at each of the meetings. Mr. Harrison said that that would be done.
5. Carletta Sims regarding Res. #30 approved Sept. 21, 1998.

Mr. David Burrell and students of Holston Middle School presented a Blountville Historical Presentation.

Recognition was given to the Bristol Welcome Center Staff. Present and accepting from County Executive Gil Hodges was Mary Steadman.

Comm. Harr placed Nelda Hulse's name on the floor for the Election of Purchasing Agent. The nomination was seconded by Comm. Morrell. Roll Call vote was taken and Nelda Hulse was re-appointed Purchasing Agent for Sullivan County, with 23 aye and 1 absent vote.


QUARTERLY REPORTS filed this month included the following: Sullivan County Library, Sullivan County Safety & Insurance, Sullivan County Strategic Planning Committee, Sullivan County Purchasing, Agricultural Extension Service, Sullivan County Commissioner of Highways

April 7, 1999

OFFICIAL NOTICE

TO: All Members of the Sullivan County Commission

Chapter 112 of the Private Acts of 1947 requires that the position of Purchasing Agent be appointed by the Sullivan County Commission at the April 19, 1999 term of the County Commission.


Jeannie Gammon
County Clerk

Comm. HARR PLACED Nelda Hulse's name on the floor for the position of Purchasing Agent. The nomination was seconded by Comm. Morrell. Roll Call vote was taken and Nelda Hulse was re-appointed Purchasing Agent for Sullivan County. 23 Aye and 1 Absent this Date April 19, 1999.

STATE OF TENNESSEE
 COUNTY OF SULLIVAN
 ELECTION OF NOTARIES
 MARCH 15, 1999

Melinda B. Akard	Gail A. Massie
Mary Jane Alley	Janice McGlocklin
Judi Bellamy	Joe A. Mitchell
William R. Berry	Anna Mae Morelock
Judy S. Blalock	Elizabeth Osborne
Sabrina S. Brown	Brenda S. Phipps
Judy E. Campbell	Benjamin R. Powers, Sr.
Kristie R. Campbell	Elizabeth A. Rhymer
Tammie R. Carr	Deborah M. Ryans
J. Richard Carroll	Nancy E. Saul
Lora A. Castle	Sarahena N. Scardo
Linda A. Clemmons	Carl Lee Smith
Fredrick J. Conklin, Jr.	Vickie S. Snodgrass
Patricia C. Davis	Daniel P. Street
Michelle Dowell	Debra S. Vaughn
fonda Elam	Kathy L. Vencill
James M. Eller	Delene C. Whetsel
Catherine Felty	
Denise M. Gill	
David M. Hacker	
Donna Ann Hammond	
Debra R. Helton	
Tracy M. Holt	
Robin J. Hopkins	
Roslyn S. Justice	
Anissa I. Kittrell	
Martha Sharon Long	
David L. Lyons	
Loretta Lyons	

UPON MOTION MADE BY COMM. HARR AND SECONDED
 BY COMM. HYATT TO APPROVE THE NOTARY
 APPLICATIONS HEREON, SAID MOTION WAS
 APPROVED BY ROLL CALL VOTE OF THE COMMISSION.
 22 AYE, 2 ABSENT

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLIC SURETY BONDS

APRIL 19, 1999

Patricia M. Freeman
Patricia J. Hagy
Mary Ann Carter
Judith A. Daugherty
Anita R. Greer
Dean Greer
William A. Hicks
Drenda Hurley
Nadine J. Pearman
Rebecca A. Spangler

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. HYATT
TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS,
SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION.
22 aye, 2 ABSENT.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF April, 1999.

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 19th day of April, 1999;

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 19 day of April, 1999.

Jeanine J. Hammond _____ Date: _____
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 made by Comm. Harr and seconded by Comm. Hyatt to approve. Approved 04/19/99 Voice Vote

PUBLIC NOTICE
SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, April 19, 1999 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) Consider a request by Barbara Puckett to rezone a tract of land located in the 7th Civil District on the north side of State Route 126 at its intersection with Holiday Hills Drive from R-1 to R-2 to permit the location of a single-wide mobile home.
- (2) Consider a request by Andrew Shivley and Phillip Mellins to rezone a tract of land located in the 10th Civil District on the north side of Bloomingdale Road at its intersection with Kingsley Ave. from PBD-3 to B-3 to permit the location of smaller side yard setbacks.
- (3) Consider a request by Hunter Bradley to rezone a tract of land located in the 14th Civil District on the west side of Hemlock Road approximately 2400 feet north of its intersection with Fort Henry Drive from R-1 to B-4 to permit the location of a Par 3 Golf Course.
- (4) Consider a request by David Wilson to rezone a tract of land located in the 8th Civil District on the south side of Buffalo Road approximately 2000 feet west of its intersection with Beaver Creek Road from R-1 to R-2 to permit the location of a single-wide mobile home.
- (5) Consider a request by Henry Noonkester to rezone a tract of land located in the 16th Civil District on the west side of U.S. Hwy. 11-E approximately 5600 feet north of its intersection with Poplar Ridge Road from A-1 to B-3 to permit the location of business development.
- (6) Consider a request by Leon Dunn D and G Enterprises to rezone a tract of land located in the 5th Civil District on the north and south sides of State Route 394 approximately 1600 feet east of its intersection with Feathers Chapel Road from R-1 to PBD to permit the location of commercial development.

The public is cordially invited to attend this public hearing and comment upon any rezoning request. For more information, please call 323-6440.

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

April 19, 1999

Consider the following:

- (1) **File # 2/99-3** A request by Barbara Puckett to rezone the property described below from R-1 to R-2: **Request Denied 04/19/99 Roll Call Vote 21 Nay, 2 Pass, 1 Absent**
- "Being a tract of land located in the 7th Civil District on the north side of State Route 126 at its intersection with Holiday Hills Drive and further described as parcel 37.00, group B, map 48P of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/99-3, Barbara Puckett Request

Barbara Puckett requested that a tract of land located in the 7th Civil District on the north side of State Route 126 at its intersection with Holiday Hills Drive be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was represented by her daughter who spoke in support of the request. Adjacent property owners Clayton Douglas and Gary Jones spoke in opposition to the request citing potential decrease in residential property values and incompatibility with predominate existing single family home development. Staff stated the requested zoning was not compatible with existing zoning or land use patterns and recommended the request be denied.

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

- (2) **File # 3/99-4** A request by Andrew Shivley and Phillip Mullins to rezone the property described below from PBD-3 to B-3: **Request Approved 04/19/99. Roll Call 21 Aye, 2 Nay, 1 Absent**
- "Being a tract of land located in the 10th Civil District on the north side of Bloomingdale Road at its intersection with Kingsley Ave and further described as parcel 17.00, group E, map 31B of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/99-4, Andrew Shivley and Phillip Mullins Request

Andrew Shivley and Phillip Mullins requested that a tract of land located in the 10th Civil District on the north side of Bloomingdale Road at its intersection with Kingsley Ave. be rezoned from PBD-3 to B-3 to permit the location of smaller side yard setbacks.

The applicant was present. No opposition was presented. Staff stated that site plan review required by existing PBD-3 zone was needed for control of development and recommended the request be denied.

Motion Brown, second Mullins to approve the request noting that in this particular case the request was compatible with existing zoning and development controls were adequate. Vote in favor of the motion: Brown, Mullins, Hickam, Greene; opposed: Boggs, H. Barnes, S. Barnes. The motion carried 4 to 3.

- (3) **File # 3/99-5** A request by Hunter Bradley to rezone the property described below from R-1 to B-4: **Request Approved 04/19/99 Roll Call Vote 21 Aye, 2 Nay, 1 Absent.**
- "Being a tract of land located in the 14th Civil District on the west side of Hemlock Road approximately 2400 feet north of its intersection with Fort Henry Drive and further described as parcel 33.10, group , map 77 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/99-5, Hunter Bradley Request

Hunter Bradley requested that a tract of land located in the 14th Civil District on the west side of Hemlock Road approximately 2400 feet north of its intersection with Fort Henry Drive be rezoned from R-1 to B-4 to permit the location of a Par 3 Golf Course.

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

- (4) **File # 3/99-8** A request by David Wilson to rezone the property described below from R-1 to R-2:
Request Approved 04/19/99. Roll Call Vote 21 Aye, 2 Nay, 1 Absent
- "Being a tract of land located in the 8th Civil District on the south side of Buffalo Road approximately 2000 feet west of its intersection with Beaver Creek Road and further described as parcel 107.10, group , map 81 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/99-8, David Wilson Request

David Wilson requested that a tract of land located in the 8th Civil District on the south side of Buffalo Road approximately 2000 feet west of its intersection with Beaver Creek Road 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 Mullins, second Brown to approve the request as recommended by staff. Vote in favor of the motion unanimous.

- (5) **File # 3/99-10** A request by Henry Noonkester to rezone the property described below from A-1 to B-3: Request approved 04/19/99. Roll Call VOTE 21 aye, 2 Nay, 1 Absent
- "Being a tract of land located in the 16th Civil District on the west side of U.S. Hwy. 11-E approximately 5600 feet north of its intersection with Poplar Ridge Road and further described as parcel 45.00, group , map 110 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 3/99-10, Henry Noonkester Request

Henry Noonkester requested that a tract of land located in the 16th Civil District on the west side of U.S. Hwy. 11-E approximately 5600 feet north of its intersection with Poplar Ridge Road be rezoned from A-1 to B-3 to permit the location of business development.

The applicant was present. No opposition was presented. Staff stated the request was not compatible with the commissions land use map guidelines for the US 11-W corridor but that the property was an existing nonconforming use and could continue to operate as a business under existing zoning and therefore proposed rezoning would bring the property classification into line with its actual use. Staff recommended the request be approved.

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

- (6) **File # 3/99-11** A request by Leon Dunn D and G Enterprises to rezone the property described below from R-1 to PBD: Request Approved 04/19/99. Roll Call 21 Aye, 2 Nay, 1 Absent

5300

"Being a tract of land located in the 5th Civil District on the north and south sides of State Route 394 approximately 1600 feet east of its intersection with Feathers Chapel Road and further described as parcel 9.00 and 15.00, group A, map 66K of the Sullivan County Tax Maps."

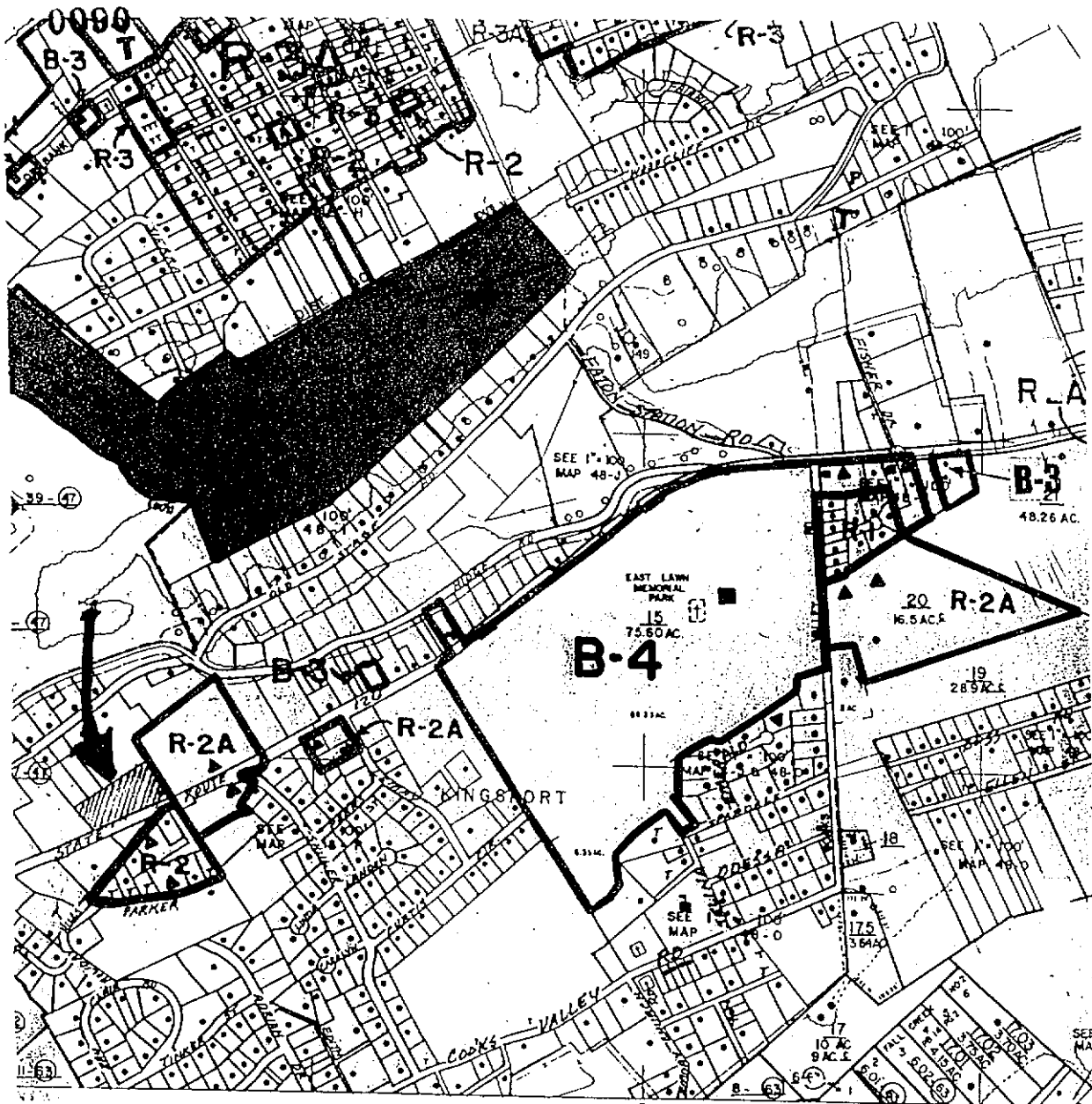
The Planning Commission took the following action:

" File No. 3/99-11, Leon Dunn D and G Enterprises Request

Leon Dunn D and G Enterprises requested that a tract of land located in the 5th Civil District on the north and south sides of State Route 394 approximately 1600 feet east of its intersection with Feathers Chapel Road be rezoned from R-1 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 H. Barnes, second Mullins to approve the request as recommended by staff. Vote in favor of the motion: H. Barnes, Mullins, Boggs, Hickam, Brown; opposed: None; abstain: S. Barnes. The motion carried 5 to 0 with 1 abstention.



REZONING REQUEST
 Sullivan County, Tennessee
 From R-1 To R-2

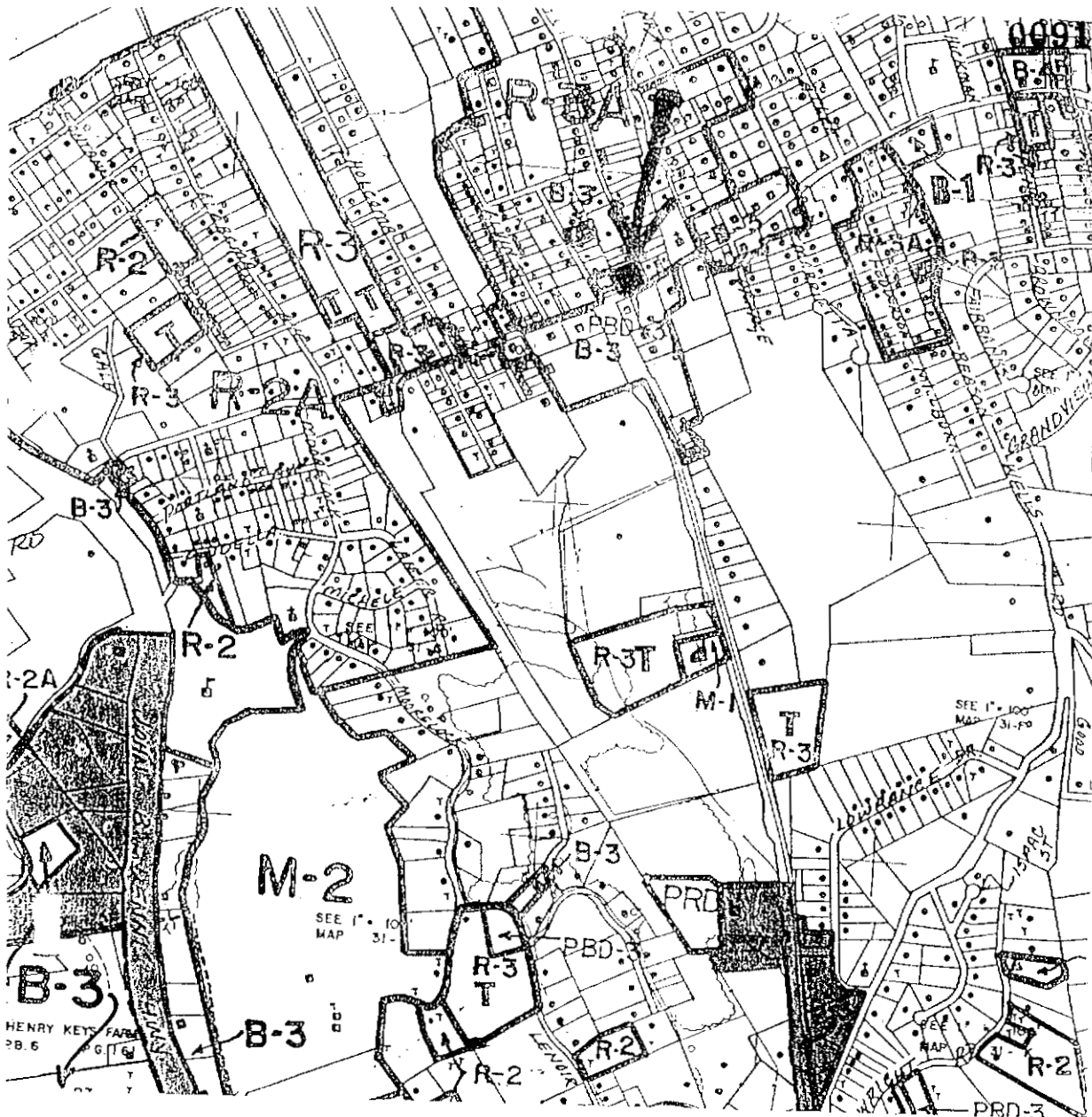
1" = 800'
 Scale

Lot Size: 2.7 acres
 Civil District: 7



"February 16, 1999"

File # 2/99-3



REZONING REQUEST
 Sullivan County, Tennessee
 From PBD-3 To B-3

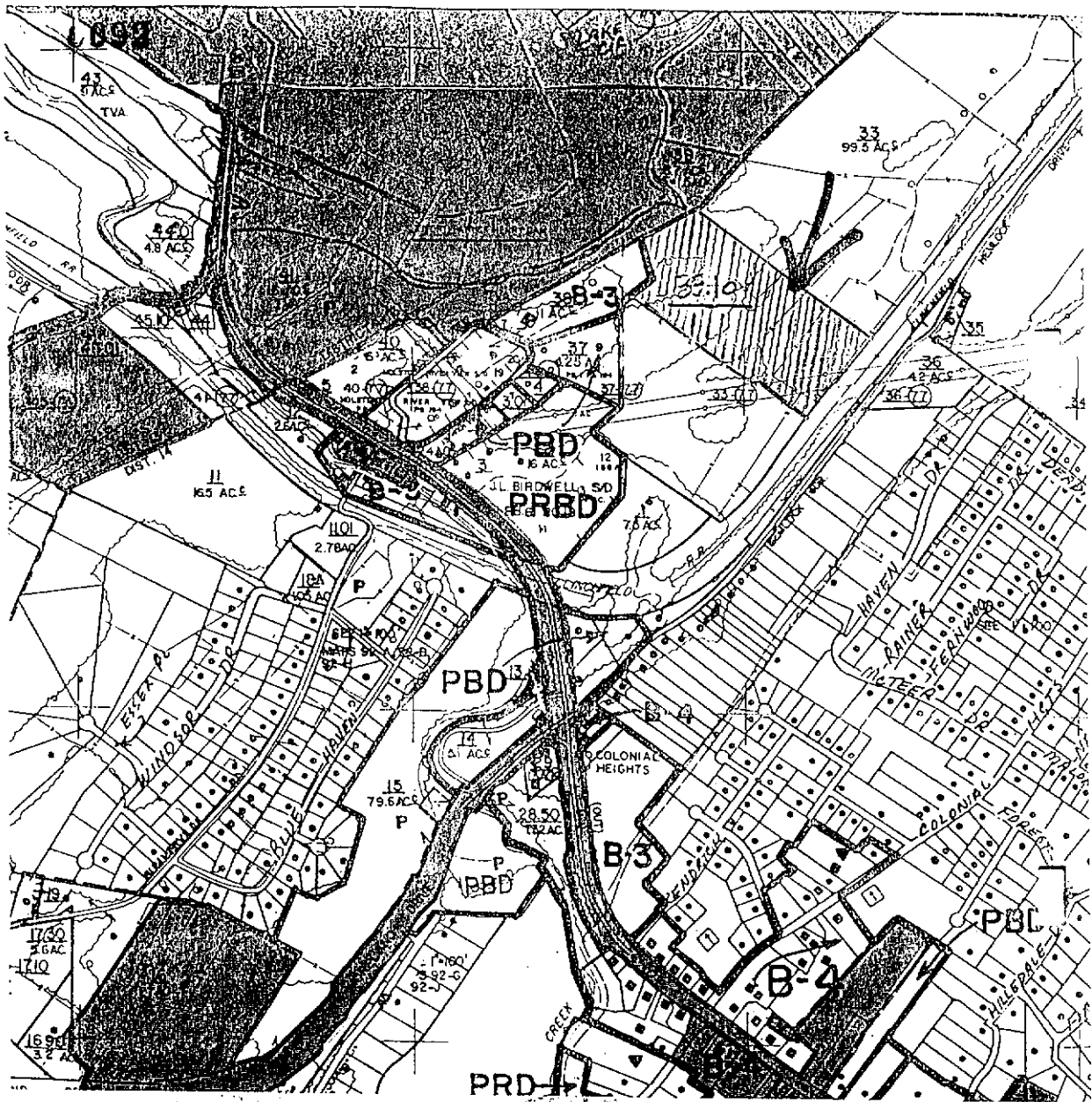
1" = 800'
 Scale

Lot Size: 150 x 157 feet
 Civil District: 10



March 16, 1999

File # 3/99-4



REZONING REQUEST
 Sullivan County, Tennessee
 From R-1 To B-4

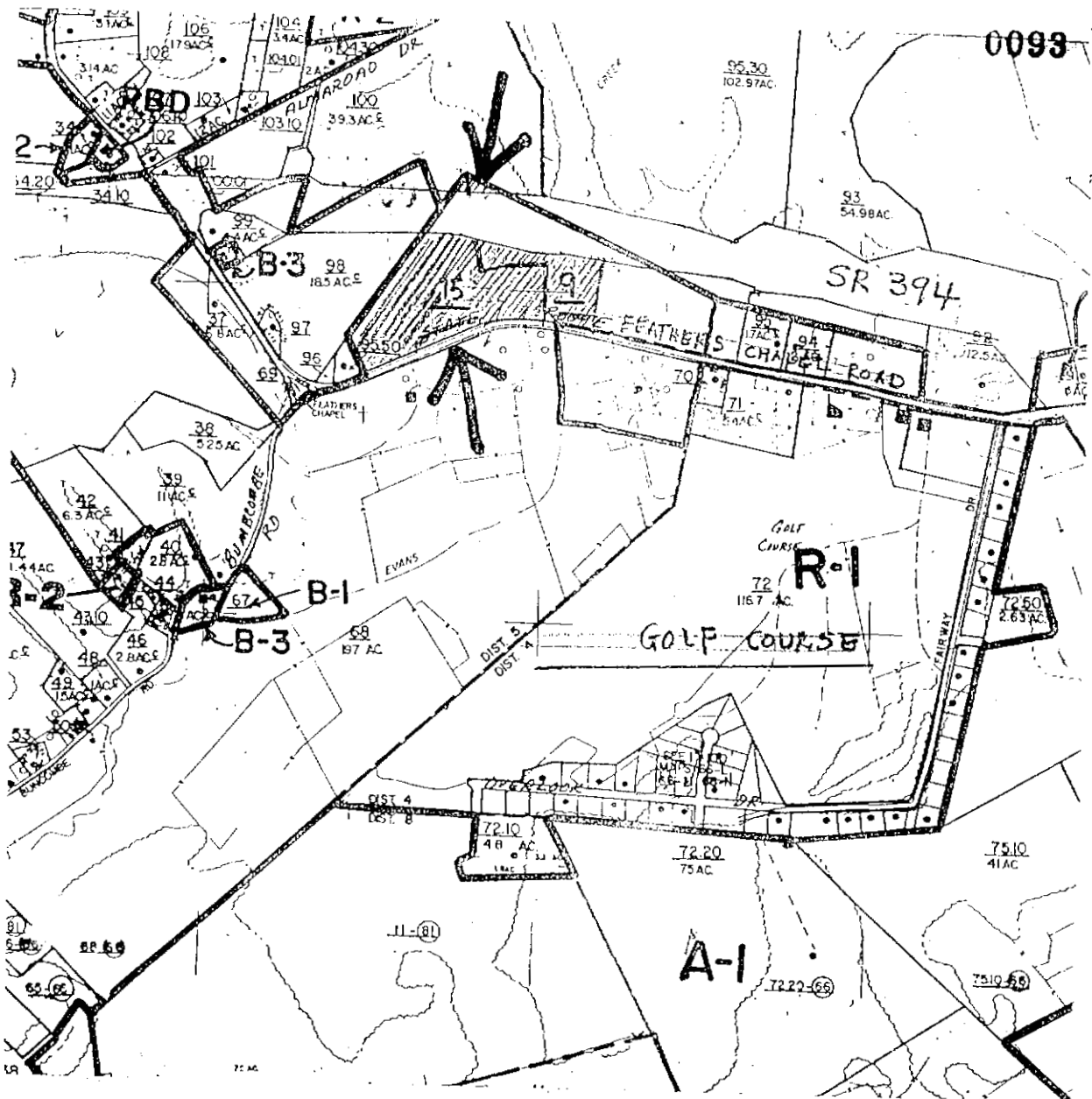
1" = 800'
 Scale

Lot Size: 19.06 acres
 Civil District: 14



March 16, 1999

File # 3/99-5



REZONING REQUEST
 Sullivan County, Tennessee
 From R-1 To PBD

1" = 800'
 Scale

Lot Size: 16 acres
 Civil District: 5

March 16, 1999

File # 3/99-11

NORTH

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 March 1999.

RESOLUTION AUTHORIZING STOP Signs on Various Roads in the 6th Civil 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 15th day of March 1999.

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes STOP signs to be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

6th CIVIL DISTRICT:

STOP Sign - on Dale View Drive at Scott Lane

STOP Signs - on Highland Meadows Drive on both sides of Dale View Drive

STOP Sign - on Woods Edge Drive at Highland Meadows Drive

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 19 day of April, 1999

Jeanne F. Lammon

Attested: _____ County Clerk

Date: 4-19-99

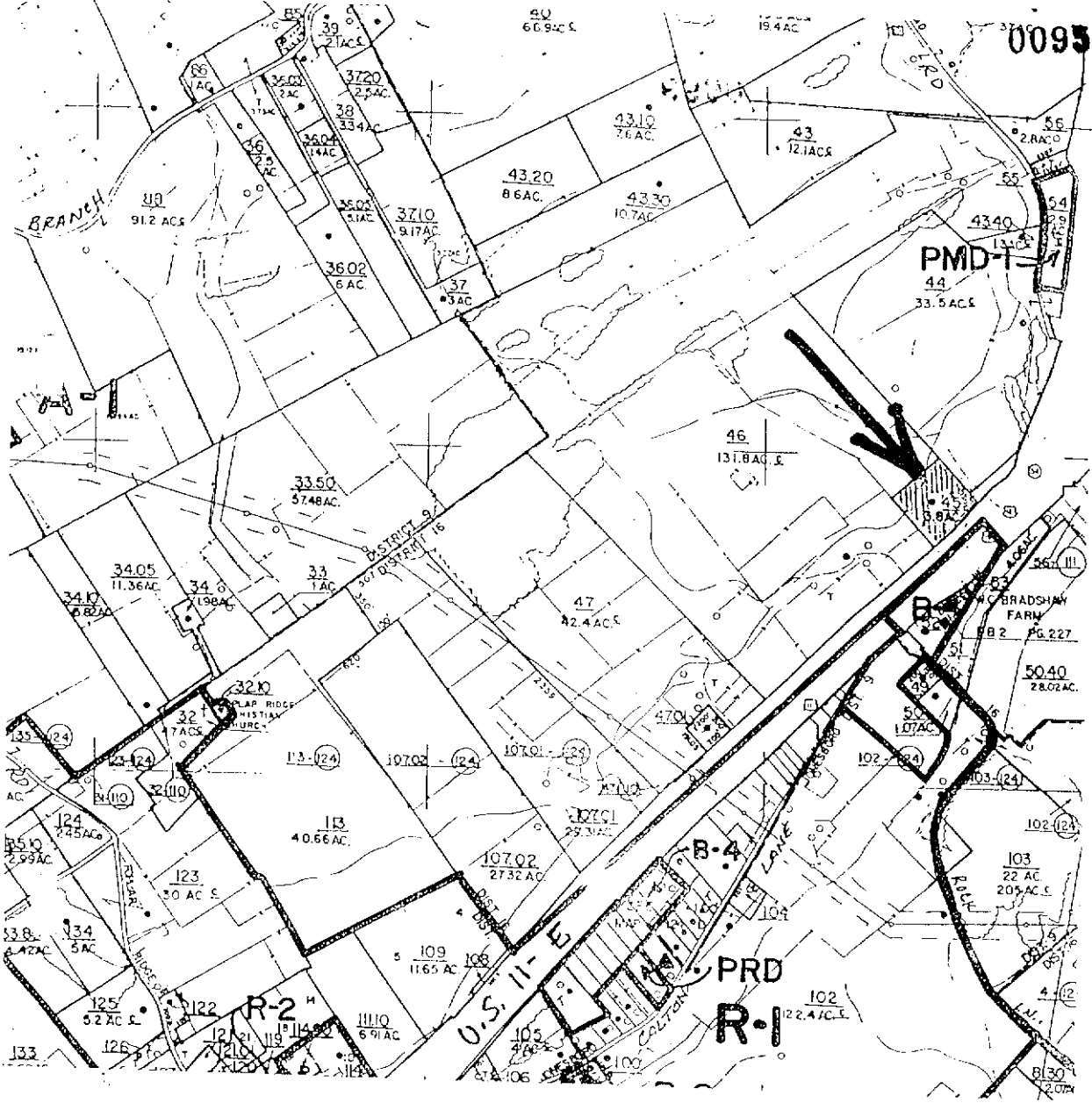
_____ Date: _____ County Executive

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____ SECONDED BY COMMISSIONER Gonce/Patrick FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20			4	
Voice Vote					

COMMENTS: FIRST READING 03/15/99 APPROVED 04/19/99 ROLL CALL VOTE



REZONING REQUEST
 Sullivan County, Tennessee
 From A-1 To B-3

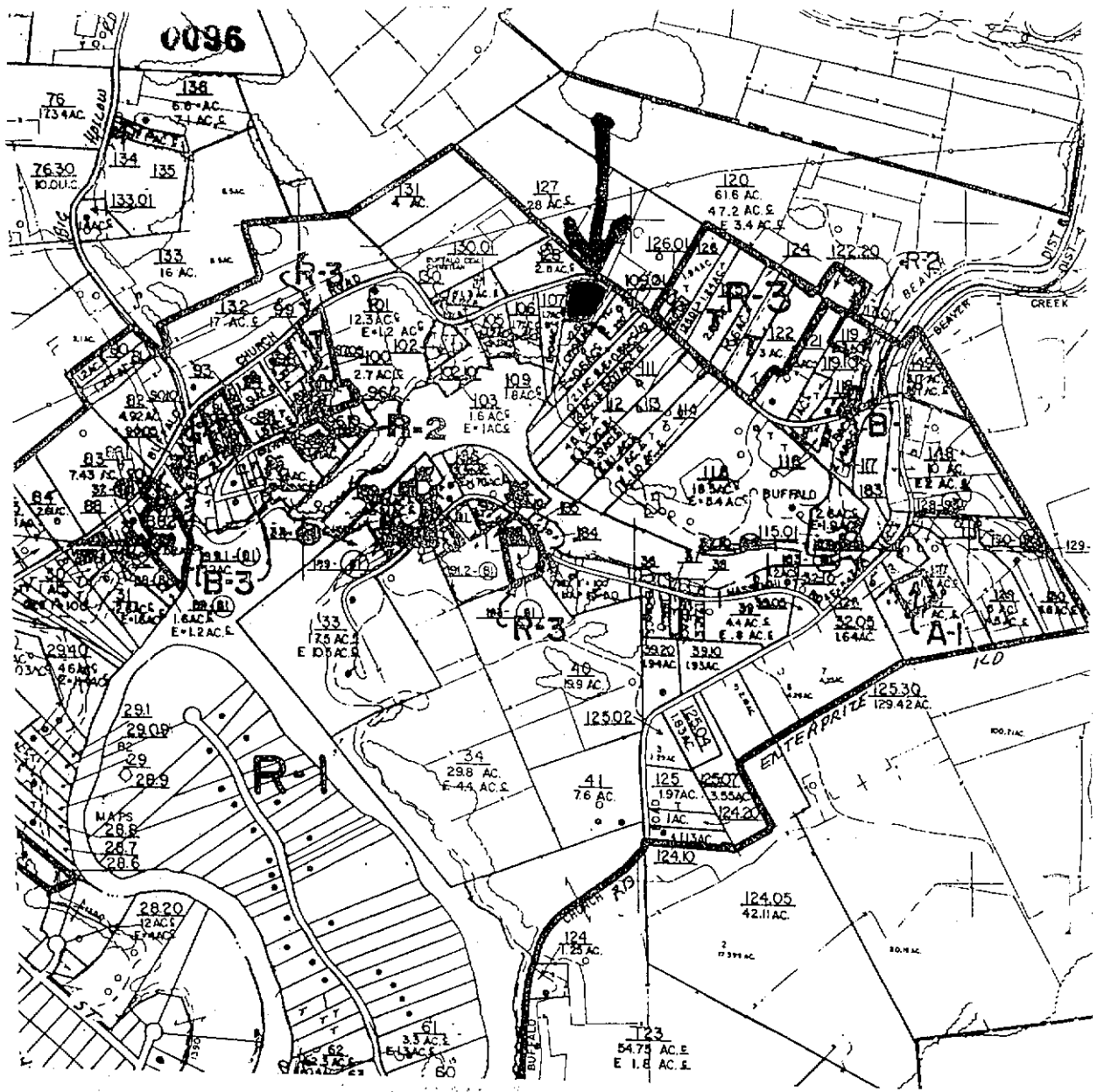
1" = 800'
 Scale

Lot Size: 4.1 acre
 Civil District: 16



March 16, 1999

File # 3/99-10



REZONING REQUEST
 Sullivan County, Tennessee
 From R-1 To R-2

1" = 800'
 Scale

Lot Size: 1.2 acre
 Civil District: 8



March 16, 1999

File # 3/99-8

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

0097

John R. LeSueur, Jr.
Commissioner of Highways

(423) 279-2820
FAX (423) 279-2876

March 8, 1999

*Attachment
Rev #209*

COMMISSIONERS: James Blalock
Mike Gonce
Howard Patrick

Dear Commissioners:


I would like to request that you consider passing the following resolutions:

- A STOP sign be placed on Dale View Drive at Scott Lane.
- STOP signs be placed on Highland Meadows Drive on both sides of Dale View Drive.
- A STOP sign be placed on Woods Edge Drive at Highland Meadows Drive.

These are in the 6th Civil District.

If you have any questions, please feel free to contact me.

Sincerely,



Ralph Pope
Traffic Coordinator

RP/jb

c: Shirley Gurganus

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 March 1999.

RESOLUTION AUTHORIZING STOP Signs on Various Roads in the 6th Civil 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 15th day of March 1999.

THAT BE IT RESOLVED. That the Sullivan County Board of Commissioners authorizes STOP signs to be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

- 6th CIVIL DISTRICT:
- STOP Sign - on Dale View Drive at Scott Lane
- STOP Signs - on Highland Meadows Drive on both sides of Dale View Drive
- STOP Sign - on Woods Edge Drive at Highland Meadows Drive

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

This resolution shall become effective on _____, 1999, the public welfare requiring it.

Duly passed and approved this 19 day of April, 1999
 Attested: Jeanette F. Gammon Date: 4-19-99 _____ Date: _____
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Gonce/Patrick FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20			4	
Voice Vote					

COMMENTS: FIRST READING 03/15/99 APPROVED 04/19/99 ROLL CALL VOTE

RESOLUTION NO. 11

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF APRIL, 1999.

RESOLUTION AUTHORIZING The Abandonment of the Public Rights, if any, in Portions of Warrick Drive and Burlson Street on Long Island in the 13th Civil District of Sullivan County, Tennessee in which the Private Rights of Eastman Chemical Company and Dean M. McAmis are Affected

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 19th day of April, 1999;

WHEREAS, upon consideration of the Petition of Eastman Chemical Company and Dean M. McAmis as sole owners of property directly abutting the portions of the roads and streets sought to be abandoned and closed in this proceeding, and upon consideration of the recommendations of the Highway Commissioner, the Kingsport Regional Planning Commission, and the Executive Committee of the Sullivan County Board of Commissioners;

NOW BE IT RESOLVED that portions of Warrick Drive and Burlson Street referred to in the caption and hereinafter identified, and also shown on surveys attached hereto and made a part hereof, be closed as public ways, and that any public rights therein be hereby extinguished and abandoned. The portions of said roads and streets which are hereby closed, and in which the public rights, if any, are hereby extinguished and abandoned, are further specifically described as follows:

- (A) Warrick Drive - Beginning at its intersection with the northwesterly side of Simpson Street and extending northwesterly 250 feet to its intersection with the southeasterly sideline of Burlson Street;
- (B) Burlson Street - Beginning at the northeasterly sideline of Warrick Drive and extending northeasterly 150 feet to its termination point.

BE IT FURTHER RESOLVED that upon provision by Eastman Chemical Company of (1) surveys, (2) descriptions of areas closed, and (3) appropriate forms of quitclaim deeds, the Honorable Gil Hodges, Sullivan County Executive and Chairman, be authorized and directed to execute, acknowledge and deliver to the adjoining property owners quitclaim deeds as follows:

QUITCLAIM DEED TO DEAN M. McAMIS:

Starting at the center of intersection of Warrick Drive and Simpson Street; thence north 33°00'00" west 20.00 feet to the Point of Beginning; thence north 33°00'00" west 125.00 feet to a point; thence north 57°12'00" east 20.00 feet to the corner of Lot 25, Block 4, said lot being in possession of Dean M. McAmis pursuant to deed registered in Deed Book 255A, Page 384, in the Sullivan County Register of Deeds Office; thence south 33°00'00" east 125.00 feet with said lot to the southwesterly corner of Block 4; thence south 57°12'00" west 20.00 feet to the Point of Beginning; containing 0.057 acres or 2,500 square feet, more or less, and being a part of Warrick Drive as shown by plat of the Anna Childress Simpson Subdivision of record in the Register's Office for Sullivan County at Blountville, Tennessee in Map Book 2, at page 144.

QUITCLAIM DEED TO EASTMAN CHEMICAL COMPANY:

Parcel No. 1: Starting at the centerline of intersection of Warrick Drive and Simpson Street; thence north 33°00'00" west 20.00 feet to the Point of Beginning; thence



south 57°12'00" west 20.00 feet to the corner of Lot 36, Block 5, of the Anna Childress Simpson Subdivision; thence north 33°00'00" west 250.00 feet to the corner of Lot 48, Block 5, of aforementioned subdivision, said corner being on the southerly right-of-way of Burleson Street; thence north 57°12'00" east 40.00 feet along said southerly right-of-way to the northwesterly corner of Block 4 of the Anna Childress Simpson Subdivision; thence south 33°00'00" east 125.00 feet to the corner of Lot 25, Block 4, of the aforementioned subdivision to a point; thence south 57°12'00" west 20.00 feet to a point; thence south 33°00'00" east 125.00 feet to the Point of Beginning; containing 0.17 acres or 7,500 square feet, more or less, and being a part of Warrick Drive as shown by plat of the Anna Childress Simpson Subdivision of record in the Register's Office for Sullivan County at Blountville, Tennessee in Map Book 2, at page 144.

Parcel No. 2: Starting at the centerline of intersection of Warrick Drive and Simpson Street; thence north 33°00'00" west 270.00 feet to a point in the southerly right-of-way of Burleson Street; thence north 57°12'00" east 20.00 feet to the northwesterly corner of Block 4 of the Anna Childress Simpson Subdivision, said point being the Point of Beginning; thence north 57°12'00" east 150.00 feet to a point; thence north 33°00'00" west 40.00 feet to a point; thence south 57°12'00" west 150.00 feet to a point; thence south 33°00'00" west 40.00 feet to the Point of Beginning, containing 0.137 acres or 6,000 square feet, more or less, and being a part of Burleson Street as shown by plat of the Anna Childress Simpson Subdivision of record in the Register's Office for Sullivan County at Blountville, Tennessee in Map Book 2, at page 144.

(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 19 day of April, 1999.

Attested: J. Mamon Date: 4-19-99
County Executive

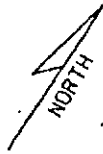
INTRODUCED BY COMMISSIONER J. Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER A. Pierce FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

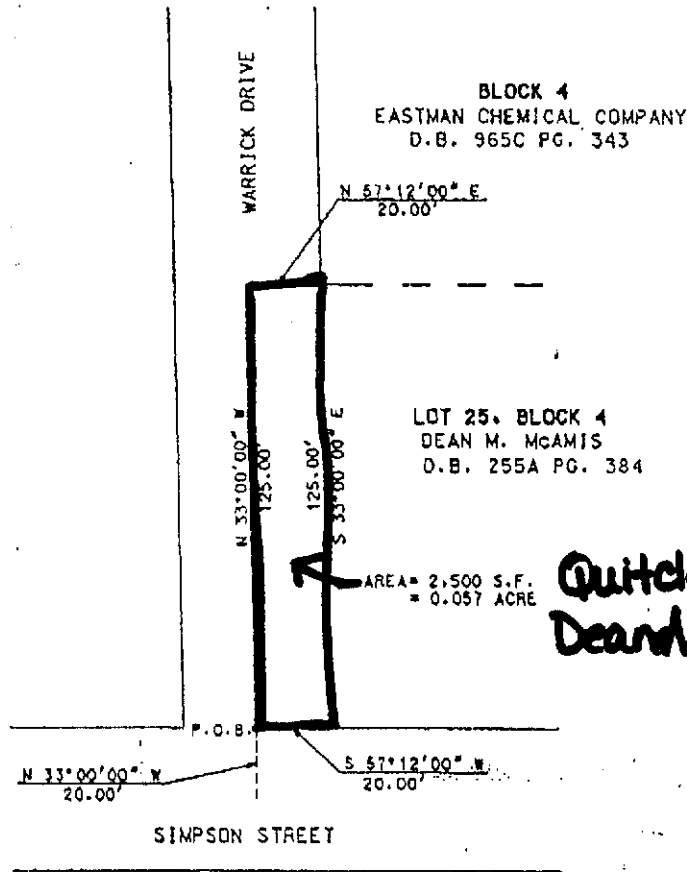
Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: Approved 04/19/99 Roll Call Vote

0100



SCALE: 1"=40'

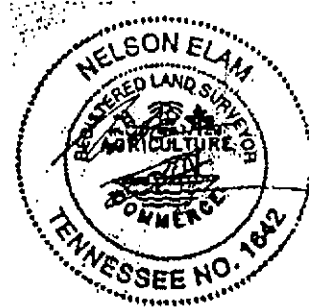


Attachment to Resolution No. 11

BEARINGS ON THIS PLAT ARE BASED ON THE ANNA CHILDRESS SIMPSON SUBDIVISION.

I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:15,000 AS SHOWN HEREON. THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYS IN THE STATE OF TENNESSEE.

DATE: 3-30-99 TENN. REG. NO. 1642



<p>ROAD CLOSING MCAMIS PROPERTY 13th CIVIL DISTRICT SULLIVAN COUNTY, TENNESSEE</p>	<p>BARGE, WAGGONER, SUMNER & CANNON ENGINEERS ARCHITECTS PLANNERS SURVEYORS SUITE 100 TRI-CITY AIRPORT TERMINAL BLDG. BLOUNTVILLE, TENNESSEE 37617 TEL. (615) 325-6226 477-6226</p>
--	---



4800

SCALE: 1"=40'

BURLESON STREET

**Parcel 1 - Quitclaim
to Eastman Chemical Co.**

LOT 48, BLOCK 5
EASTMAN CHEMICAL COMPANY
D.B. 965C PG. 343

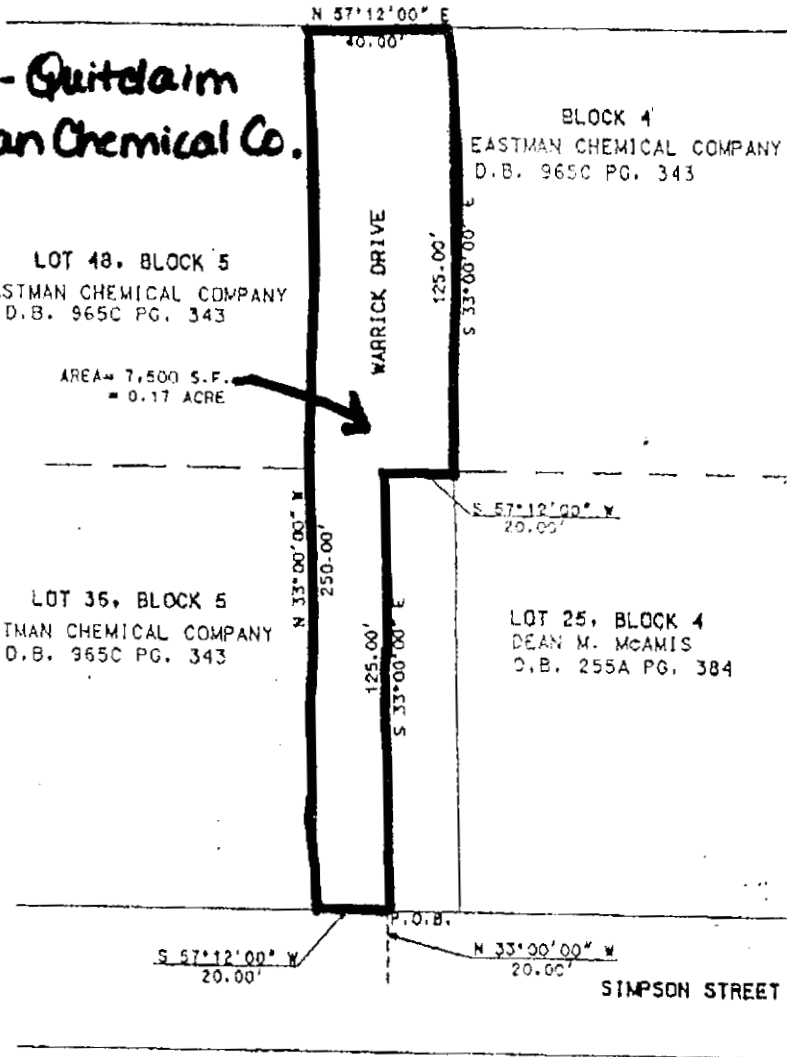
AREA = 7,500 S.F.
= 0.17 ACRE

BLOCK 4
EASTMAN CHEMICAL COMPANY
D.B. 965C PG. 343

LOT 36, BLOCK 5
EASTMAN CHEMICAL COMPANY
D.B. 965C PG. 343

LOT 25, BLOCK 4
DEAN M. MCAMIS
D.B. 255A PG. 384

WARRICK DRIVE



Attachment to Resolution No. 11

BEARINGS ON THIS PLAT ARE BASED ON
THE ANNA CHILDRESS SIMPSON SUBDIVISION.

I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF
PRECISION OF THE UNADJUSTED SURVEY IS 1:115,000 AS SHOWN HEREON.
THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS
PRACTICE FOR LAND SURVEYS IN THE STATE OF TENNESSEE.

DATE: 3-30-79 TENN. REG. NO. 5642



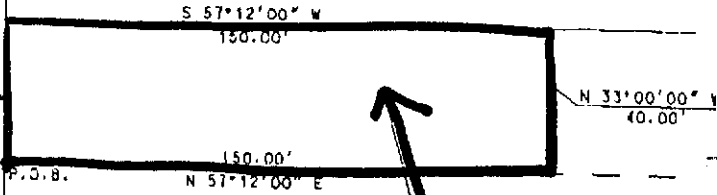
<p>ROAD CLOSING EASTMAN CHEMICAL COMPANY PROPERTY 13th CIVIL DISTRICT SULLIVAN COUNTY, TENNESSEE</p>	<p>BARGE, WAGGONER, SUMNER & CANNON ENGINEERS ARCHITECTS PLANNERS SURVEYORS SUITE 100 TRI-CITY AIRPORT TERMINAL BLDG. BLOUNTVILLE, TENNESSEE 37617 TEL. (615) 325-6226 477-6226</p>
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SCALE: 1"=40'

EASTMAN CHEMICAL COMPANY
O.B. 965C PG. 343

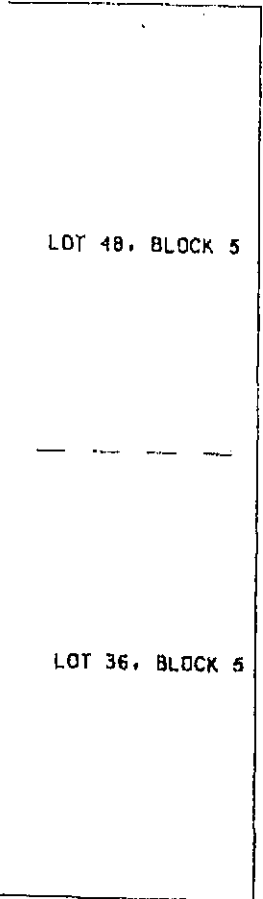
BURLESON STREET
S 33°00'00" E
40.00'



AREA = 6.000 E.F.
= 0.137 ACRES

Quitclaim to Eastman Chemical Co

BLOCK 4
EASTMAN CHEMICAL COMPANY
O.B. 965C PG. 343



WARRICK DRIVE

N 33°00'00" W
270.00'

SIMPSON STREET

Attachment to Resolution No. 11

BEARINGS ON THIS PLAT ARE BASED ON
THE ANNA CHILDRESS SIMPSON SUBDIVISION.

I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF
PRECISION OF THE UNADJUSTED SURVEY IS 1:15,000 AS SHOWN HEREON.
THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS
OF PRACTICE FOR LAND SURVEYS IN THE STATE OF TENNESSEE.

DATE: 3-21-99 TENN. REG. NO. 1642



66/827C 50/00/10

ROAD CLOSING
EASTMAN CHEMICAL
COMPANY PROPERTY
13th CIVIL DISTRICT
SULLIVAN COUNTY, TENNESSEE

BARGE, WAGGONER, SUMNER & CANNON
ENGINEERS ARCHITECTS PLANNERS SURVEYORS
SUITE 100 TRI-CITY AIRPORT TERMINAL BLDG.
BLOUNTVILLE, TENNESSEE 37617
TEL. (615) 325-6226 477-6226

RESOLUTION NO. 17

ADMIN/BUDGET COMMITTEE

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19TH DAY OF APRIL, 1999.

RESOLUTION AUTHORIZING APPLICATION FOR EDWARD BYRNE MEMORIAL LAW ENFORCEMENT GRANT

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 19TH day of April, 1999;

WHEREAS, The Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant establishes a program of criminal justice grants administered by the Bureau of Justice Assistance to aid state and local governments in implementing effective criminal justice improvements projects, and

WHEREAS, Grant funds may be used to support projects, which improve the prevention, apprehension, prosecution, adjudication, detection, and rehabilitation of violent crime and drug offenders.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the County Executive to submit an application for an Edward Byrne Memorial Grant in the amount of \$67,725 during the initial 1999-2000 year. Subsequent years to be as follows:

2000 - 2001	\$23,018
2001 - 2002	\$23,894
2002 - 2003	\$27,769

Grant funds are to purchase an electronic record storage system and salary for one person for four years. There is no retention requirement.

A 25% match requirement will come from the Sheriff's existing budget.

The County Executive is authorized to sign all documents in filing the application and acceptance of this grant on behalf of Sullivan County.

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.

Done, passed and approved this 19 day of APRIL, 1999

Jeanette J. Gammon
Attested: _____ Date: 4/19/99

County Clerk

County Executive

INTRODUCED BY COMMISSIONER WILLIAMS ESTIMATED COST: _____
SECONDED BY COMMISSIONER HARR FUND: 101

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: APPROVED 04/19/99 VOICE VOTE

ADMIN/BUDGET COMMITTEE

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19TH DAY OF APRIL, 1999.

RESOLUTION AUTHORIZING TENNCARE FUNDS TO UPGRADE COMPUTER HARDWARE AND SOFTWARE TO MEET Y2K COMPLIANCE

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 19TH day of April, 1999;

WHEREAS, The EMS Department has a number of computers that have not been upgraded to be Y2K compliant, and

WHEREAS, The TennCare Program recently forwarded \$20,000 to Sullivan County as a settlement for a prior year payments.

NOW, THEREFORE BE IT RESOLVED That the EMS budget account no. 55130 700 for 1998-99 FY be amended to increase Capital Outlay for \$20,000 from the TennCare Settlement account no. 44520.

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 19 day of April, 1999.

Jeanie F. Gammmon
Attested: _____ Date: _____
County Clerk

County Executive

INTRODUCED BY COMMISSIONER HARR ESTIMATED COST: \$20,000
SECONDED BY COMMISSIONER WILLIAMS FUND: 101

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	16		1	7	
Voice Vote					

COMMENTS: APPROVED 04/19/99 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 19th DAY OF APRIL, 1999.

RESOLUTION AUTHORIZING Acceptance of Grant to Restore Historical Swinging Bridge in Bluff City and to Appropriate Sullivan County's Share of Total Estimated Cost of Construction Phase of Project

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 19th day of April, 1999;

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 24 on May 19, 1997, a copy of which is attached hereto, authorizing the County Executive to make application on behalf of Sullivan County for an ISTE A Enhancement Program Grant available through the State of Tennessee for eighty percent of the total estimated cost to restore the swinging bridge in Bluff City, Tennessee; and

WHEREAS, said grant application has been approved for eighty percent of the actual cost of the construction phase of the project, limited, however, to a total maximum amount of \$167,320.00; and

WHEREAS, said grant requires that Sullivan County be responsible for the remaining twenty percent of the actual construction phase of the project in the total maximum amount of \$41,830.00 plus any excess costs over and above the total estimated cost of \$209,150.00; and

NOW, THEREFORE, BE IT RESOLVED that Sullivan County accepts the ISTE A Enhancement Program Grant available through the State of Tennessee in the maximum amount of \$167,320.00 for the purpose of restoring the historical swinging bridge in Bluff City, Tennessee and the Sullivan County Executive is hereby authorized to execute the attached grant contract and any other necessary documents associated with said project; and

BE IT FURTHER RESOLVED that the sum of \$41,830.00 be allocated from Highway Fund Account 39000 [Fund Balance] to an account to be designated by the Director of Account and Budgets, said amount being equal to twenty percent of the total estimated cost of the construction phase of the project.

(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 19 day of April, 1999.

Jeanie F. Stammen
Attested: _____
County Clerk

Date: 4/19/99 _____
County Executive

INTRODUCED BY COMMISSIONER M. Hyatt ESTIMATED COST: _____

SECONDED BY COMMISSIONER D. Mason FUND: _____

0106

RESOLUTION NO. 19
Page Two

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17		1	6	
Voice Vote					

COMMENTS: APPROVED 04/19/99 ROLL CALL VOTE

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF May, 1997.

RESOLUTION AUTHORIZING Restoration of the swinging bridge in Bluff City

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 19th day of May, 1997 :

THAT, WHEREAS, The County Commission recognizes the need for and strong community interest in restoration of the swinging bridge in Bluff City; and

WHEREAS, These facilities can be assisted through a grant from the Intermodal Surface Transportation Efficiency Act (ISTEA) Transportation Enhancement Program Administered by the Tennessee Department of Transportation (TDOT); and

WHEREAS, The County wishes to seek assistance under the above referenced program for the purpose of addressing this need; and

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Commission does hereby authorize the County Executive to file an application for 1998 ISTEA Enhancement Program Grant Funds in the amount of \$180,000 (80% of the total project cost) from the Tennessee Department of Transportation, to be matched by \$45,000 (20% of total project cost) in resources from the county.

BE IT FURTHER RESOLVED, That the County Commission authorizes the County Executive to sign any and all documents, contracts, assurances and forms of compliance necessary to effectuate the completion and submittal of this application.

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 19 day of May, 1997.

Attested: [Signature] Date: 5/19/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER M. Hyatt ESTIMATED COST: _____
SECONDED BY COMMISSIONER D. Mason FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21		2	1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 5/19/97 ROLL CALL

Attachment to Resolution No. 19



STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION
Program Development and Scheduling
SUITE 600, JAMES K. POLK BUILDING
NASHVILLE, TENNESSEE 37243-0341

VOICE: (615) 532-3500 FAX: (615) 741-9673
E-mail: csapp@dmh.state.tn.us
Find the Transportation Enhancement (ISTEA) Application on-line at
<http://www.state.tn.us/transport/ISTEA/index.htm>
July 8, 1998

Honorable Gil Hodges
P. O. Box 509
Blountville, TN 37617

Re: STP-EN-8200(21), Restoration of Historic Swinging Bridge, Sullivan
County

Dear Mr. Hodges:

In accordance with Commissioner Saltsman's recent letter, I am attaching a contract providing for the implementation of the referenced enhancement project. If the contract is fully satisfactory, please execute it in accordance with all laws, rules and regulations and return it to me.

Since the swinging bridge is such a precious resource, it is imperative that you contact the State Historic Preservation Office at (615) 532-1550 to determine their standards for the work you will undertake.

I am also attaching a procedural guide that should provide the information you need to develop the project to the construction phase. Detailed instructions will be provided to you for the construction phase with the letter that provides authorization for this phase of project development. Please particularly note that any work you perform ahead of this authorization will not be reimbursable.

If you have any questions or need any further information, please let me know.

Sincerely,

Nancy W. Sartor
Enhancements Coordinator

Attachment to Resource No. 19

TRANSPORTATION ENHANCEMENT PROGRAM GUIDELINES

These guidelines are offered in an effort to inform. They are not presented as an all-inclusive list of federal and state regulations.

GENERAL REQUIREMENTS:

Once the implementation contract for the project is signed by the local government, it may contact Mr. Charles Bush at 741-3653 to get information concerning the preparation of the environmental assessment. Local governments are responsible for environmental clearances, preliminary engineering, right-of-way acquisition at their own expense. Detailed instructions concerning the construction phase will be provided with the written authorization to proceed with the construction phase.

Federal regulations require that no work for which reimbursement is expected be done prior to authorization by the Federal Highway Administration of the funding. This authorization cannot be obtained before the environmental clearance is approved. BEFORE ANY WORK FOR WHICH YOU EXPECT REIMBURSEMENT BEFORE YOU RECEIVE WRITTEN AUTHORIZATION FROM THE ENHANCEMENT'S COORDINATOR.

Before the department can provide this written authorization it must have the approved environmental assessment, certification from the local government that the right-of-way for the project has been acquired and authorization from the Federal Highway Administration for the funding of the project.

The acquisition of rights-of-way or easements and relocation or adjustment of utility facilities must be accomplished using state regulations. This is very critical, as the federal participation in the project can be placed in jeopardy if you fail to follow all regulations in the acquisition phase. Please contact the Regional Right-of-Way Office in your area if you need assistance during this phase.

AGREEMENT #98-215
FOR IMPLEMENTATION OF SURFACE
TRANSPORTATION PROGRAM ACTIVITY

This Agreement is entered into on this _____ day of _____, 19____, between the State of Tennessee, Department of Transportation, hereinafter "Department" and Sullivan County, hereinafter "Local Government", for the purpose of providing an understanding between the parties of their respective obligations for implementation of an activity of the Surface Transportation Program, under Project No. STP-EN-8200(21), that is described in "EXHIBIT A" attached and incorporated into this Agreement.

The Local Government agrees to be responsible for and pay all costs related to preparation of and obtaining approval of environmental documents, preparation of plans and engineering drawings, acquisition of rights-of-way and easements and relocation or adjustment of utility facilities, and maintenance of the Project.

The Local Government understands that the estimated cost of the construction phase of the Project is \$209,150.00, that the Department will pay the Local Government, as hereinafter provided, for eighty percent (80%) of the actual cost of the construction phase, limited, however, to a total maximum amount subject to payment of \$167,320.00.

The Local Government agrees to pay twenty percent (20%) of the

actual cost of the construction phase up to a total maximum amount of \$41,830.00. Thereafter, any additional costs for the construction phase shall be totally paid for by the Local Government.

STANDARD TERMS

1. The Local Government shall submit invoices, in a form acceptable to the Department with all necessary supporting documentation, prior to any payment of allowable costs. Such invoices shall be submitted no more often than monthly and indicate at a minimum the amount charged for the period invoiced, the amount charged to date, the total amounts charged under this Contract for the period invoiced and the total amount charged to date. Each invoice shall be accompanied by proof of payment in the form of a canceled check or other means acceptable to both parties hereto.

2. The payment of an invoice by the Department shall not prejudice the Department's right to object to or question any invoice or matter in relation thereto. Such payment by the Department shall neither be construed as acceptable of any part of the work or service provided nor as an approval of any of the costs invoiced therein. The Local Government's invoice shall be subject to reduction for amounts included in any invoice or payment theretofore made which are determined by the Department, on the basis of audits conducted in accordance with the terms of this Contract, not to constitute allowable costs. Any payment shall be reduced for overpayments, or increased for under-payments on subsequent invoices.

3. Should a dispute arise concerning payments due and owing to the Local Government under this Contract, the Department reserves the right to with-

hold said disputed amounts pending final resolution of the dispute.

4. The Local Government understands that the construction phase of the Project will be commenced immediately following the completion of all of its applicable responsibilities in accordance with a schedule that will provide for at least fifty percent completion of the construction phase within one year from its commencement and thereafter continued without interruption until completed in accordance with the provisions of "EXHIBIT A". The failure of the Local Government to follow the schedule for the construction phase will be construed as a breach of this Agreement.

5. The Local Government understands and agrees that if such a breach occurs the Local Government will be subject to repayment of all sums of money paid to the Local Government.

6. The Department is not bound by this Contract until it is approved by the appropriate Department officials as indicated on the signature page of this Contract.

7. This Contract may be modified only by a written amendment which has been executed and approved by the appropriate parties as indicated on the signature page of this Contract.

8. The Department may terminate the Contract by giving the Local Government at least ninety (90) days notice before the effective termination date. The Local Government shall be entitled to receive equitable compensation for satisfactory authorized services completed as of termination date.

9. The Local Government agrees to comply with Title VI of the Civil

Rights Act of 1964 (42 U.S.C. 2000d, et seq.), and the Department of Transportation Implementing Regulations (49 CFR Part 21).

10. It is the policy of the Department that minority business enterprises (MBEs) as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of subcontracts financed with Federal funds. Consequently, the MBE requirements of 49 CFR Part 23 apply to this Contract. The Local Government agrees to ensure that such MBEs have the maximum opportunity to participate in the performance of subcontracts financed in whole or in part with Federal funds under this Contract. In this regard, the Local Government shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that MBEs have the maximum opportunity to compete for and perform subcontracts.

11. If the Local Government fails to properly perform its obligations under this Contract or violates any terms of this Contract, the Department shall have the right to immediately terminate the Contract and withhold payments in excess of fair compensation for completed services. The Local Government shall not be relieved of liability to the Department for damages sustained by virtue of any breach of this Contract by the Local Government.

12. The Local Government agrees that when the construction phase is completed, it will provide the Department with a written certification that the Project was constructed in accordance with the terms of this Contract.

13. The Local Government understands that if there is a determination by the Federal Highway Administration that part or all of the sums of money paid to the Local Government are ineligible for federal funds participation because of the

failure to the Local Government to adhere to federal law and regulations, the Local Government will be obligated to pay the Department the sum of money declared ineligible by the Federal Highway Administration.

14. The Local Government agrees to comply with all applicable federal and state laws and regulations in the performance of its duties under this agreement. The parties hereby agree that failure of the Local Government to comply with this provision shall constitute a material breach of this agreement and subject the Local Government to the repayment of all damages suffered by the State and or the Tennessee Department of Transportation as a result of said breach.

15. The Local Government shall be solely responsible for and pay all costs associated with maintenance and operation of the project, including maintenance and operation of all electrically operated devices together with their related equipment, wiring and other necessary appurtenances, and the Local Government shall furnish electrical current to all such devices which may be installed as part of the Project.

16. Records of costs shall be kept by the Local Government and shall be available for inspection and copying by the Department during normal business hours for a period of not less than three years following the completion or termination of the Project.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their respective authorized officials on the date first above written.

Sullivan COUNTY

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

By: _____
County Executive

By: _____
J. Bruce Saltsman, Sr.
Commissioner

APPROVED AS TO FORM AND LEGALITY

APPROVED AS TO FORM AND LEGALITY

By: _____
County Attorney

By: _____
C. Timothy Gary
General Counsel

CERTIFIED FOR THE AVAILABILITY OF FUNDING

By: _____
Mike Shinu
Director of Finance

EXHIBIT "A"

Restoration of a swinging pedestrian bridge across the South Fork of the Holston River near Bluff City. This restoration shall be done in accordance with the requirements of the State Historic Preservation Office.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19TH DAY OF APRIL, 1999.

RESOLUTION AUTHORIZING APPOINTMENT TO SULLIVAN COUNTY PLANNING 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 19TH day of April, 1999;

WHEREAS, Appointments to the Sullivan County Regional Planning Commission are made by the County Executive, subject to confirmation by the county legislative body, and

WHEREAS, Mr. Harry E. Boggs and Mr. Donald E. Brown's terms are up for reappointment.

NOW, THEREFORE BE IT RESOLVED, That the following individuals are to be appointed to four year terms ending in January of 2003 as follows:

Mr. Harry E. Boggs
328 Erway Court
Kingsport, Tn 37664

Mr. Donald E. Brown
736 Woodgreen Lane
Kingsport, Tn 37660

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 19 day of APRIL, 19 99.

Attested: Jeanie J. Gammmon Date: 4/19/99
County Clerk County Executive

INTRODUCED BY COMMISSIONER GONCE 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	18			6	
Voice Vote					

COMMENTS: APPROVED 04/19/99 ROLL CALL VOTE

ADMINISTRATIVE COMMITTEE

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF April, 1999.

RESOLUTION AUTHORIZING Study of Waste Water on Coralwood Drive by the County Engineer

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 19th day of April, 1999;

THAT, WHEREAS, The Residents on Adair Ct. in Colonial Heights have been experiencing surface water problems;

THAT, WHEREAS, Kingsport City is installing a collector line in the drainage basin between Adair Ct. and Coralwood Ct. off of Coralwood Drive which could possibly worsen this situation;

THAT, WHEREAS, While the City of Kingsport is installing sewer in this area is the opportune time for the County and City, working together, to resolve the surface water problem in this community;

NOW, THEREFORE, BE IT RESOLVED That the Sullivan County Board of Commissioners ask the County Engineer to study the surface water drainage basin between Adair Ct. and Coralwood Ct. and make recommendations to effectively funnel the excess water into Kendricks Creek.

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 19 day of APRIL, 1999.

Jeanette J. Hammond
County Clerk

Date: _____
County Executive

INTRODUCED BY COMMISSIONER S. Jones ESTIMATED COST: _____
SECONDED BY COMMISSIONER J. Blalock FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: APPROVED 04/19/99 VOICE VOTE

RESOLUTION NO. 23

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF APRIL, 1999.

RESOLUTION AUTHORIZING The Abandonment of the Public Rights, if any, in Portions of Warrick Drive and Burleson Street on Long Island in the 13th Civil District of Sullivan County, Tennessee in which the Private Rights of Eastman Chemical Company and UCG Energy Corporation are Affected

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 19th day of April, 1999;

WHEREAS, upon consideration of the Petition of Eastman Chemical Company and UCG Energy Corporation as sole owners of property directly abutting the portions of the roads and streets sought to be abandoned and closed in this proceeding, and upon consideration of the recommendations of the Highway Commissioner, the Kingsport Regional Planning Commission, and the Executive Committee of the Sullivan County Board of Commissioners;

NOW BE IT RESOLVED that portions of Warrick Drive and Burleson Street referred to in the caption and hereinafter identified, and also shown on surveys attached hereto and made a part hereof, be closed as public ways, and that any public rights therein be hereby extinguished and abandoned. The portions of said roads and streets which are hereby closed, and in which the public rights, if any, are hereby extinguished and abandoned, are further specifically described as follows:

(A) Warrick Drive -- Beginning at its intersection with the northwesterly sideline of Burleson Street and extending northwesterly to the northwest terminus of Warrick Drive.

(B) Burleson Street -- Beginning at the northeasterly sideline of Jared Drive and extending to the northeasterly sideline of Warrick Drive.

BE IT FURTHER RESOLVED that upon provision by Eastman Chemical Company of (1) surveys, (2) descriptions of areas closed, and (3) appropriate forms of quitclaim deeds, the Honorable Gil Hodges, Sullivan County Executive and Chairman, be authorized and directed to execute, acknowledge and deliver to the adjoining property owners quitclaim deeds as follows:

QUITCLAIM DEED TO UCG Energy Corporation:

Starting at the southeasterly corner of Lot 8, Block 9A of the Anna Childress Simpson Subdivision and the southwesterly right-of-way of Warrick Drive; thence north 33° 00' 00" west 108.00 feet to the Point of Beginning, said point being the corner of Lot 4, Block 9A of aforementioned subdivision and being the corner of said parcel in possession of UCG Energy Corporation and being registered in Deed Book 587C, Page 606 in the Sullivan County Register of Deed's Office; thence north 57° 12' 00" east 20.00 feet to a point; thence north 33° 00' 00" west 96.42 feet to a point; thence south 62° 10' 15" west 20.32 feet to the corner of Lot 1, Block 9A of aforementioned subdivision; thence south 33° 00' 00" east 99.94 feet to the Point of Beginning, containing 0.045 acres or 1960.2 square feet, more or less.

QUITCLAIM DEED TO EASTMAN CHEMICAL COMPANY:

Starting at the centerline of intersection of Warrick Drive and Simpson Street, thence north 33° 00' 00" west 270.00 feet to a point in the southerly right-of-way of Burleson Street; thence north 57° 12' 00" east 20.00 feet to the northwesterly corner of Block 4 of the Anna Childress Simpson Subdivision, said point being the

Point of Beginning; thence north 33° 00' 00" west 281.37 feet to a point; thence south 67° 10' 15" west 20.32 feet to a point; thence south 33° 00' 00" east 136.89 feet to a point; thence south 57° 12' 00" west 20.00 feet to a point; thence south 33° 00' 00" east 108.00 feet to the corner lot of Lot 8, Block 9A of the Anna Childress Simpson Subdivision, said point being on the northerly right-of-way of Burleson Street; thence south 57° 12' 00" west 270.00 feet to a point, said point being the intersection of the northerly right-of-way of Burleson Street and the easterly right-of-way of Jared Drive; thence south 33° 00' 00" east 40.00 feet with said easterly right-of-way of Jared Drive to a point on the southerly right-of-way of Burleson Street; thence north 57° 12' 00" east 310.00 feet with said southerly right-of-way of Burleson Street to the Point of Beginning; containing 0.445 acres or 19,423 square feet, more or less.

(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 19 day of April 1999.

Jeanine T. Gammon
Attested: _____ Date: 4/19/99
County Clerk County Executive

INTRODUCED BY COMMISSIONER J. Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER A. Pierce FUND: _____

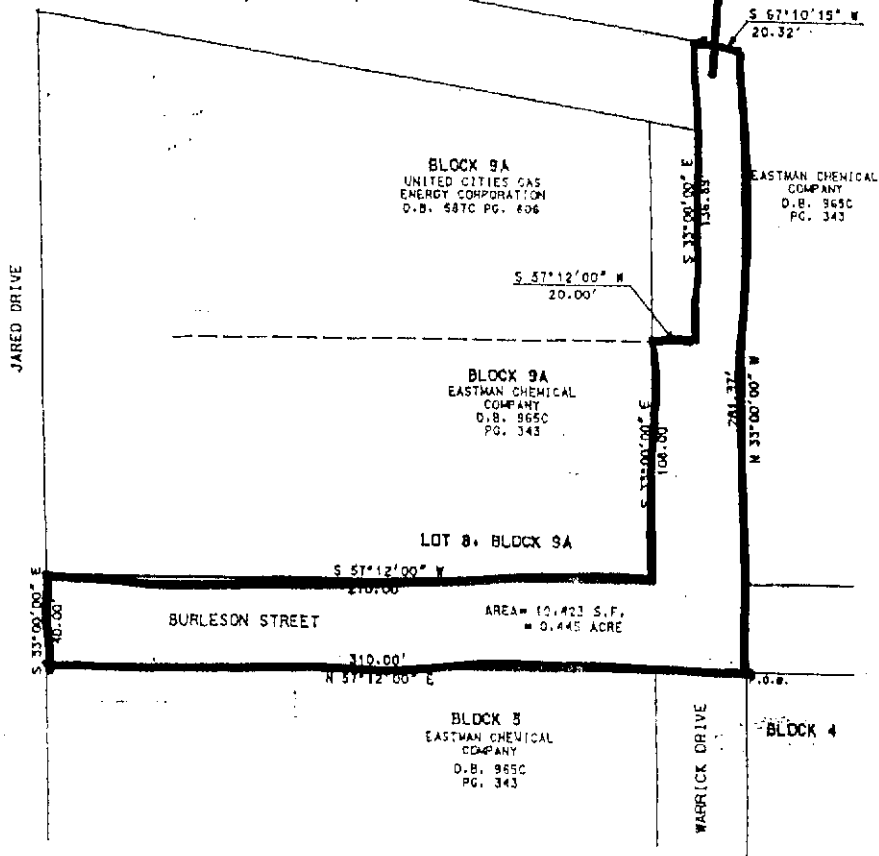
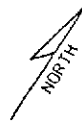
Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: Approved 04/19/99 Roll Call Vote

Quitclaim to Eastman Chemical Co.

SCALE: 1"=50'

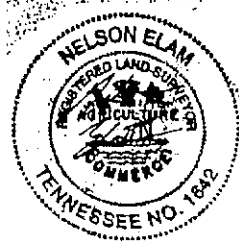


Attachment to Resolution No 23

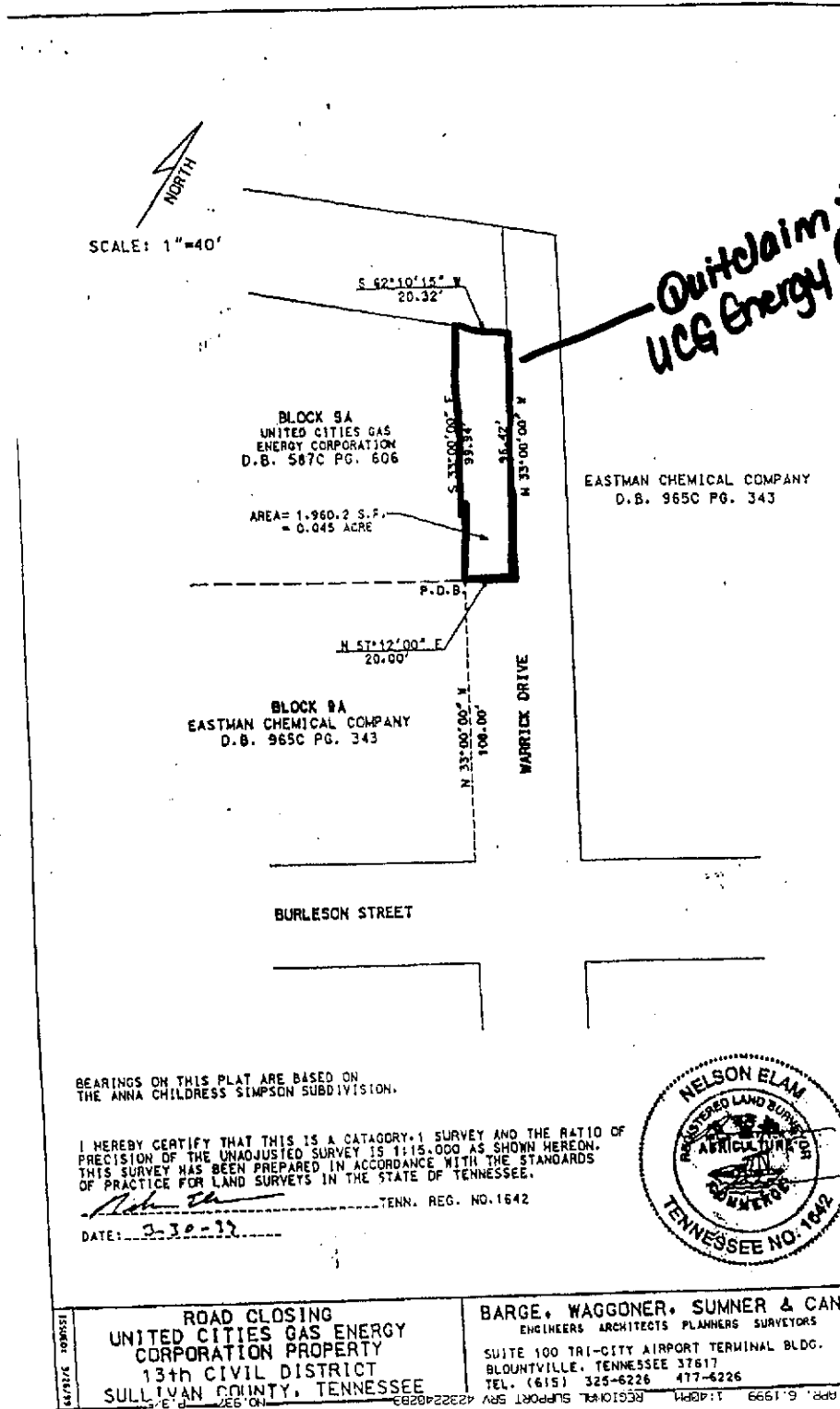
BEARINGS ON THIS PLAT ARE BASED ON THE ANNA CHILDRESS SIMPSON SUBDIVISION.

I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:15,000 AS SHOWN HEREON. THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYS IN THE STATE OF TENNESSEE.

DATE: 3-26-97 TENN. REG. NO. 1642



<p>ROAD CLOSING EASTMAN CHEMICAL COMPANY PROPERTY 13th CIVIL DISTRICT SULLIVAN COUNTY, TENNESSEE</p>	<p>BARGE, WAGGONER, SUMNER & CANNON ENGINEERS ARCHITECTS PLANNERS SURVEYORS SUITE 100 TRICITY AIRPORT TERMINAL BLDG. BLOUNTVILLE, TENNESSEE 37617 TEL. (615) 325-6226 477-6226</p>
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Quitclaim to UCG Energy Corp.

Attachment to Resolution No. 23

BEARINGS ON THIS PLAT ARE BASED ON THE ANNA CHILDRESS SIMPSON SUBDIVISION.

I HEREBY CERTIFY THAT THIS IS A CATEGORY-1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:15,000 AS SHOWN HEREON. THIS SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYS IN THE STATE OF TENNESSEE.

DATE: 2-30-32 TENN. REG. NO. 1642



<p>ROAD CLOSING UNITED CITIES GAS ENERGY CORPORATION PROPERTY 13th CIVIL DISTRICT SULLIVAN COUNTY, TENNESSEE</p>	<p>BARGE, WAGGONER, SUMNER & CANNON ENGINEERS ARCHITECTS PLANNERS SURVEYORS SUITE 100 TRI-CITY AIRPORT TERMINAL BLDG. BLOUNTVILLE, TENNESSEE 37617 TEL. (615) 325-6226 417-6226</p>
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223224282B SUPPRT SRV 1:40PM 6/19/99

AND THEREUPON BY MOTION MADE BY COMM. HARR COUNTY COMMISSION
ADJOURNED TO MEET AGAIN IN REGULAR SESSION ON MAY 17, 1999.

COMMISSION CHAIRMAN

