

COUNTY COMMISSION- REGULAR SESSION

APRIL 15, 2002

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, APRIL 15, 2002, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, JEANIE F. GAMMON, COUNTY CLERK AND WAYNE ANDERSON, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Executive, Gil Hodges. Sheriff Wayne Anderson opened the commission and Comm. James L. King, Jr. gave the invocation. Pledge to the flag was led by County Executive, Gil Hodges.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

	JAMES R. BLALOCK
BRYAN K. BOYD	JUNE CARTER
FRED CHILDRESS	O. W. FERGUSON
MIKE GONCE	CLYDE GROSECLOSE, JR.
RALPH P. HARR	DENNIS HOUSER
	SAMUEL JONES
ELLIOTT KILGORE	JAMES "BUDDY" KING
JAMES L. KING, JR.	WAYNE MCCONNELL
JOHN MCKAMEY	PAUL MILHORN
RANDY MORRELL	HOWARD PATRICK
ARCHIE PIERCE	MICHAEL B. SURGENOR
MARK A. VANCE	EDDIE WILLIAMS

22 PRESENT 2 ABSENT
(ABSENT-BELCHER, HYATT)

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

Motion was made by Comm. Harr and seconded by Comm. Morrell to approve the minutes of the March 18, 2002 session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS APRIL 15, 2002

THOSE SPEAKING DURING PUBLIC COMMENTS WERE:

SHERIFF WAYNE ANDERSON PRESENTED AWARDS TO:

1. LT. PEGGY LANE-OUTSTANDING AUXILIARY OFFICER OF THE YEAR
 2. SGT. WILEY VANOVER-AUXILIARY OFFICER OF THE YEAR
 3. PAUL JENNINGS-RESERVE OFFICER OF THE YEAR
-

1. MR. JEFF BYRD, GENERAL MANAGER OF BRISTOL MOTOR SPEEDWAY, MADE A PRESENTATION OF BMS.
 2. MR. JIM MCGILL WITH AMERICAN LIMESTONE CO. IN OPPOSITION TO RESOLUTION #3- MINERAL SEVERANCE TAX
 3. MR. CARL VANHOOSIER WITH VULCAN MATERIALS IN OPPOSITION TO RESOLUTION #3-MINERAL SEVERANCE TAX
-

QUARTERLY REPORTS FILED FOR JAN. -MARCH 2002 :

1. AGRICULTURAL EXTENSION
 2. PURCHASING DEPT.
 3. HIGHWAY DEPT.
-

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

MARCH 18, 2002

Susan L. Addington	Ramona G. Maynor	James L. King, Jr.
Vickie Armstrong	George W. McRee	
Amy Bailey	Leanna M. Milton	
Micah Bissette	Nikki Moffitt	
Rebecca L. Booher	Patsy Morales	
Robin G. Burke	Janet D. Morelock	
Misty Carter	Mark J. Osborne	
William H. Cate	Brenda G. Payne	
Fred M. Catron, III	Tara L. Phillips	UPON MOTION MADE BY COMM. HARR
Elaine Cox	Robert E. Quillen	AND SECONDED BY COMM. MORRELL TO
Brenda G. Cunningham	Steve C. Ray	APPROVE THE NOTARY APPLICATIONS
Phyllis F. Davidson	Shirley A. Rhea	HEREON, SAID MOTION WAS APPROVED BY
Joyce D. Dockery	Christina L. Richard	ROLL CALL VOTE OF THE COMMISSION.
E. Faye Dillow	Linda C. Rochester	20 AYE, 4 ABSENT.
Ruth O. Dotson	Billie L. Shockley	
Heath Everroad	Martha D. Sliker	
James I. Gentry	Heather Renee Smith	
Maureen E. Hanneken	Kathy F. Stanley	
E. Guy Hardin	Dorman L. Stout	
Shari Hillman	Angela R. Stuart	
Kimberly D. Hilton	George Surgenor, Jr.	
Shirley W. Jarvis	Lisa C. Swanner	
Terry Edward Jones	Vicky J. Ward	
Pamela S. Ketron	William C. Witcher	
April O. Lane	Karen M. Wolfe	
D. L. Long	Amanda Leigh Yates	

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLIC SURETY BONDS

APRIL 15, 2002

Maxine Snyder Carter

Roy O. Cassell

Sherry D. Emmert

Dora anna Johnson

Linda L. Jones

Doris Pratt

Nancy Kay Tester

Diane G. Walls

Shelburne Ferguson, Jr.

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. MORRELL TO APPROVE
THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY
ROLL CALL VOTE OF THE COMMISSION. 20 AYE, 4 ABSENT.

QUESTIONS BEFORE THE COMMN

Roll
Call
Notary
App +
Bonds

NAMES OF COMMISSIONERS	Apr		May		Apr		May		Apr		May		Apr		May	
	✓		✓		✓		✓		✓		✓		✓		✓	
CAROL J. BELCHER	✓		✓													
JAMES R. "JIM" BLALOCK	✓		✓													
BRYAN K. BOYD	✓		✓													
JUNE CARTER	✓		✓													
FRED CHILDRESS	✓		✓													
O. W. FERGUSON	✓		✓													
MIKE GONCE	✓		✓													
CLYDE GROSECLOSE, JR.	✓		✓													
RALPH P. HARR	✓		✓													
DENNIS HOUSER	✓		✓													
MARVIN HYATT	✓		✓													
SAMUEL JONES	✓		✓													
ELLIOTT KILGORE	✓		✓													
JAMES "BUDDY" KING	✓		✓													
JAMES L. KING, JR.	✓		✓													
WAYNE MCCONNELL	✓		✓													
WILLIAM H. "JOHN" MCKAMEY	✓		✓													
PAUL MILHORN	✓		✓													
RANDY MORRELL	✓		✓													
HOWARD PATRICK	✓		✓													
ARCHIE PIERCE	✓		✓													
MICHAEL B. SURGENOR	✓		✓													
MARK A. VANCE	✓		✓													
EDDIE WILLIAMS	✓		✓													

20 Apr
4 absent

Agenda

Sullivan County Board of County Commission
April 15, 2002

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, April 15, 2002 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 02/02/01 Eugene Eaton Jr.
Reclassify B-1 property in the 200 block of Buncombe Road to B-3 for the purpose of allowing a tractor repair shop. Property identification No Tax map 66-J, Group A, Parcel part of 1.00 being located in the 5th Civil District. **Bristol Planning Comm.**
- (2) File No. 02/02/02 Leslie Lawson
Reclassify R-3A property at 220 Samuel Street to B-3 for the purpose of allowing auto sales. Property identification No Tax map 14-O, Group E, Parcels 41.10 & 35.00 being located in the 10th Civil District. **Sullivan County Planning Comm.**
- (3) File No. 02/02/03 Milton E. Worley
Reclassify P.B.D.-3 property at 1894 Hwy 11W to M-1 for the purpose of allowing for the construction of a diesel mechanics repair shop. Property identification No Tax map 18, Parcel 48.20 being located in the 6th Civil District. **Bristol Planning Comm.**
- (4) File No. 01/02/01 Fay Flick
Reclassify R-1 property at 759 Old Jonesboro Road to B-3 for the purpose of allowing for future commercial use. Property identification No. Tax map 38, Parcel 65.00 located in the 2nd Civil District. **Bristol Planning Comm.**

PETITION TO SULLIVAN COUNTY FOR REZONING # 02/02/1

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

Property Owner EUGENE EATON JR.
Address 268 Buncombe RD.
Blountville, TN 37617
Phone 279 0364 Date of Request 1-18-02
Shop 323-4902
Property Located in 5TH Civil District

X Melvin Eaton
Signature of Applicant

OFFICE USE ONLY

Meeting Date 3-18-02 Time 6:00 pm
Place SLATER CENTER
.....
Planning Commission Approved _____
Denied _____
County Commission Approved X
Denied _____
Other Roll Call Vote 22 AYE, 2 ABSENT
Final Action Date 04-15-02

PROPERTY IDENTIFICATION

Tax Map 66-J Group A Parcel 1.00 ^{part} _{of}
Zoning Map 17 Zoning District B-1 Proposed District B-3
Property Location Buncombe RD. (200 block)

Purpose of Rezoning FOR A TRACTOR REPAIR SHOP
A portion of parcel with survey

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

X Melvin Eaton

Sworn to and subscribed before me this 18TH day of JAN, 2002.

Jack Mansions
Notary Public

My Commission Expires: 12-20-03

Item No. N-3

Agenda Item: Rezoning - Eugene Eaton Jr. - 268 Buncombe Road from B-1, neighborhood business district to B-3, general business district

Background: Mr. Eugene Eaton is requesting Planning Commission approval for the rezoning of a 1.07 acre tract of land located at 268 Buncombe Road from B-1, neighborhood business district, and the proposed zoning designation is B-3, general business district. The property is currently zoned (Sullivan County zoning designation) B-1, neighborhood business district. The property contained in this request is portion of Parcels 1.0 and 2.0, Group "A" as shown on Sullivan County Tax Map 66-J for 2001. The owner of the property is Eugene Eaton Jr.

Analysis: The purpose of this request is to allow a tractor repair shop service at this location. The predominant zoning in the surrounding area is R-1, low density residential. The proposed site is adjacent to a B-3, general business zone. Existing land use in the surrounding area is a mixture of agricultural use, single family residences and vacant land. Currently, the site contain commercial structures.

Recommendation: It is staff recommendation that the request to rezone property from B-1, neighborhood business to B-3, general business district for the purpose of allowing a tractor repair service shop be given a favorable recommendation to the Sullivan County Commission.

The Planning Commission gave an unanimous unfavorable recommendation to Eugene Eaton's request to rezone his property from B-1, neighborhood business district to B-3, general business.

TONY HOUS
 D.B. 707-C
 ZONE R-1

ZONED R-1
 6.37 AC.
 PARCEL 47

EUGENE EATON
 D.B. 761-C PG. 675

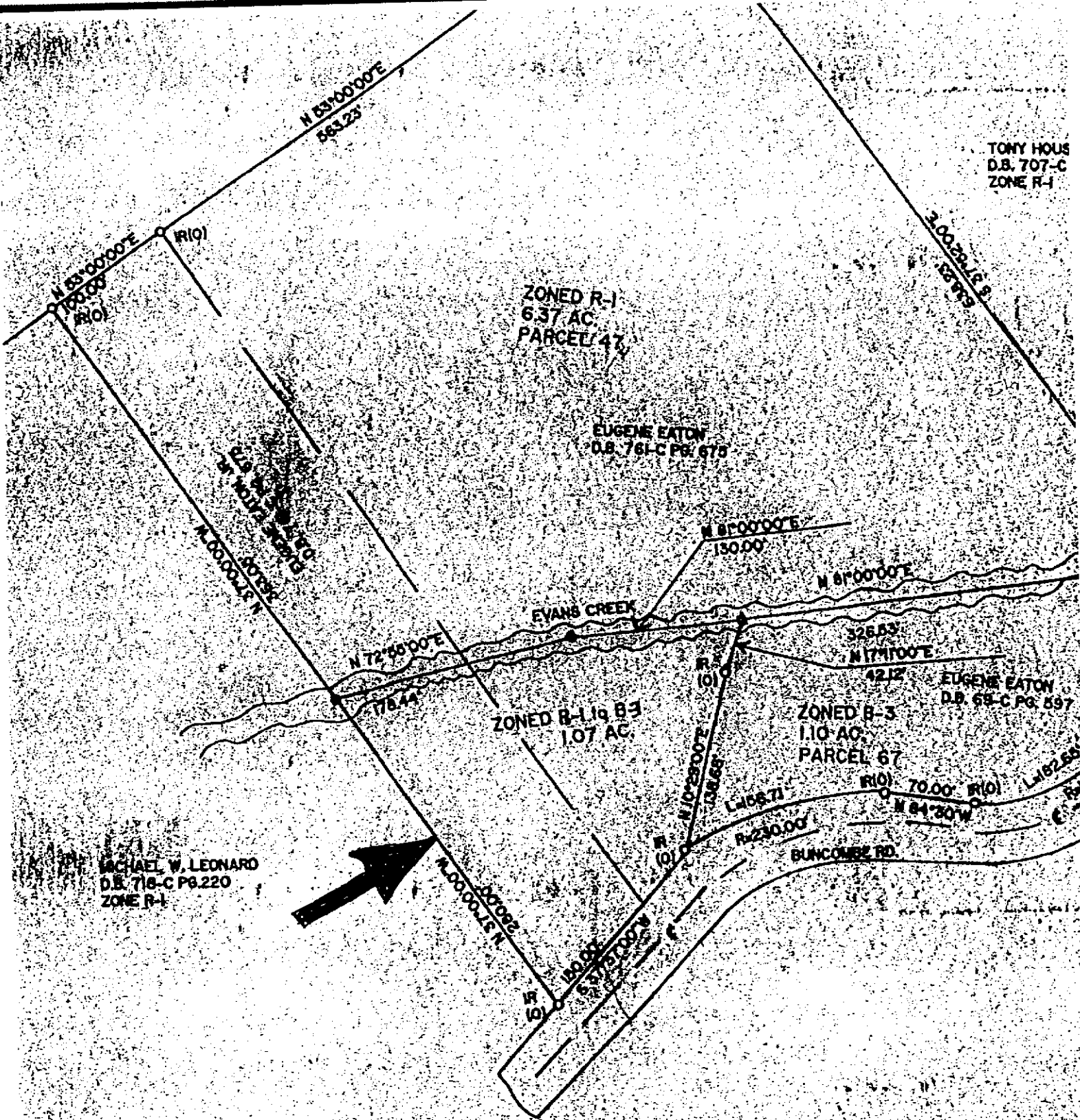
ZONED B-1 1q B3
 1.07 AC.

ZONED B-3
 1.10 AC.
 PARCEL 67

EUGENE EATON
 D.B. 68-C PG. 597

MICHAEL W. LEONARD
 D.B. 718-C PG. 220
 ZONE R-1

SITE PLAN FOR REZONE
 MELVIN EUGENE EATON
 JANUARY 11, 2002



SEE 1" = 400'

38A
A

MONGLE FARM SUB.
PB. 30 PG. 29-32

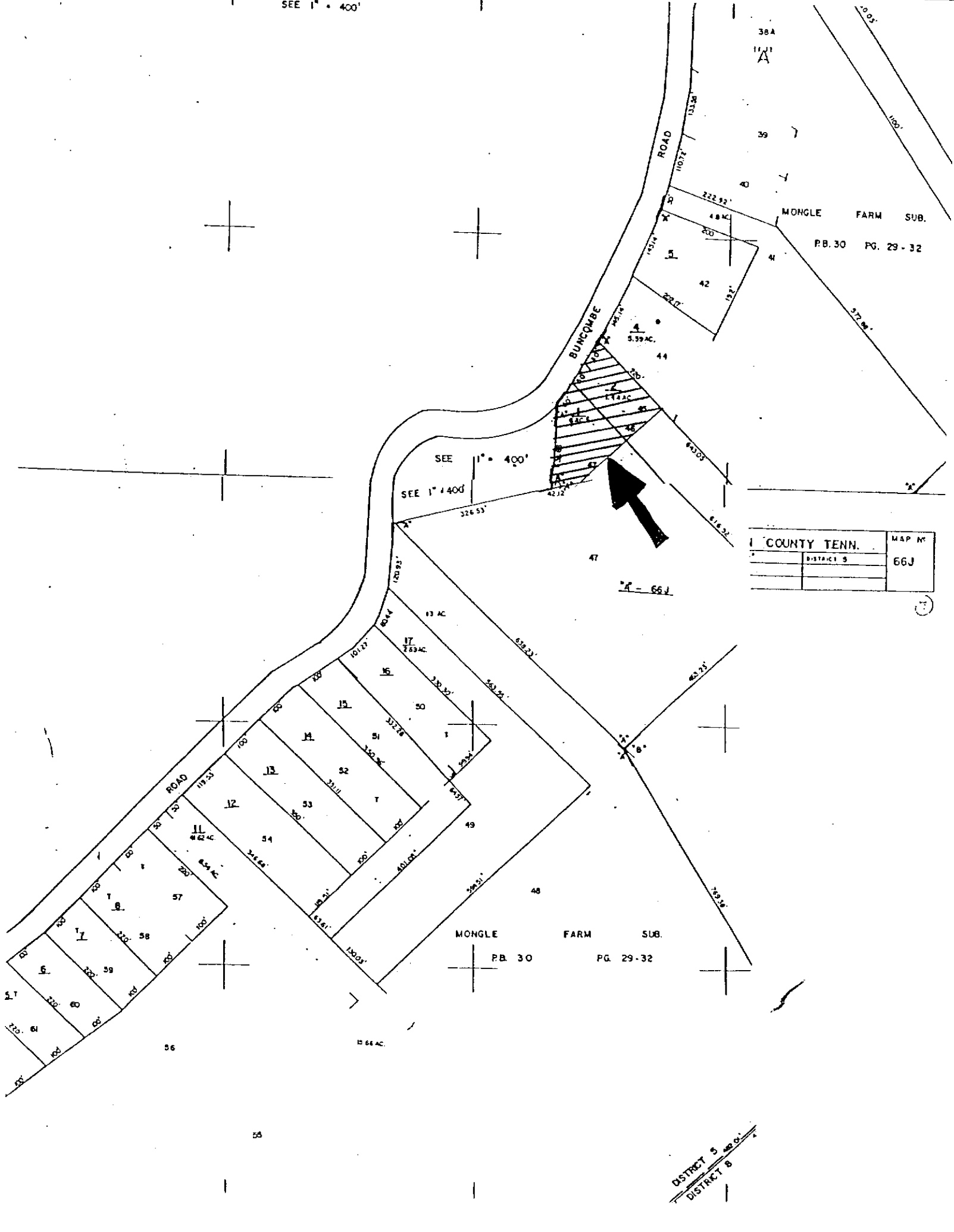
SEE 1" = 400'
SEE 1" = 400'

COUNTY TENN.		MAP NO.
DISTRICT 5		66J

66-66J

MONGLE FARM SUB.
PB. 30 PG. 29-32

DISTRICT 5
DISTRICT 8



PETITION TO SULLIVAN COUNTY FOR REZONING # 02/02/2

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

OFFICE USE ONLY

Property Owner Leslie Lawson

Address 215 Samuel St
Kpt. In 32668

Phone 888-5101 Date of Request 2-07-02
292-8085 mobile

Property Located in 10 Civil District

[Signature]
Signature of Applicant

Meeting Date 3-19-02 Time 7:00 p.m.

Place 2nd Floor - Courthouse

Planning Commission Approved _____
Denied _____

County Commission Approved X
Denied _____

Other Roll Call Vote 21 Aye, 1 Nay,
2 Absent

Final Action Date 04-15-02

PROPERTY IDENTIFICATION

Tax Map 140 Group E Parcel 35.10
41.10

Zoning Map 6 Zoning District R-3A Proposed District B-3

Property Location Samuel St (220)

Purpose of Rezoning To allow an auto sales

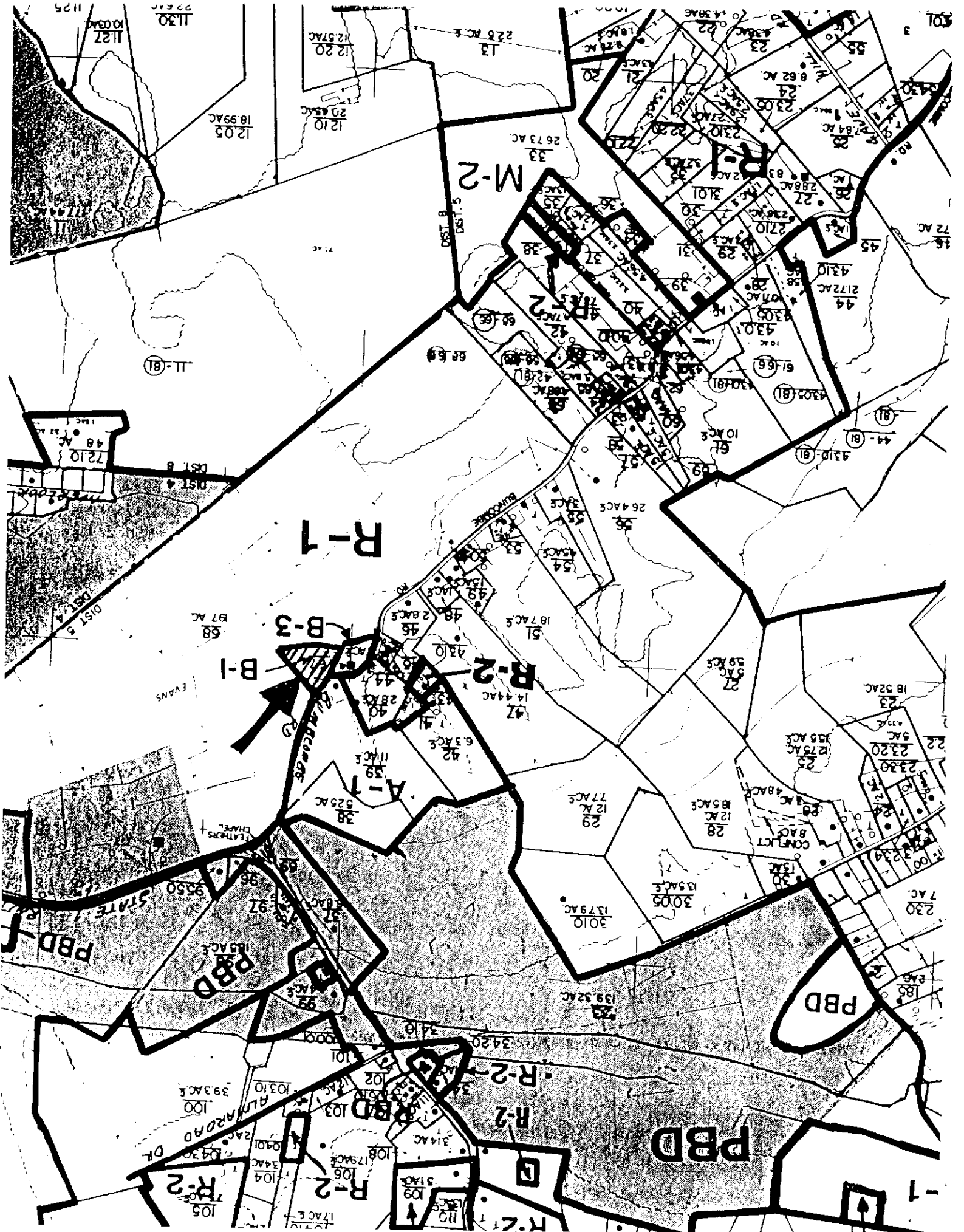
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

[Signature]

Sworn to and subscribed before me this 7th day of Feb, 2002

[Signature]
Notary Public

My Commission Expires: 2-20-03



**Sullivan County
Board of County Commission
Staff Comments –April 15, 2002**

File No. 02/02 #2
 Property Owner: Leslie Lawson
 Tax ID: Map 14-O, Group E, Parcels 35.00 and 41.10
 Reclassify: R-3A to B-3
 Civil District: 10th
 Location: 220 Samuel Street, Kingsport
 Purpose: to allow auto-truck sales
 Surrounding Zoning: R-1, R-3-A, R-2
 PC 1101 Zone: Sullivan County Planned Growth Area

Neighborhood Opposition/Support:

Staff did not receive any opposition or comment prior to the meeting.

Staff Field Notes/Recommendation:

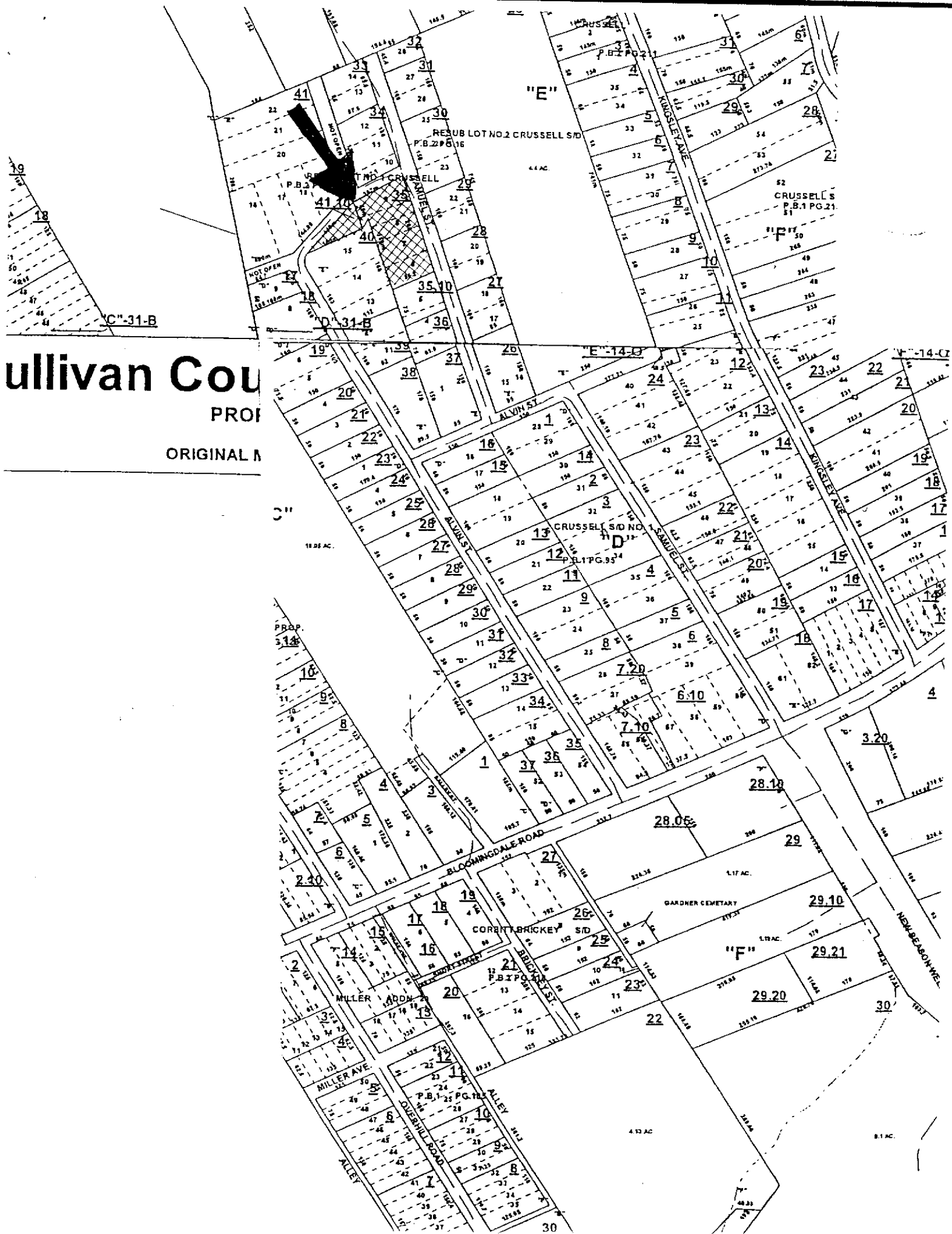
This site is surrounded by an established residential neighborhood that is mostly single-family homes on small urban lots. There is no sewer available within this Crussell Subdivision. This area is north of Bloomingdale Road. While the existing auto body shop is considered a legal but non-conforming (grandfathered in) land use, to allow for a B-3 zoning district would allow for a broad range of land uses not compatible with the neighborhood. Staff recommends that this property remain non-conforming so that any expansions of this use are subject to the non-conforming regulations of the ordinance. Rezoning this property to B-3 is not consistent with the neighborhood. Mr. Lawson has stated that he wants to use the property for auto sales, however this property is not within a commercial area and has limited residential traffic. The streets are narrow with poor sight visibility. A B-3 district requires paving of all parking areas with only a ten-foot screening on the rear property line. Staff is concerned that cars will be parked along the entire corner lot road frontages causing more problems with sight visibility.

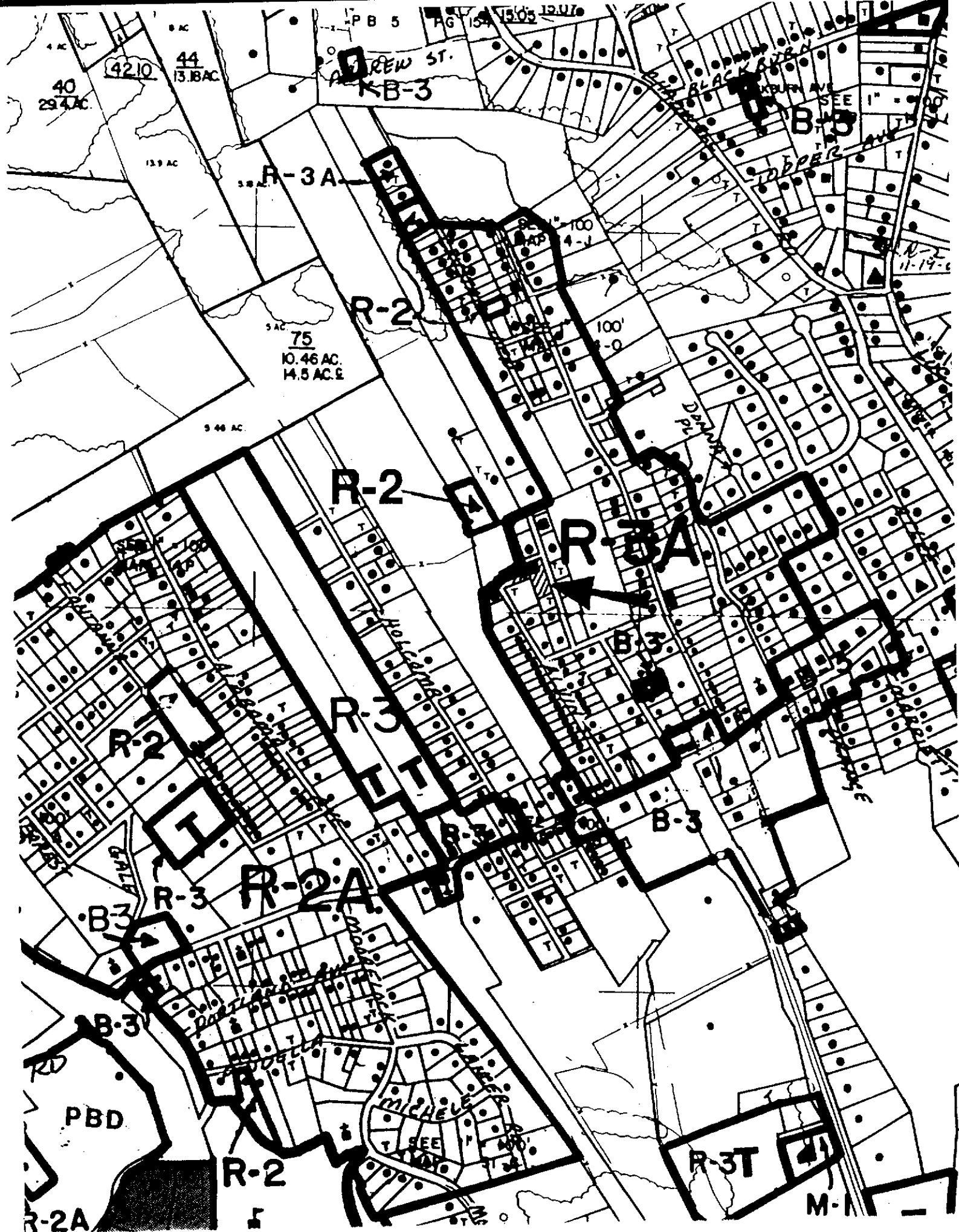
Comments at Planning Commission Meeting:

Sullivan County Regional Planning Commission Action: March 19, 2002	
Approval: Childress, Hickam, H. Barnes, Greene - 4 Yes // Selby, Mullins - 2 No // Boggs - 1 Passed (Belcher, S. Barnes - absent)	
Denial:	Reason for denial:
Defer:	Reason for deferral:

Sullivan County Board of County Commission Action: March 18, 2002	
Approval:	
Denial:	Reason for denial:
Defer:	Reason for deferral:

Sullivan County
PROF
ORIGINAL M





4210

44
13.13 AC

40
29.4 AC

CREW ST.
KB-3

BLACKBURN

SEE 1"

R-3A

R-2

5 AC
75
10.46 AC
14.5 AC.E

9.46 AC

R-2

R-3A

R-2

R-3

R-3

R-2A

B-3

B-3

PBD

R-2

R-2A

MICHELE
SEE 1"

R-3T

M-1

PETITION TO SULLIVAN COUNTY FOR REZONING # 02/02/3

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

Property Owner MILTON E. WORLEY

Address 220 DECK RD.

BRISTOL TN 37620

Phone ⁴²³ 968-7507 Date of Request 2-8-02

Property Located in 6th Civil District

X Milton Worley
Signature of Applicant

OFFICE USE ONLY

Meeting Date 3-18-02 Time 6:00 P.M.

Place SLATER CENTER

Planning Commission Approved _____
Denied _____

County Commission Approved X
Denied _____

Other Roll Call Vote 22 Aye, 2 Absent

Final Action Date 04-15-02

PROPERTY IDENTIFICATION

Tax Map 18 Group _____ Parcel 48.20

Zoning Map 8 Zoning District PBD-3 Proposed District M-1

Property Location HWY-11-W (1894)

Purpose of Rezoning NEED ALL AVAILABLE AREA ALONG SIDE AND REAR PROPERTY LINE FOR CONSTRUCTION OF A DIESEL MECHANIC REPAIR SHOP AND PARKING

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

X Milton Worley

Sworn to and subscribed before me this 8th day of Feb, 2002.

Jack Marison
Notary Public

My Commission Expires: 12-20-03

Item No. N-4

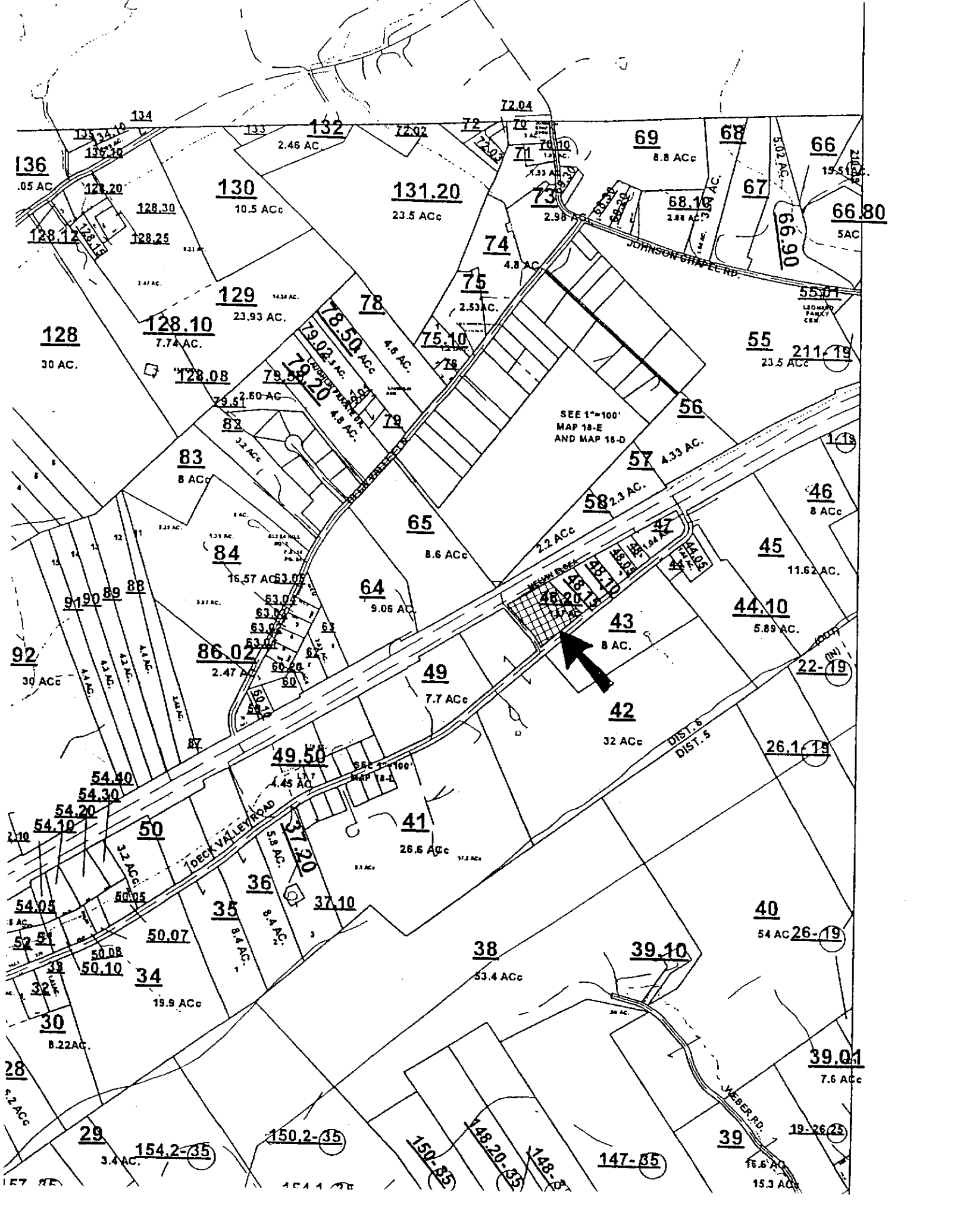
Agenda Item: Sullivan County Rezoning Request - Milton E. Worley - 1894 Highway 11-W

Background: Mr. Milton E. Worley is requesting Planning Commission approval for the rezoning of a 2.119 acre tract of land located at 1894 Highway 11-W from PBD-3, planned business district-3, and the proposed zoning designation is M-1, industrial district. The site is currently vacant. The property contained in this request is Parcel 48.20, as shown on Sullivan County Tax Map 18, for 2001. The existing zoning in the area is predominantly A-1, general agricultural. The proposed site is adjacent to a M-1, industrial district. The owner of the property is Milton E. Worley.

Analysis: The purpose of this request is to construct a diesel mechanic repair shop and to allow parking for heavy trucks from this location. The dominant road-front uses in the area is commercial enterprises. Residential, agricultural and vacant land are also a major land uses in the study area. All affected property owners have been informed of the request. The Planning Commission to rezone that particular parcel to M-1, industrial district.

Recommendation: Staff recommends that the Planning Commission forward a favorable recommendation to the Sullivan County Commission in order to be consistent with the previous recommendation.

The Bristol Tennessee Planning Commission recommended approval of Milton E. Worley's request to rezone his property located at 1894 Highway 11-W from PBD-3, planned business district-3, to the proposed zoning designation M-1, industrial district. The Planning Commission gave an unanimous favorable recommendation to the Sullivan County Commission.



136
.05 AC

130
10.5 AC

131.20
23.5 AC

69
8.8 AC

68
5.02 AC

66
15.51 AC

66.80
5 AC

128
30 AC

128.10
7.74 AC

129
23.93 AC

78
4.6 AC

75
2.53 AC

74
4.8 AC

67
2.81 AC

55
23.5 AC

55.01
LEONARD
FAMILY
TRUST

128.08
7.51 AC

78.50
4.6 AC

79.02
4.8 AC

75.10
4.8 AC

SEE 1"=100'
MAP 18-E
AND MAP 18-D

56
4.33 AC

83
8 AC

65
8.6 AC

57
4.33 AC

46
8 AC

84
16.57 AC

64
9.05 AC

58.23
2.2 AC

45
11.62 AC

92
30 AC

89
9.19 AC

86.02
2.47 AC

49
7.7 AC

58.23
2.2 AC

44.10
5.89 AC

22-19

49.50
1.45 AC

49
7.7 AC

42
32 AC

26.1-19

54.40
54.30
54.20
54.10

50
3.2 AC

41
26.6 AC

42
32 AC

26.1-19

54.05
52.51
50.10
50.08

50.07
34
19.9 AC

37.10
36
8.4 AC

38
53.4 AC

39.10

40
54 AC

30
8.22 AC

34
19.9 AC

37.10
36
8.4 AC

38
53.4 AC

39.10

40
54 AC

28
5.2 AC

34
19.9 AC

37.10
36
8.4 AC

38
53.4 AC

39.10

40
54 AC

29
3.4 AC

154.2-35

150.2-35

150-35

148.20-35

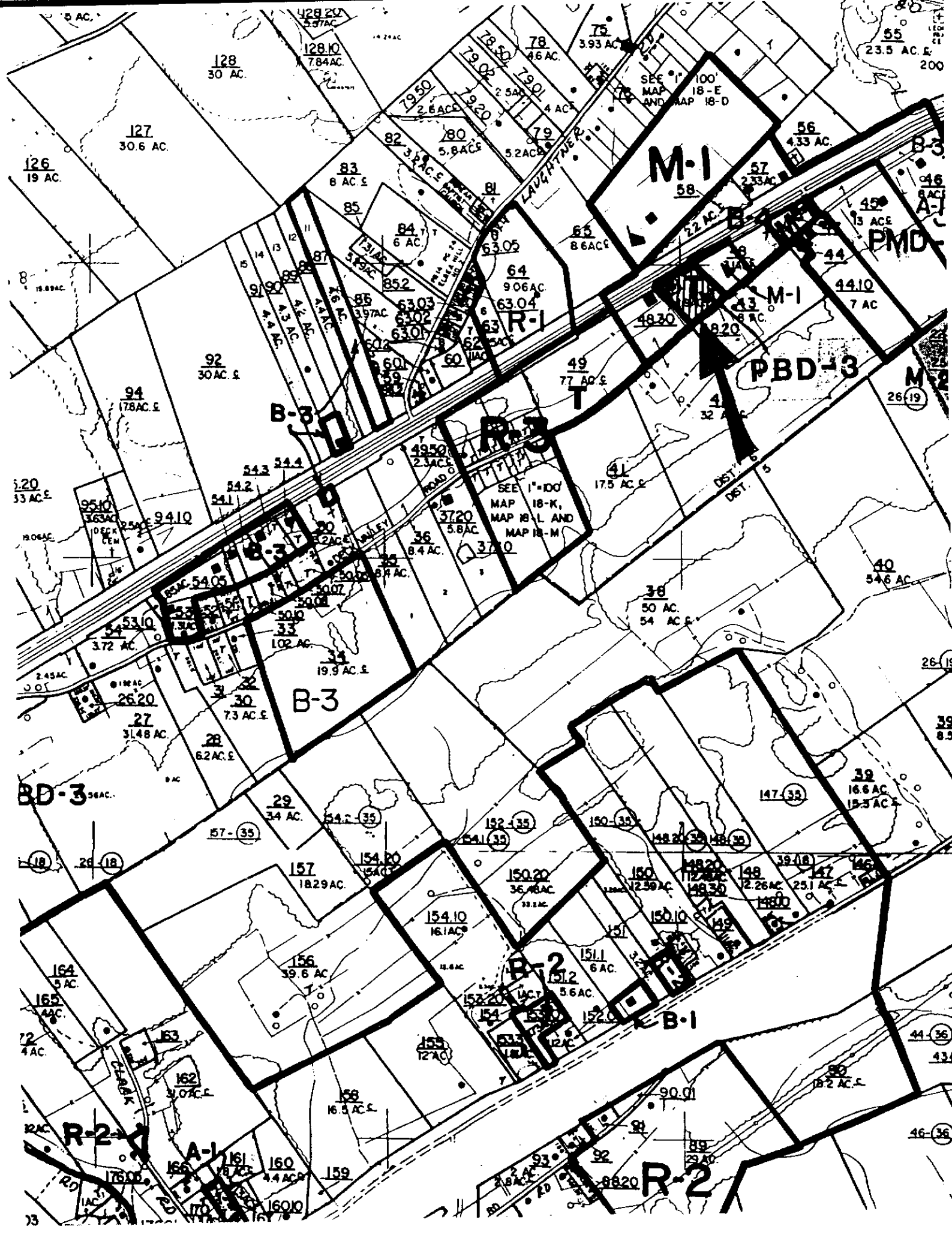
147-35

39
16.6 AC

39.01
7.6 AC

19-26-23

15.3 AC



PETITION TO SULLIVAN COUNTY FOR REZONING # 01/02/01

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

Property Owner Fay Vance Flick
Address 759 Old Jonesboro Rd
Bristol, In 37620
Phone 878-4218 Date of Request 1-18-02
Property Located in 2nd Civil District
Fay V. Flick
Signature of Applicant

OFFICE USE ONLY
Meeting Date 2-18-02 Time 6:00 p.m.
Place Stater Center
.....
referred to April P.C.
Planning Commission Approved _____
Denied _____
County Commission Approved X
Denied _____
Other Roll Call Vote 20Aye, 1 Pass, 3Abs
Final Action Date 04-15-02

PROPERTY IDENTIFICATION

Tax Map 38 Group _____ Parcel 65.00
Zoning Map 10 Zoning District R-1 Proposed District B-3
Property Location Old Jonesboro Rd
Purpose of Rezoning For future commercial use
To convert existing houses into 3 aptx

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Sworn to and subscribed before me this 11th day of Jan, 2002.

Deborah K. House
Notary Public

My Commission Expires: 12-20-03

Item No. N-2

Agenda Item: Rezoning - Fay V. Flick - 759 Old Jonesboro Road from R-1, low-density residential district to R-2A, medium density residential district


Background: Ms. Fay V. Flick is requesting Planning Commission approval for the rezoning of a 3.350 acre tract of land located at 759 Old Jonesboro Road from R-1, low-density residential district, to the proposed zoning designation R-2A, medium density residential district. The property is currently zoned (Sullivan County zoning designation) R-1, low-density residential district. The property contained in this request is Parcel 65.0 as shown on the 2001 Sullivan County Tax Map 38. The owner of the property is Fay V. Flick.

Analysis: The purpose of this request is to convert an existing residential structure into three multi-family residential unit. The predominant zoning in the surrounding area is R-1, low density residential. Existing land use in the surrounding area is a mixture of agricultural use, single family residences and vacant land. Currently, the site contains a residential structure. One item of concern have been identified via staff review:

1. Spot zoning is not permitted. If the rezoning benefits the single individual and will not serve the overall interest of the County, it should not be approved.

Recommendation: It is staff recommendation that the request to rezone property from R-1 to R-2A district for the purpose of allowing multi-family use be given an unfavorable recommendation to the Sullivan County Commission.

ORIGINAL REQUEST WAS FOR R-2A. THIS WAS CHANGED BY THE PETITIONER TO B-3 PRIOR TO THE MEETING WITH THE BRISTOL, TENNESSEE P.C. OUR AGENDAS HAD ALREADY BEEN SENT OUT. EACH COMMISSION MEMBER WAS FURNISHED A COPY OF THE REVISED PETITION THE NIGHT OF THE MEETING.


SENIOR PLANNER

The Planning Commission also gave an unanimous unfavorable recommendation to Fay V. Flick's request to rezone her property from R-1, low-density residential to B-3, general business.

January 29, 2002

Bristol Regional Planning Commission
104 Eighth Street
Bristol, Tennessee

ATTN: Chairperson Cathy Mullins

Re: Fay V. Flick - Rezoning Petition

Dear Commission Members

Upon reviewing my Petition for Rezoning which was prepared by staff in the Sullivan County Planning and Zoning Office, and which is to be brought before your body February 13, 2002 for your recommendation, I feel that perhaps some clarification might be needed.

I am submitting this petition for R2-A zoning (605.1.2) in order to rent out an additional small apartment in my home. At the present time, I have one small apartment, located in my Old Jonesboro Road residence, which I have rented out for about eight years on a continuing basis. This is permitted in R-1 zoning in Sullivan County (603.1.6). This small furnished apartment not only provides extra income, (\$300 per month), but provides also a greater degree of safety for me, as I am a woman, 68 years old, and I live alone.

R-2A zoning would allow me to convert a part of my residence, two (2) rooms, a bath and part of a hallway into a second small furnished apartment. No structural changes will be required except installing a partition (3 1/2') across a hall, an exterior door unit and small deck. This apartment would rent for \$400 per month, and would be a *one-person rental unit as is the other one.*

This second apartment, if completed, would allow me to continue to maintain my residence in the remaining 1696 sq. ft. of finished living space (896 sq. ft. top floor, 800+ basement floor), with an additional 900 sq. ft. of available laundry and storage space. Income derived would allow me to provide needed, and better, maintenance for the property, and most importantly, would allow me to hire that maintenance done, rather than doing most of it myself, as I now do.

The house can easily be converted back into a one-family residence when desired, as there will have been no permanent structural changes made which will modify the original plan.

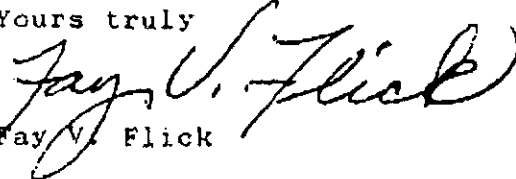
My house, which sits approximately in the center of 3.46 acres, is located between two undeveloped, wooded and/or overgrown properties, one zoned R-1, the other zoned B-3. The rear of my property is fronted by four-lane US 421, and has an access which was provided by the state when the highway was built. The properties located directly across the highway are commercially zoned also. The houses which are nearest mine are located directly across the Old Jonesboro Road, with the nearest one located about 100 yards from my residence. These properties are zoned R-1. There is, as well, R-2 zoned property near a corner of my property on the Old Jonesboro Road.

I have chosen at this time to petition for R2-A Zoning for multi-family dwelling (605.1.2) rather than commercial or R-2 zoning, in order to afford my neighbors and myself maximum available protection, while still allowing the desired usage of my property. As you know, R-2A zoning does not permit mobile home use and is designed to protect 'the essential characteristics of family living', while providing for low density multiple family uses (605.3). It is my sincere belief that this rezoning will in no way have a derogatory effect on my neighbors' properties or other properties near me.

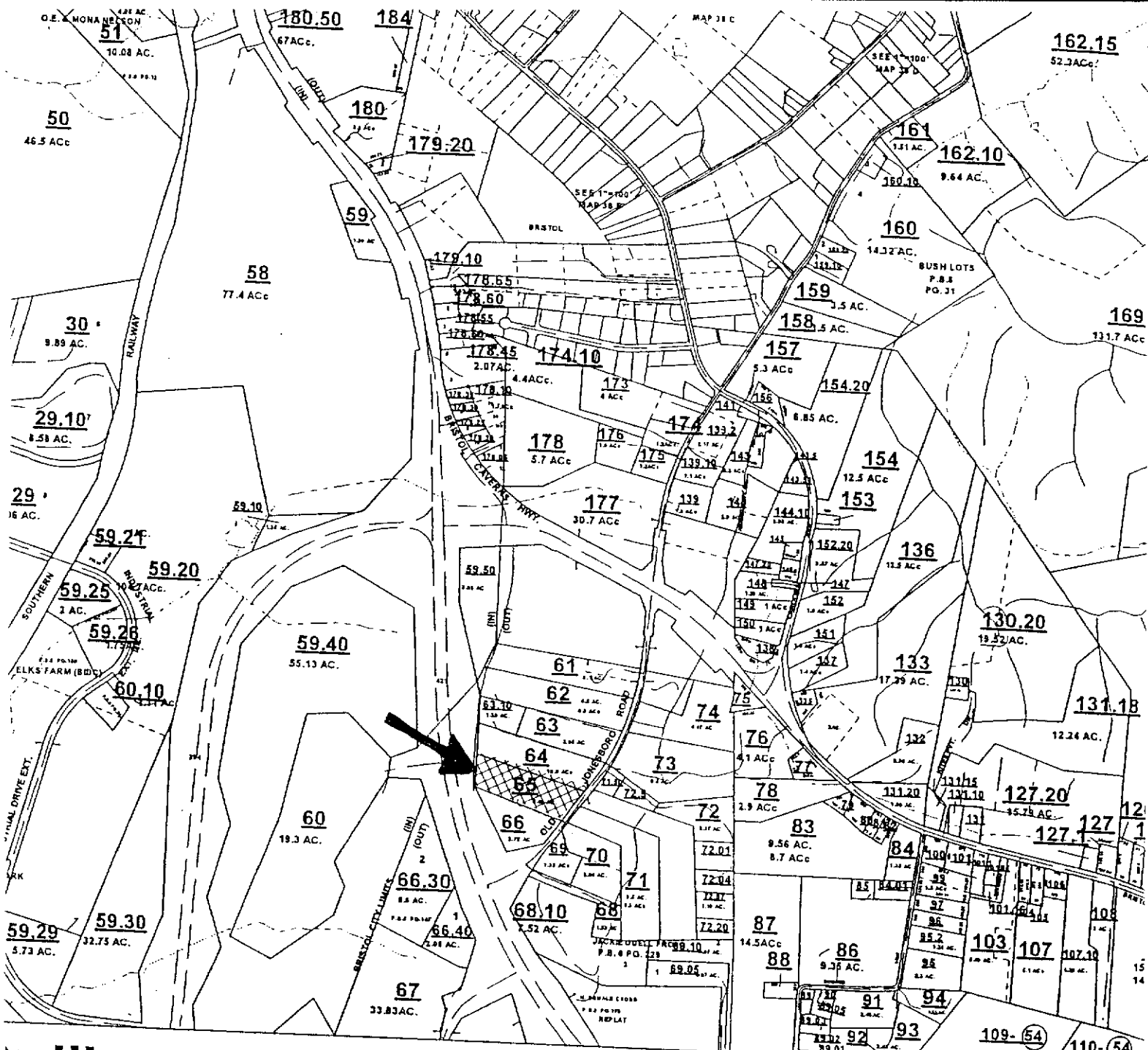
It is my hope to sell my property at a future time for commercial development, as it is located on a four-lane highway and has a state provided highway access, and perhaps most importantly, because most of the other property on the four-lane which is near or adjoining my property, is now zoned for commercial use.

Thank you for your kind consideration of this matter.

Yours truly



Fay V. Flick

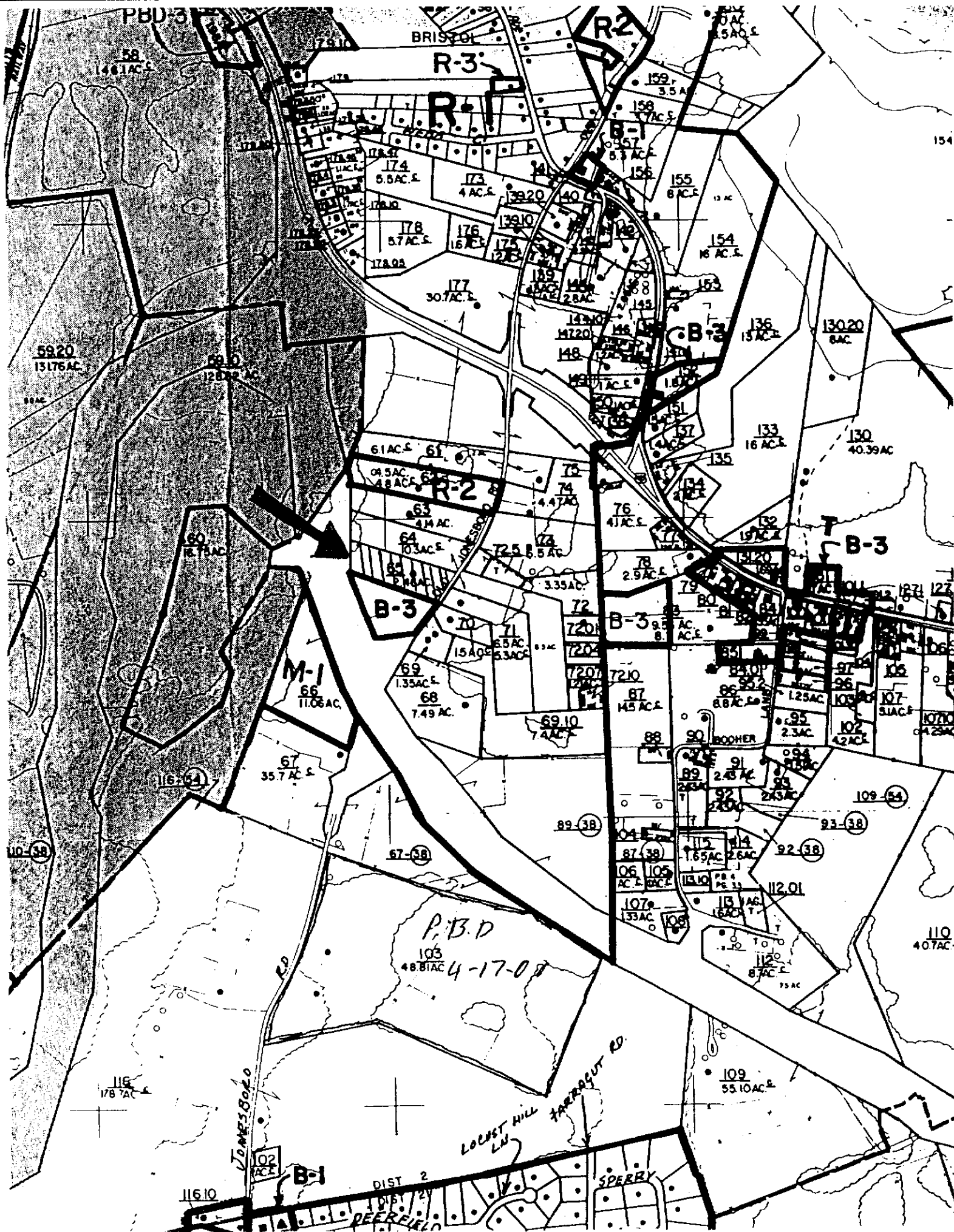


Sullivan County, Tennessee

PROPERTY MAPS

ORIGINAL MAP SCALE: 1" = 400'

020	021	022
037	038	039
053	054	055



Staff Field Notes/Recommendation:

This site is surrounded by an established residential neighborhood that is mostly single-family homes on small urban lots. There is no sewer available within this Crussell Subdivision. This area is north of Bloomingdale Road. While the existing auto body shop is considered a legal but non-conforming (grandfathered in) land use, to allow for a B-3 zoning district would allow for a broad range of land uses not compatible with the neighborhood. Staff recommends that this property remain non-conforming so that any expansions of this use are subject to the non-conforming regulations of the ordinance. Rezoning this property to B-3 is not consistent with the neighborhood. Mr. Lawson has stated that he wants to use the property for auto sales, however this property is not within a commercial area and has limited residential traffic. The streets are narrow with poor sight visibility. A B-3 district requires paving of all parking areas with only a ten-foot screening on the rear property line. Staff is concerned that cars will be parked along the entire corner lot road frontages causing more problems with sight visibility.

Motion made by Childress & a second by Hickam to approve the rezoning. The motion to approve the rezoning request passed with a vote of 3 to 2, with Selby and Mullins against and Boggs passing.

D. Subdivisions**(1) James & Sue Crain, Final Plat.****Staff Notes:**

Staff is waiting for signatures on final plat. All lots meet the minimum zoning and subdivision requirements. Lots shall be served by Kingsport public sewer. Staff recommends approval of the plat subject to all signatures presented at meeting.

The plat was differed due to the lack of signatures obtained.

(2) Tri-County Industrial Park, 2 Comprehensive Development Plans.**Staff Notes:**

Revised plans meet the PMD-1 requirements as illustrated on the cover sheet of the site plans.

Motion made by Boggs & second by H. Barnes to approve the Comprehensive Development Plans. The motion to approve the plan passed unanimously.

MINUTES OF THE SULLIVAN COUNTY PLANNING COMMISSION

The regular meeting of the Sullivan County Planning Commission was held on Tuesday, March 19, 2002 at 7:00p.m., Courthouse, Blountville, Tennessee.

- | | |
|--|---|
| A. Members Present:
James Greene, Jr., Chairman
Wade Childress, Vice Chairman
Cathy Mullins
Mark Selby
Jeff Hickam
Harold Barnes
Harry Boggs | Members absent:
Scott Barnes
Carol Belcher |
|--|---|

Staff Representatives:
David Moore, Local Planning
Ambre M. Torbett, Sullivan County Planner
Tim Earles, Sullivan County Building Commissioner

The meeting was called to order at 7:00p.m. by the chairman with a quorum present.

B. Approval of February 19, 2002 Minutes

The minutes from the February, 2002 meeting were reviewed. Motion to accept the minutes as presented by H. Barnes, seconded by Selby. Motion to accept the minutes passed unanimously.

C. Rezoning Request

(1) File No. 02/02/02 Leslie Lawson

Reclassify R-3A property at 220 Samuel Street to B-3 for the purpose of allowing auto sales. Property identification No: Tax map 14-O, Group E, Parcels 41.10 & 35.00 being located in the 10th Civil District.

Ray Conk was present, as an attorney representing Mr. Lawson. Mr. Conk stated that the intention of Mr. Lawson for the property was to buy, repair and resale automobiles.

No opposition was present against the rezoning.

(3) Sun Com, (Temporary/Portable)Cellular Tower Site.

Elizabeth ("Bett") Jones represented Sun Com.

Ms. Bett Jones stated that they needed a 50' by 50' lot in the campground.

Staff Notes:

The purpose of this application is to obtain approval for a temporary and portable cellular facility, which shall be set up the weekend prior to the Bristol Motor Speedway Food City 500 race. The facility is illustrated in the attached pictures and will only be up for the race. Upon approval, the applicant would like to obtain a blanket approval for such operation for all future races. Staff recommends that such future similar requests, be reviewed by staff each time and approved administratively unless other concerns are unsatisfied. Staff contacted the adjacent planning agencies and Bristol has a new ordinance for temporary C.O.W.'s (Cells on Wheels). The current zoning code has no provisions for such land use. Staff is requesting guidance and policy from the Planning Commission.

Boggs stated that he would like the Sullivan County Cell Tower Regulations to include an amendment to approve such temporary sites by the staff in the future. Staff responded saying the proposed code already addresses such.

Motion made by Boggs & seconded by Childress to approve the Cellular Tower Site. The motion to approve the cellular tower site passed with 5 yes votes and 2 passes.

(4) Confirmation of Minor Subdivision Plats for February 2002.

Motion made by H. Barnes & second by Hickam to approve the presented plat list. The motion passed unanimously.

E. New Business

Recommendation of the Rocky Mount Corridor Master Plan:
"A Guide for future Development"

A motion was made by Childress & seconded by Selby to recommend the plan to the Sullivan County Commission. Recommendation to the County Commission for adoption, motion passed unanimously

F. Old Business**Recommendation of the Sullivan County Zoning Plan, Text and Map.**

Staff is requesting a formal recommendation of adoption for the new Zoning Plan to be presented to the Bristol Regional Planning Commission in April and the Sullivan County Commission in May or June, 2002. The Kingsport Regional Planning Commission formally recommended in favor of the proposed plan as presented to them on March 4, 2002 at a special called session. Copies have been mailed to the local surveyors, developers, local committees, realtors, state agencies and interested citizens. No negative comments have been obtained so far. Surveyors have stated that they like the tables and format of the new text as it is more user-friendly and more comprehensive. A few contractors and developers have stated they like the new development concepts for Planned Unit Developments (PUDs) and the cluster housing development provisions as these are becoming popular alternative development techniques, currently not allowed within the existing zoning resolution.

Motion made by Mullins & Seconded by Selby to forward a favorable recommendation to the county commission to adopt the county commission to adopt proposed zoning plan.

Motion passed unanimously.

G. Public Comments**H. Adjournment**

With no further business, a motion was made by Selby, seconded by Mullins to adjourn the meeting at 8:20 p.m.

Richard Henry, Sullivan County Planning Commission Secretary

QUESTIONS BEFORE THE COMM.

No. 3 5 8 9

NAMES OF COMMISSIONERS

	No. 3		No. 5		No. 8		No. 9		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
CAROL J. BELCHER	A		A		A		A							
JAMES R. "JIM" BLALOCK	✓		✓		✓		✓							
BRYAN K. BOYD	✓		✓		✓		✓							
JUNE CARTER		✓	✓		✓		✓							
FRED CHILDRESS		✓	✓		✓		✓							
O. W. FERGUSON	✓		✓		✓		✓							
MIKE GONCE	✓		✓		✓		✓							
CLYDE GROSECLOSE, JR.	✓		✓		✓		✓							
RALPH P. HARR	✓		✓		✓		✓							
DENNIS HOUSER	✓		✓		✓		✓							
MARVIN HYATT	A		A		A		A							
SAMUEL JONES	✓		✓		✓		✓							
ELLIOTT KILGORE	✓		✓		✓		✓							
JAMES "BUDDY" KING	✓		✓		✓		✓							
JAMES L. KING, JR.	✓		✓		✓		✓							
WAYNE MCCONNELL	✓		✓		✓		✓							
WILLIAM H. "JOHN" MCKAMEY		✓	✓		✓		✓							
PAUL MILHORN	✓		✓		✓		✓							
RANDY MORRELL	✓		✓		✓		✓							
HOWARD PATRICK	✓		✓		✓		✓							
ARCHIE PIERCE	P		✓		✓		✓							
MICHAEL B. SURGENOR	✓		✓		✓		✓							
MARK A. VANCE	✓		✓		✓		✓							
EDDIE WILLIAMS	✓		✓		✓		A							
	11 Aye		22 Aye		23 Aye		21 Aye							
	3 Nay		2 Nay		2 Nay		3 Nay							
	1 Abs													
	2 Ill.													

St. # 1

QUESTIONS BEFORE THE COMMN

No. 10 11 12 13 14 15

NAMES OF COMMISSIONERS

	10		11		12		13		14		15		Total
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
CAROL J. BELCHER	A		A		A		A		A				
JAMES R. "JIM" BLALOCK	✓		✓		✓		✓		✓				
BRYAN K. BOYD	✓		✓		✓		✓		✓				
JUNE CARTER	✓		✓		✓		✓		✓				
FRED CHILDRESS	A		✓		✓		✓		✓				
O. W. FERGUSON	✓		✓		✓		✓		✓				
MIKE GONCE	✓		✓		✓		✓		✓				
CLYDE GROSECLOSE, JR.	✓		✓		✓		✓		✓				
RALPH P. HARR	✓		✓		✓		✓		✓				
DENNIS HOUSER	✓		✓		✓		✓		✓				
MARVIN HYATT	A		A		A		A		A				
SAMUEL JONES	✓		✓		✓		✓		✓				
ELLIOTT KILGORE	✓		✓		✓		✓		✓				
JAMES "BUDDY" KING	✓		✓		✓		✓		✓				
JAMES L. KING, JR.	✓		✓		✓		✓		✓				
WAYNE MCCONNELL	✓		✓		✓		✓		✓				
WILLIAM H. "JOHN" MCKAMEY	✓		✓		✓		✓		✓				
PAUL MILHORN	✓		✓		✓		✓		✓				
RANDY MORRELL	✓		✓		✓		✓		✓				
HOWARD PATRICK	✓		✓		✓		✓		✓				
ARCHIE PIERCE	✓		✓		✓		✓		✓				
MICHAEL B. SURGENOR	✓		✓		✓		✓		✓				
MARK A. VANCE	✓		✓		✓		✓		✓				
FDDIE WILLIAMS	✓		✓		✓		✓		✓				
	21		21		21		21		21				
	3		3		3		3		3				

Sullivan County, Tennessee
Board of County Commissioners

No. 1
2002-04-00

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15th day of April 2002.

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

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

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

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

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 15th day of April 2002.

Attested: Janice Hammon County Clerk Date 4/15/02 Approved: Gil Hodges County Executive Date 4/15/02

Introduced By: Commissioner: Belcher
Seconded By: Commissioner(s): Ferguson

2002-04-00	Administrative	Budget	Executive	County Commission
ACTION				Approved 04/15/02-Voice Vote

Comments: Motion made by Comm. Harr and seconded by Comm. Morrell to approve.

Sullivan County, Tennessee
Board of County Commissioners

No. 2
AMENDED
Administrative Committee
2001-08-083

To the Honorable Gil Hodges, County Executive, and the Members of the Sullivan County Board of Commissioners in Regular Session this 20th day of August, 2001.

RESOLUTION AUTHORIZING Rescinding Resolution No. 21 passed on July 17, 1996 regarding the Board of Public Utilities

WHEREAS, Tennessee code annotated: section 5-16-101 authorizes counties to establish Power of a Board of Public Utilities.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Public Utilities be reestablished and placed back in operation to provide the citizens of Sullivan County an established board to respond to there needs and to provide the Board of Commissioners with recommendations and plans of county utility needs.

BE IT FURTHER RESOLVED that those commissioners previously serving on that board be reappointed and that the remaining seats be filled by appointments from the present board of Sullivan County Commissioners or citizens at large nominated and elected by the board of commissioners.

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

Duly passed and approved this ____ day of _____, 2001.

Attested: _____ County Clerk _____ County Executive

Introduced By Commissioner: Surgenor

Seconded By Commissioner(s): Patrick

Committee Action	Approved	Disapproved	Deferred	No Action
Administrative	Failed 9-10-01			
Budget				
Executive				9-11-01

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

2001-08-083 / mag ATTACHMENT

Comments: 1st READING 08/20/01; Deferred 09/17/01; Deferred 10/15/01; Deferred 11/19/01;
Deferred 12/17/01; Deferred 01/28/02;Deferred 02/18/02; Deferred 03/18/02; Deferred 04/15/02;

AMENDMENT TO:

RESOLUTION NO. 2 [2001-08-083] – Resolution Rescinding Resolution No. 21 passed on July 17, 1996 regarding the Board of Public Utilities

Amend as Follows:

Delete the section beginning "BE IT FURTHER RESOLVED" and ending "by the board of commissioners" in its entirety and substitute in lieu thereof the following:

BE IT FURTHER RESOLVED that the County Executive shall appoint, subject to confirmation by the county legislative body, board members to fill all seats. In order to establish proper rotation of board members' terms of office, two of the initial terms shall expire July 1, 2003; two terms shall expire July 1, 2004; and the one remaining term shall expire July 1, 2005. Following these initial terms of office, all successor terms of office shall be for three (3) years.

BE IT FURTHER RESOLVED that the Board of Public Utilities shall exercise the powers set forth in Tennessee Code Annotated §5-16-101, et seq., subject to and in agreement with the City-County Sewer Agreement adopted by the Cities of Bristol, Kingsport and Bluff City and Sullivan County as evidenced by the document styled "A Policy for Sanitary Sewer Line Extensions in Sullivan County" dated April 23, 1996.

Introduced by Commissioner: M. Surgenor
Seconded By Commissioner(s): H. Patrick

COMMENTS:

All resolutions in conflict herewith be and the same recited hereafter as such conflict exist.

This resolution shall become effective on _____ 19____, the public welfare requiring it.

Duly passed and approved this 11th day of July, 1996.

Attest: _____
County Clerk

INTRODUCED BY COMMISSIONER J. HUBBARD ESTIMATED COST: _____
SECONDED BY COMMISSIONER DANNY VANCE & KURT FUND.

RESOLUTION NO. 275
Page Two

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Abstain	Total
Roll Call	13	7		2	
Voice Vote					

COMMENTS: FIRST READING 5/20/96 APPROVED 6/17/96 ROLL CALL

RESOLUTION NO. 275

TO THE HONORABLE CHIEF JUDGES, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 2ND DAY OF MAY, 1996.

RESOLUTION AUTHORIZING THE ABOLITION OF THE SULLIVAN COUNTY BOARD OF PUBLIC UTILITIES.

WHEREAS, TENNESSEE CODE ANNOTATED, SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SULLIVAN COUNTY, TENNESSEE SPECIFIED IN REGULAR SESSION ON THE 20th day of May, 1996.

THAT WHEREAS, the voters residing in Sullivan County, Tennessee authorized the passage of certain provisions in Tennessee Code Annotated § 16-101, et seq. which have become effective on _____ and _____

WHEREAS, by certain resolution Sullivan County, Tennessee provided for the passage of such power by a Board of Public Utilities and _____

WHEREAS, Sullivan County by and through its duly elected Board of Commissioners has recently approved and entered into an inter-county sewer agreement with the City of Bristol, Kingsport and Bluff City, Tennessee providing for the establishment and operation of inter-county sanitary sewer service, and _____

WHEREAS, the duties and responsibilities of the Sullivan County Board of Public Utilities and the purpose for which it was created are now covered under the aforementioned sewer agreement, and _____

WHEREAS, the powers conferred upon Sullivan County by Tennessee Code Annotated § 16-101, et seq. are now covered under the aforementioned sewer agreement, and _____

WHEREAS, majority authority exists over Tennessee Code Annotated § 16-101, et seq. authorizing Sullivan County to undertake public works projects _____

NOW, THEREFORE, BE IT RESOLVED THAT the Sullivan County Board of Public Utilities is hereby abolished and any remaining assets which hereafter need to be disposed with regard to the exercise of power by Sullivan County shall be disposed of in accordance with Tennessee Code Annotated § 16-101, et seq. as well as obligations of Sullivan County under the aforementioned sewer agreement shall be handled by the County Executive or his designees _____

Sullivan County, Tennessee
Board of County Commissioners

3
No. ~~12~~
Budget Committee
2002-03-35

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 18th day of March 2002.

RESOLUTION To Levy A Mineral Severance Tax for Sullivan County

WHEREAS, T.C.A. § 67-7-201, et seq., permits counties, upon two-thirds (2/3) vote of their respective county legislative bodies, to enact a mineral severance tax for the benefit of the county road fund to be administered by the state Department of Revenue; and,

WHEREAS, Sullivan County is need of additional revenue.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session that:

Section 1: T.C.A. § 67-7-201, et seq., which authorizes counties to levy a tax on the severance from the earth of sand, gravel, sandstone, chert and limestone, within the boundaries of Sullivan County, Tennessee, is hereby adopted as authority for the tax levied by Section 2 hereof.

Section 2: There is hereby levied a severance tax on the above named minerals at a rate of (1-15) cents per ton.

Section 3: The Mineral Severance Tax of Sullivan County, shall be collected by the state Department of Revenue in accordance with the rules and regulations promulgated by the Department of Revenue.

Section 4: A certified copy of this Resolution shall be transmitted immediately upon its passage to the Office of the Secretary of State and to the Department of Revenue of the State of Tennessee by the County Clerk and shall be spread upon the records of the county legislative body.

Section 5: For purposes of collection, this Resolution shall take effect on the first day of the month occurring at least thirty (30) days after the certified copy is received by the Department of Revenue; for all other purposes it shall be effective upon passage by a two-thirds majority vote of the county legislative body of Sullivan County, the public welfare requiring it.

Section 6: The proceeds from the Mineral Severance Tax of Sullivan County shall be used at the discretion of the Board of County Commissioners to fund various projects as needed.

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

Duly passed and approved this 15th day of April 2002.

Attested: Jeanie Gamm 4-15-02 Approved: Gil Hodges 4-15-02
County Clerk Date County Executive Date

Introduced By: Commissioner: Harr
Seconded By: Commissioner(s): Williams

2002-03-35	Administrative	Budget	Executive	County Commission
ACTION		No Action 3-7-02		Approved 04/15/02-18Aye, 3Nay, 1Pass, 2Absent

Comments: 1st Reading 03-18-02;

Sullivan County, Tennessee
Board of County Commissioners

4
No. 45

Administrative/Budget Committee
2002-03-38

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 18th day of March 2002.

RESOLUTION Authorizing the County Executive to Negotiate a Lease with the Bluff City Rescue Squad for a Sullivan County E.M.S. Base of Operations

WHEREAS, the Sullivan County E.M.S. is in need of space for a base for their operations in the Bluff City area; and,

WHEREAS, the Bluff City Rescue Squad has space available within their facility, which can be modified to provide ample space for the needs of the Sullivan County E.M.S. operations.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Executive to negotiate and sign a Lease with the Bluff City Rescue Squad.

BE IT RESOLVED that the terms of the negotiated lease shall be a minimum of six years with an equitable amount of cost reimbursement furnished to the Bluff City Rescue Squad and that the lease shall allow for a provision for an extension of the lease with reasonable compensation.

BE IT FURTHER RESOLVED that the County Executive is also authorized to expend county funds and employee labor to improve the facilities to suit the needs of Sullivan County E.M.S. department pursuant to the Lease.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2002.

Attested: _____ Date _____ Approved: _____ Date _____
County Clerk County Executive

Introduced By Commissioner: Hyatt
Seconded By Commissioner(s): McKamey

alt

2002-03-38	Administrative	Budget	Executive	County Commission
ACTION				

Comments 1st Reading 03-18-02; Deferred 04/15/02;

Sullivan County, Tennessee
Board of County Commissioners

5
No. ~~16~~
Budget Committee
2002-03-39

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 18th day of March, 2002.

RESOLUTION Authorizing Grant from Tennessee Emergency Management Agency

WHEREAS, Sullivan County has available funds in the amount of \$102,016.85 from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency for equipment purchases.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting a grant in the amount of \$102,016.85 from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency to be used for equipment purchases. Account Codes to be assigned by the Director of Accounts and Budgets.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists. Duly passed and approved this 15th day of April 2002.

Attested: Jeanie Gamm 4/15/02 Approved: Gil Hodges 4-15-02
County Clerk Date County Executive Date

Introduced By: Commissioner: Houser
Seconded By: Commissioner(s): Williams

ul

2002-03-39	Administrative	Budget	Executive	County Commission
ACTION				Approved 04/15/02-22A, 2Absent

Comments: 1st Reading 03-18-02;

Sullivan County, Tennessee
Board of County Commissioners

6
No. 17
Administrative/Budget Committee
2002-03-40

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 18th day of March 2002.

RESOLUTION Approving and Financing Sewer Trunk Lines for Residents of Colonial Acres

WHEREAS, residents of Colonial Acres and the surrounding areas have contacted Sullivan County and the City of Kingsport in regards to obtaining sewer service in their area; and,

WHEREAS, provisions for sewer lines in the Colonial Acres, Moreland Drive and Warrior's Path areas were not developed in the initial stages of the sewer projects for the Kingsport area; and,

WHEREAS, the original list of sewer projects in the Kingsport area have progressed to a point that certain funds are available to redirect to additional lines.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves and agrees to finance the extension of a sewer trunk lines into the Colonial Acres area in Kingsport; the costs of this project not exceed \$800,000 from lines proposed in the original agreement.

BE IT RESOLVED that the County Executive shall submit this request to the Mayors for their approval per the City-County Sewer Agreement.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2002.

Attested: _____ Date _____ Approved: _____ Date _____
County Clerk County Executive

Introduced By Commissioner: Williams
Seconded By Commissioner(s): Harr

all

2002-03-40	Administrative	Budget	Executive	County Commission
ACTION				

Comments:

1st Reading 03-18-02; Deferred 04/15/02;

Sullivan County, Tennessee
Board of County Commissioners

No. 7
Budget/Executive Committee
2002-04-41

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15th day of April, 2002.

RESOLUTION Accepting Donation of Old Deery Inn, Rutledge House and Surrounding Property from the Sullivan County Historical Preservation Association and Appointing Historical Advisory Board to Review Stated Objections

WHEREAS, the Sullivan County Historical Preservation Association is a non-profit corporation chartered by the State of Tennessee as evidenced by the attached correspondence from the Tennessee Secretary of State's Office; and

WHEREAS, pursuant to Resolution No. 21 approved by the Sullivan County Board of Commissioners on February 15, 1999, copy attached, the Sullivan County Historical Preservation Association was recognized by the Sullivan County Board of Commissioners as being the official legal entity to oversee the renovation and restoration efforts in downtown historical Blountville; and

WHEREAS, the Sullivan County Historical Preservation Association was the recipient of a \$96,000 grant from the Tennessee Historical Commission to be used for the acquisition of the Old Deery Inn and the Rutledge House; and

WHEREAS, the Sullivan County Historical Preservation Association entered into a Preservation Agreement, a copy of which is attached, which stipulates that the owner of the subject properties would comply with certain guidelines as set forth in said Preservation Agreement; and

WHEREAS, Sullivan County and the Sullivan County Historical Preservation Association have applied for a \$1.1 Million grant from the Tennessee Department of Transportation for the complete restoration of the Old Deery Inn, Rutledge House and surrounding properties with Sullivan County agreeing to match twenty percent of said grant or up to the sum of \$220,000 pursuant to Resolution No. 10 approved by the Sullivan County Board of Commissioners on July 16, 2001, copy attached; and

WHEREAS, the Sullivan County Historical Preservation Association acquired title to the Old Deery Inn, Rutledge House and surrounding property by Deed dated March 11, 2002 recorded in the Register's Office for Sullivan County at Blountville, Tennessee in Deed Book 1743C, at Page 333, a copy of said Deed being attached hereto; and

WHEREAS, it is the desire of the Sullivan County Historical Preservation Association to transfer the Old Deery Inn, Rutledge House and surrounding property to Sullivan County at no charge subject to the stipulation that should Sullivan County ever cease to maintain said property in accordance with the above-referenced Preservation Agreement that Sullivan County shall transfer title back to the Sullivan County Historical Preservation Association. The only cost to Sullivan County will be utilities and insurance, a summary of estimated monthly expenses is attached to this Resolution; and

WHEREAS, the Sullivan County Historical Preservation Association requests that the Sullivan County Board of Commissioners grant the Sullivan County Historical Preservation Association the authority to implement and coordinate the activities that are involved in the renovation and restoration of downtown historical Blountville;

WHEREAS, the Sullivan County Historical Preservation Association further requests the Sullivan County Board of Commissioners to appoint a Historical Advisory Board consisting of three (3) county commissioners, one from each of the three sections of the county (Bristol, Blountville and Kingsport) and that the County Executive be requested to serve on said Board as an ex-officio member. The purpose of the Historical Advisory Board would be to advise and review the stated or assigned objectives as stipulated in the Resolutions attached hereto and to provide the Board of Commissioners with a quarterly report summarizing the progress of the Sullivan County Historical Preservation Association in accomplishing said objectives;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby agrees to the Sullivan County Historical Preservation Association transferring title to the Old Deery Inn, Rutledge House and surrounding property, at no cost, to Sullivan County. Sullivan County hereby further agrees to abide by the terms of the Preservation Agreement attached hereto between the Sullivan County Historical Preservation Association and the Tennessee Historical Commission. In the event Sullivan County ceases to abide by the terms of the Preservation Agreement or no longer desires to hold title to said property, Sullivan County shall transfer title back to the Sullivan County Historical Preservation Association.

BE IT FURTHER RESOLVED that the Sullivan County Historical Preservation Association is hereby delegated with the authority to manage the day-to-day operations of the Old Deery Inn, Rutledge House and surrounding property and to implement and coordinate the activities associated with the renovation and restoration of downtown historical Blountville.

BE IT FURTHER RESOLVED that the Board of Commissioners hereby establish a Historical Advisory Board to consist of three county commissioners to be appointed by the County Executive, with one member representing each of the three sections of the county (Bristol, Blountville and Kingsport) and including the County Executive who shall serve as an ex-officio member. The purpose of the Historical Advisory Board will be to advise and review the objectives as set forth in the attached resolutions and to provide the Board of Commissioners with a quarterly report as to the status of said objectives.

[WAIVER OF RULES REQUESTED]

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this ____ day of _____ 2002.

Attested: _____ Date _____ Approved: _____ Date _____
County Clerk County Executive

Introduced By: Commissioner: Houser

Seconded By: Commissioner(s): Belcher, Blalock, Surgenor, Jones

with ATTACHMENTS (9)

2002-04-11	Administrative	Budget	Executive	County Commission
ACTION	Approved 4-1-02		Approved 4-2-02	

Comments: Waiver of Rules Requested

Amendment made 04/15/02 by Gonca and accepted by Houser that the Association would be under one of the standing committees instead of appointing a new committee; Motion made 04/15/02 by Williams and seconded by Ferguson to defer-Resolution deferred by voice vote of the commission;

Secretary of State

Corporations Section

James K. Polk Building, Suite 1800
Nashville, Tennessee 37243-0306

DATE: 04/23/99
REQUEST NUMBER: 3675-2611
TELEPHONE CONTACT: (615) 741-2286
FILE DATE/TIME: 04/23/99 0930
EFFECTIVE DATE/TIME: 04/23/99 0930
CONTROL NUMBER: 0369815

TO:
SULLIVAN COUNTY HISTORICAL PRESERVATION
471 CAMP PLACID
BLOUNTVILLE, TN 37617

RE:
SULLIVAN COUNTY HISTORICAL PRESERVATION ASSOCIATION, INCORPORATED
CHARTER - NONPROFIT

CONGRATULATIONS UPON THE INCORPORATION OF THE ABOVE ENTITY IN THE STATE OF TENNESSEE, WHICH IS EFFECTIVE AS INDICATED.

A CORPORATION ANNUAL REPORT MUST BE FILED WITH THE SECRETARY OF STATE ON OR BEFORE THE FIRST DAY OF THE FOURTH MONTH FOLLOWING THE CLOSE OF THE CORPORATION'S FISCAL YEAR. ONCE THE FISCAL YEAR HAS BEEN ESTABLISHED, PLEASE PROVIDE THIS OFFICE WITH THE WRITTEN NOTIFICATION. THIS OFFICE WILL MAIL THE REPORT DURING THE LAST MONTH OF SAID FISCAL YEAR TO THE CORPORATION AT THE ADDRESS OF ITS PRINCIPAL OFFICE OR TO A MAILING ADDRESS PROVIDED TO THIS OFFICE IN WRITING. FAILURE TO FILE THIS REPORT OR TO MAINTAIN A REGISTERED AGENT AND OFFICE WILL SUBJECT THE CORPORATION TO ADMINISTRATIVE DISSOLUTION.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR FILING, PLEASE REFER TO THE CORPORATION CONTROL NUMBER GIVEN ABOVE. PLEASE BE ADVISED THAT THIS DOCUMENT MUST ALSO BE FILED IN THE OFFICE OF THE REGISTER OF DEEDS IN THE COUNTY WHEREIN A CORPORATION HAS ITS PRINCIPAL OFFICE IF SUCH PRINCIPAL OFFICE IS IN TENNESSEE.

FOR: CHARTER - NONPROFIT

FROM:
DENNIS HOWSER
471 CAMP PLACID
BLOUNTVILLE, TN 37617-0000

ON DATE: 04/09/99

FEEES
RECEIVED: \$120.00 \$0.00
TOTAL PAYMENT RECEIVED: \$120.00
RECEIPT NUMBER: 0000248
ACCOUNT NUMBER: 003098



Riley C. Darnell

RILEY C. DARNELL
SECRETARY OF STATE

RESOLUTION NUMBER 21

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 February 19 99.

RESOLUTION AUTHORIZING The Sullivan County Historical Preservation Association to Assist in the Restoration/Preservation of the Old Sheriff's Home

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 February 1999.

THAT BE IT RESOLVED That the Sullivan County Historical Preservation Association be the official organization to assist in the restoration and preservation of the Old Sheriff's Home (if the ISTEA grant which the County has applied for is approved). This organization will also serve as the advisory board if the Blountville area meets the requirements for historical zoning. Members of this organization include the following individuals: Dr. Nancy Acuff, Dr. Andrew Agell, Dr. David Burrell, Ms. Kathy Carter, and Dennis Houser.

1. AMENDMENT: MOTION BY MCCONNELL, 2nd BY GONCE THAT NO TAXPAYER MONEY BE INVOLVED. ROLL CALL VOTE ON AMENDMENT- AMENDMENT FAILED
2. AMENDMENT: ADD HERITAGE DISTRICT AFTER HISTORICAL ZONING. AMENDMENT ACCEPTED.
3. AMENDMENT: REMOVE COMM. HOUSER AS SPONSOR OF RESOLUTION AND ADD COMM. BLAYLOCK AS COSPONSOR. AMENDMENT ACCEPTED

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 15 day of February, 19 99

Jennifer J. Gammmon County Clerk Date: 2/15/99 Gil Hodges County Executive Date: 2/15/99

INTRODUCED BY COMMISSIONER D. Houser ESTIMATED COST: _____
SECONDED BY COMMISSIONER C. Belcher/P. Milhorn FUND: _____
BLAYLOCK

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17	2	2	3	
Voice Vote					

COMMENTS: APPROVED 02/15/99 with AMENDMENTS ROLL CALL VOTE

THIS INSTRUMENT PREPARED BY:
Tennessee Historical Commission
2941 Lebanon Road
Nashville, Tennessee 37243

PRESERVATION AGREEMENT

This agreement is made the 26th day of February, 2002, by Sullivan County Historical Preservation Association, Incorporated, a Tennessee corporation not-for-profit, (hereafter referred to as the "Owner") and in favor of the State acting through the State Historic Preservation Officer (hereafter referred to as the "Grantee") for the purpose of the preservation of certain properties known as The Old Deery Inn and the Rutledge House, located at 3397 Highway 126 and 3391 Highway 126 respectively, which are owned in fee-simple by the Owner and are listed on the National Register of Historic Places.

The properties are comprised essentially of grounds, collateral, appurtenances, and improvements and are known as the Old Deery Inn and the Rutledge House. The properties are more particularly described as follows: Located in the Fifth (5th) Civil District of Sullivan County, Tennessee, generally known as the Old Deery Inn located at 3397 Highway 126 (Sullivan County Tax Map 051P A 22.10 066A) and the Rutledge House located at 3391 Highway 126 (Sullivan County Tax Map 051P A 22 066A), and being the same property conveyed to the Sullivan County Historical Preservation Association, Incorporated by deed dated March 11, 2002 of record in the Register's Office for Sullivan County at Blountville, Tennessee in Deed Book 1743-C, at Page 333.

In consideration of the sum of ninety-six thousand dollars (\$96,000.00) received in grant-in-aid assistance through the Grantee from the National Park Service, United States Department of the Interior, the Owner hereby agrees to the following for a period of fifteen (15) years.

1. The Owner agrees to assume the cost of the continued maintenance and repair of said properties so as to preserve the architectural, historical, or archeological integrity of the same in order to protect and enhance those qualities that made the properties eligible for listing in the National Register of Historic Places.
2. The Owner agrees that no visual or structural alterations will be made to the properties without prior written permission of the Grantee.
3. The Owner agrees that the Grantee, its agents and designees shall have the right to inspect the properties at all reasonable times in order to ascertain whether or not the conditions of this agreement are being observed.
4. The Owner agrees to provide public access to view the grant-assisted work or property no less than 12 days a year on an equitably spaced basis. At the Owner's option, the property may also be open at other times by appointment, in addition to the scheduled 12 days a year. Nothing in this agreement will prohibit a reasonable nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area.
5. The Owner agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000 (d)), the Americans with Disabilities Act (42 U.S.C. 12204), and with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). These laws prohibit discrimination on the basis of race, religion, national origin, or disability. In implementing public access, reasonable accommodation to qualified disabled persons shall be made in consultation with the Tennessee State Historic Preservation Office. To comply with the Americans with Disabilities Act, and with Section 504 of the Rehabilitation Act when interior public access is required at least 12 days per year and at other times by appointment, it is not required that every part of the property be made accessible to and useable by disabled persons by means of physical alterations. That is, for public access periods, videos, slide presentations, and/or other audio-visual material and devices should be used to depict otherwise inaccessible areas or features.
6. The Owner further agrees that when the Property is not open to the public on a continuing basis, and when the improvements assisted with Historic Preservation Fund grants are not visible from the public way, notification will be published in newspapers of general circulation in the community area in which the Property is located giving dates and times when the Property will be open. Documentation of such notice will be furnished annually to the State Historic Preservation Officer during the term of the agreement.
7. This agreement shall be enforceable in specific performance by a court of competent jurisdiction.

8. SEVERABILITY CLAUSE

It is understood and agreed by the parties hereto that if any part, term, or provision of this agreement is held to be illegal by the courts, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the contract did not contain the particular part, term, or provision held to be invalid.

SULLIVAN COUNTY HISTORICAL PRESERVATION ASSOCIATION INC.

BY: David Burrell
Title: Vice President
Date: 2/26/02

TENNESSEE HISTORICAL COMMISSION

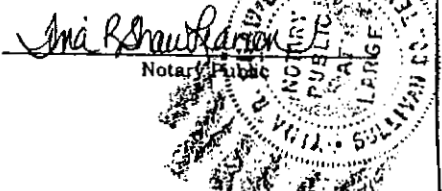
BY: Herbert L. Hagen
Title: Deputy State Historic Preservation Officer
Date: 3/07/02

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared David Burrell, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainer, and who, upon oath, acknowledged himself to be the Vice-President of the Sullivan County Historical Preservation Association, Incorporated, the within named bargainer, a Tennessee Corporation, and that he as such Vice-President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of said corporation by himself as Vice-President.

WITNESS my hand and official seal this 26th day of February, 2002.

My commission expires: 9/30/2002

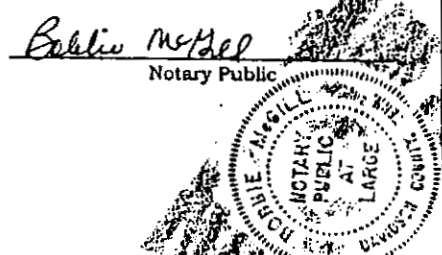


STATE OF TENNESSEE:
COUNTY OF Davidson:

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Herbert L. Hagen, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainer, and who, upon oath, acknowledged himself to be the Deputy State Historic Preservation Officer for the Tennessee Historic Commission, the within named bargainer, and that he as such Deputy State Historic Preservation Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the Tennessee Historical Commission by himself as Deputy State Historic Preservation Officer.

WITNESS my hand and official seal this 7 day of March, 2002.

My commission expires: 11/30/2002



MARY LOU DUNCAN
REGISTER OF DEEDS
SULLIVAN COUNTY, TENNESSEE
3-27-2002 TIME 1:00
BOOK 1749C PAGE 418
TAX CCF 2
FEE 10.00 TOTAL 12.00
RECEIPT NO. 292271-001

Sullivan County, Tenn. Register of Deeds: Received for record on the 27 day of March, 2002 at 1:00 M. Noted in Note Book 50 Page 54
Mary Lou Duncan
Register

Sullivan County, Tennessee
Board of County Commissioners

No. 10
Administrative Committee
2001-07-073

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 16th day of July, 2001.

RESOLUTION AUTHORIZING The Submission of an Application for a Grant to Create the Great Stage Road Museum and Walking Tour

WHEREAS, Sullivan County has a rich heritage in the Upper East Tennessee region and the Sullivan County Historical Association with the county's support wishes to create the Great Stage Road Museum and Walking Tour to attract visitors to Blountville and surrounding areas.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Executive to submit an application for a TEA-21 Grant on behalf of Sullivan in order to create the Great Stage Road Museum and Walking Tour.

BE IT RESOLVED that the total project cost would be \$1,100,000 with the county providing a 20% match (or \$220,000) in the 2002-2003 budget. Funding will be made available through balances in the public building fund upon completion of the jail project.

BE IT FURTHER RESOLVED that the monies will be spent in the following manner:

- 1) Creation and Renovation of Museum in the Deery Inn
- 2) Renovation of the Rutledge House
- 3) Creation of Visitor's Information Center in the Sheriff's Home for Sullivan County Historical Sites
- 4) Establishment of a Walking Tour of historical Blountville.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists. Duly passed and approved this 16th day of July, 2001.

Attested: Jeanie Commey 7/16/01 Approved: _____
County Clerk Date County Executive Date

Introduced By: Commissioner: Houser
Secunded By: Commissioner(s): Milhorn

Committee Action	Approved	Disapproved	Deferred	No Action
Administrative	7-2-01			
Budget			7-5-01	
Executive	Motion Failed 7-3-01			

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

2001-07-073 - 01
Comments: Amendment to delete last sentence in 3rd paragraph made by Vance but later withdrawn by Vance 07/16/01; Amendment made by Comm. Gonca and accepted by Comm. Houser, sponsor that "TEA-21 Grant Application be reviewed by the County Attorney and brought before the County Commission for Approval", Resolution as amended by Gonca approved 07/16/01 by Roll Call Vote.

THIS DEED, made and entered into this the 11th day of March, 2002, by and between ROBERT J. COONTZ and wife, PATRICIA P. COONTZ, parties of the first part; and SULLIVAN COUNTY HISTORICAL PRESERVATION ASSOCIATION, INCORPORATED, a Tennessee corporation not-for-profit, party of the second part;

WITNESSETH:

That for and in consideration of the sum of ONE HUNDRED SIXTY THOUSAND AND NO/100 DOLLARS (\$160,000.00) cash in hand paid, the receipt of which is hereby acknowledged, the parties of the first part have bargained and sold and do hereby grant, bargain, sell, transfer and convey unto the party of the second part, the following described property located in the Fifth Civil District of Sullivan County, Tennessee, to-wit:

PARCEL 1:

KNOWN GENERALLY as the Old Deery Inn, bearing municipal number 3397 Highway 126, Blountville, Tennessee; and described in the prior deed as

BEGINNING at a point on the north side of Main Street, corner to property formerly owned by Long, now owned by Sullivan County; thence in a northerly direction with said Long property line to the creek; thence up said creek as it meanders to a point where said creek joins the other property formerly owned by E.D. Pearson and Henry Pearson on the north bank of same; thence with the north bank of the same to a point where the line of the property formerly owned by Doggett [herein Parcel 2] if continued in a northerly direction would intersect same; thence in a southerly direction crossing said creek and with the old Doggett line to a point on Main Street, corner to [Parcel 2 herein]; thence in a westerly direction with Main Street 90 feet, more or less to the point of BEGINNING, and being the same property conveyed to the parties of the first part by deed from Virginia B. Caldwell, widow, dated December 27, 1986, of record in the Register's Office for Sullivan County, at Blountville, Tennessee, in Deed Book 531C, at page 673.

THERE IS ALSO CONVEYED all right, title and interest of the parties of the first part in an easement of ingress and egress over the driveway located on the easterly side of the above-described property which easement is for the use and benefit of the adjoining property [herein Parcel 2] and the property above described.

PARCEL 2:

KNOWN GENERALLY as the Rutledge House, bearing municipal number 3391 Highway 126, Blountville, Tennessee; and

THIS INSTRUMENT
WAS PREPARED BY:

LAW OFFICES
MASSENGILL, CALDWELL
& HYDER, P.C.
BRISTOL, TENNESSEE

Tax Map 051-P/Group A/Parcel 22.10
Tax Map 051-P/Group A/Parcel 22.00

BEGINNING at an iron pin found in the northerly right-of-way line of State Highway 126 (also known as Main Street in some prior Deeds), a corner with Parcel 1 above described; thence with the line of Parcel 1, N 13° 07' W 390.54 feet to an iron pin found near the southerly bank of a creek; thence continuing with the line of Parcel 1, N 13° 07' W 20.00 feet to a point in the creek in the line of property of Sullivan County, Tennessee, a corner with Parcel 1; thence with the creek and with the line of property of Sullivan County, Tennessee, N 39° 30' E 52.23 feet to a point in the creek in the line of property of Sullivan County, Tennessee, a corner with property of Kenneth R. English (Deed Book 1240C, at page 127, also known as Lot 1 of the Grant Property); thence with the line of English, S 14° 35' E 20.00 feet to an iron pin found and S 14° 35' E 221.93 feet to an iron pin found, a corner of English and property of Edward F. Foley (Deed Book 1626C, at page 377, also known as Lot 2 of the Grant Property); thence with the line of Foley, S 14° 57' E 20.26 feet to an iron pin found, S 13° 00' E 84.56 feet to an iron pin found, and S 17° 15' E 95.91 feet to an iron pin found in the northerly right-of-way line of State Highway 126, a corner with Foley; thence with the northerly right-of-way line of State Highway 126, S 76° 58' W 55.11 feet to the point of BEGINNING, containing .46 acres, as shown on a survey of the property by Rick A. Davies, RLS, dated January 7, 2002. The above-described property is the same property conveyed to Virginia Byars Caldwell by deed from Eleanor Doggett and others dated April 3, 1954, of record in said Register's Office in Deed Book 148A, at page 448. Virginia Byars Caldwell died testate, a resident of Sullivan County, Tennessee. Her Will is duly probated and appears of record in the Chancery Court for Sullivan County, at Blountville, Tennessee, in Will Book 82, at page 733. By her Will she devised the above-described property to her son, Robert J. Coontz.

THERE IS ALSO CONVEYED the appurtenant easement for ingress and egress over the driveway located adjoining the westerly side of the above described Parcel 2 which easement was established by deed of record in said Register's Office in Deed Book 531C, at page 673.

TO HAVE AND TO HOLD the above described property, together with all improvements thereon and appurtenances thereunto belonging unto the party of the second part, its heirs and assigns in fee simple forever.

The parties of the first part covenant with the party of the second part that they are lawfully seized and possessed of the property above described and hereby conveyed, that they have a good right and full authority to convey same, that same is unencumbered, except as herein shown, and except for said encumbrance they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

Taxes for the year 2002 are prorated and payment is expressly assumed by the party of the second part.

THIS INSTRUMENT
WAS PREPARED BY:

LAW OFFICES
MASSENGILL, CALDWELL
& HYDER, P.C.
BRISTOL, TENNESSEE

This conveyance is made subject to all applicable restrictive covenants and easements of record, as well as any visible easements.

This Deed is made and delivered pursuant to an option between the parties hereto dated March 23, 2001.

IN TESTIMONY WHEREOF, Witness the signatures of the parties of the first part hereto hereunto affixed on this the day and year first above written.

Robert J. Coontz
ROBERT J. COONTZ

Patricia P. Coontz
PATRICIA P. COONTZ

STATE OF VIRGINIA
City
COUNTY OF Raymond

Before me personally appeared Robert J. Coontz and wife, Patricia P. Coontz, to me known, or proved to me on the basis of satisfactory evidence, to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Witness my hand and official seal, at office, on this the 15th day of March, 2002.

Karen M. Arini
Notary Public

My commission expires:

6/30/05

THIS INSTRUMENT
WAS PREPARED BY:

LAW OFFICES
MASSENGILL CALDWELL
& HYDER, P.C.
BRISTOL, TENNESSEE

Name & Address of Property Owner: Sumner County
Historical Preservation Association, Incorporated
Box 426 Bristol/TN 37617
Person or entity responsible for the payment of real property taxes: SAMS

The undersigned does hereby swear or affirm that the actual consideration for this transfer or value of the property transferred, whichever is greater is \$ 160,000, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

Craig H. Long
Notary Public

Sworn to and subscribed before me the ___ day of _____, 2002.

Comm: expires: _____ (Deputy) Register Notary Public

SULLIVAN COUNTY REGISTER OF DEEDS			
Mary Lou Duncan, Register Blountville, Tennessee 37617			
OFFICIAL RECEIPT			Receipt No. 290855
Received From: CRAIG CALDWELL, JR		Receipt# 290855-001	
For: DEED		BkPg: 1743C 333	
From: ROBERT J COONTZ, ETUX		Date: 03/14/2002	
To: SULLIVAN COUNTY HISTORICAL PRESERVA		Time: 8:55	
		\$ 0.00	Cash
		\$ 615.00	#38437
		\$ 0.00	#
		\$ 0.00	#
		\$ 0.00	#
		\$ 0.00	Refunded
Description	Qty	Each	Extended
DEED	1	10.00	10.00
CONSIDERATION/VALUE	1	16000.00	592.00
DEEDS ADDN PAGES	2	5.00	10.00
CLERK'S FEE	1	1.00	1.00
COMPUTER/TECH FEE	1	2.00	2.00
Total		\$	615.00
		MARY LOU DUNCAN REGISTER OF DEEDS	
		RHONDA HENSLEY DEPUTY	

When Revenue is Paid by Check, This Receipt is Not Valid Until Check is Paid by Bank.

Estimated Monthly Expenditure Summary

Electricity: \$60.00
 Water : \$35.00
 Gas : \$100
 Insurance : \$40.00

 Total \$235.00

Sullivan County, Tennessee
Board of County Commissioners

No. 8
Administrative/Budget Committee
2002-04-42

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Accepting and Appropriating Additional Funds for the Sullivan County Health Department for the FY 2001-2002

WHEREAS, the State of Tennessee has made available funding to the Sullivan County Health Department for the remainder of the fiscal year in the amount \$38,300.00 through their Homeland Security effort; and,

WHEREAS, the state requests that the Sullivan County Health Department add additional personnel to their staff to help battle bioterrorism should the area become afflicted with such a need.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting and appropriating grant funds from the State of Tennessee in the amount of \$38,300.00 for the remainder FY 2001-2002 for the purpose of adding three additional personnel positions and providing equipment and training for the same. The positions to be filled are: Emergency Response Coordinator, Epidemiologist and Network Specialist. Appropriations to be made as follows:

Personnel - \$12,300.00 Benefits - \$3,000.00 Capital - \$23,000.00

BE IT FURTHER RESOLVED that, in the event, funding ceases for the Homeland Security - Bioterrorism project, the personnel positions will also be terminated. Accounts codes to be assigned by the Director of Accounts and Budgets.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 15th day of April 2002.

Attested: Janice Gammon 4/15/02 Approved: Gil Hodges 4-15-02
County Clerk Date County Executive Date

Introduced By Commissioner: Harr
Seconded By Commissioner(s): Williams

2002-04-42	Administrative	Budget	Executive	County Commission
ACTION	Approved 4-1-02		Approved 4-2-02	Approved 04/15/02-22A, Absent

Comments

Sullivan County, Tennessee
Board of County Commissioners

No. 9
Budget/Executive Committee
2002-04-43

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Authorizing the Purchasing Agent to Sign a 2002-2003 Renewal Contract with John Deere Health Care and Allianz Health Reinsurance Carrier to Secure Reinsurance Coverage at the Rates Quoted or Negotiated

WHEREAS, the Insurance Committee requested projected costs from John Deere Health Care in reference to Health Insurance Coverage for County Employees during the 2002-2003 Fiscal Year; and,

WHEREAS, John Deere Health Care solicited the open market to obtain rates from their Reinsurance Providers to umbrella our claims over \$100,000 per member annually; and,

WHEREAS, John Deere Health Care submitted quotes to the Insurance Committee during their March 26, 2002, meeting; and,

WHEREAS, our current Reinsurance Provider, Allianz, offered the best quotes; and,

WHEREAS, Allianz has the right to adjust the reinsurance costs and/or laser claims until April 30, 2002; and,

WHEREAS, the Insurance Committee has re-scheduled its next regular meeting until May 8, 2002, to conform with the reinsuror's adjustment deadline; and,

WHEREAS, the Insurance Committee recommends the projected renewal rates submitted by Allianz [From \$11.00 to \$14.90 per member/month] if the rates are not affected or adjusted due to excessive claims between February and April 2002; and,

WHEREAS, if rates are affected or adjusted due to excessive claims the purchasing agent has the right to negotiate acceptable rates with Allianz prior to authorizing a 2002-2003 renewal contract; and,

WHEREAS, a renewal contract must be signed and authorized prior to July 1, 2002, to secure guaranteed rates for our 2002-2003 fiscal year.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the Purchasing Agent to sign the 2002-2003 Renewal Contract with John Deere Health Care and Allianz Health Reinsurance Carrier contingent on the proposed rates quoted and/or otherwise negotiated and acquired by the Purchasing Agent.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 15th day of April 2002.

Attested: Janice Gamm County Clerk Date 4/15/02 Approved: Gil Hodges County Executive Date 4/15/02

Introduced By Commissioner: Belcher
Seconded By Commissioner(s): Jones, King (Jr.), King (Buddy), Kilgore

2002-04-43	Administrative	Budget	Executive	County Commission
ACTION	Approved 4-1-02		Approved 4-2-02	Approved 04/15/02-21A, Absent

Comments: 4-2-02 Revised by Purchasing Agent w/ approval of Insurance Committee Chairman

Sullivan County, Tennessee
Board of County Commissioners

No. 10
Budget/Executive Committee
2002-04-44

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Amending the Budget for the Sullivan County Highway Department

WHEREAS, the Sullivan County Highway Department has requested to amend their budget and transfer funds within their budget to complete the FY 2001-2002.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the Sullivan County Highway Department to amend their budget with the following fund transfers:

Transfer From:	61000-300 Administration	\$ 10,000.00
	62000-400 Highway & Bridge Maint.	70,000.00
	63600-400 Traffic Control	10,000.00
	68000-700 Capital Outlay	<u>225,000.00</u>
		\$ 315,000.00
Transfer To:	63100-400 Operation & Maint. of Equipment	\$ 50,000.00
	63500-400 Asphalt Plant Operations	<u>265,000.00</u>
		\$ 315,000.00

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 15th day of April 2002.

Attested: Janie Gamma 4/15/02 Approved: Gil Hodges 4-15-02
County Clerk Date County Executive Date

Introduced By Commissioner:
Seconded By Commissioner(s):

2002-04-44	Administrative	Budget	Executive	County Commission
ACTION			Approved 4-2-02	Approved 04/15/02-21A, 3 Absent

Comments

Sullivan County, Tennessee
Board of County Commissioners

No. 11
Executive Committee
2002-04-45

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Authorizing Traffic Sign Changes in the 4th Civil District

WHEREAS, the Sullivan County Highway Department has been requested by Commissioner Carol Belcher to make changes to traffic signs in the 4th Civil District.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following traffic sign changes in the 4th Civil District:

To place a 25 MPH Speed Limit sign on Sugar Hollow Road

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 15th day of April 2002.

Attested: Jeanie Gamm County Clerk Date 4/15/02 Approved: Gil Hodges County Executive Date 4-12-02

Introduced By Commissioner: Belcher

Seconded By Commissioner(s): Milhorn, Houser

2002-04-45	Administrative	Budget	Executive	County Commission
ACTION			Approved 4-2-02	Approved 04/15/02; 22A, 2 Absent

Comments

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

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

April 2, 2002

COMMISSIONERS: Carol Belcher
Dennis Houser
Paul Milhorn

Dear Commissioners:

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

To place a 25 MPH SPEED LIMIT sign on Sugar Hollow Road.

Request made by Commissioner Carol Belcher.

This is in the 4th Civil District.

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

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: Angela Taylor

Sullivan County, Tennessee
Board of County Commissioners

No. 12
Executive Committee
2002-04-46

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Authorizing Traffic Sign Changes in the 10th Civil District

WHEREAS, the Sullivan County Highway Department has been requested by Commissioner Elliott Kilgore to make changes to traffic signs in the 10th Civil District.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following traffic sign changes in the 10th Civil District:

To place a 25 MPH Speed Limit sign on Kincaid Street

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 15th day of April 2002.

Attested: Janie Gannon County Clerk Date 4/15/02 Approved: Gil Hodges County Executive Date 04/15/02

Introduced By Commissioner: Kilgore
Seconded By Commissioner(s): Ferguson

2002-04-46	Administrative	Budget	Executive	County Commission
ACTION				Approved 04/15/02-22A, Absent

Comments

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

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

April 2, 2002

COMMISSIONER: Elliott Kilgore

Dear Commissioner:

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

To place a 25 MPH SPEED LIMIT sign on Kincaid Street.

Request made by Commissioner Elliott Kilgore.

This is in the 10th Civil District.

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

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: Angela Taylor

Sullivan County, Tennessee
Board of County Commissioners

No. 13
Budget Committee
2002-04-47

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Appropriating Funds For Costs Incurred in Redistricting Process

WHEREAS, the Sullivan County Election Commission has completed adjusting the precinct lines in accordance with the new districts, which were established by the County Commission, State Legislature and County School Board; and,

WHEREAS, as required by state law, the Election Commission is required to send a new Voter Registration card to any voter who has a change in their district; and,

WHEREAS, as a result of the new districts, very few voters were not affected by the changes; and a total of 80,773 cards were mailed to registered voters, and

WHEREAS, the Election Commission allowed \$5,500.00 in their budget for redistricting not anticipating the high cost involved with the redistricting process and have now incurred \$35,500.00 in expense related to this process.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby appropriate funds from Account 39000 Unappropriated Surplus in the amount of \$30,000.00 to Account 51500 Election Commission to cover the costs for redistricting in Sullivan County as set out below:

Postage Cost	\$17,300.00	Publication of Legal Notices	\$3,000.00
Supplies Cost	6,200.00	Labor Costs	9,000.00

Account Codes to be assigned by the Director of Accounts and Budgets.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 15th day of April 2002.

Attested: Janie Hamm 4/15/02 Date
County Clerk
Approved: Gil Hodges 4-15-02 Date
County Executive

Introduced By Commissioner: Harr
Seconded By Commissioner(s): Ferguson

2002-04-47	Administrative	Budget	Executive	County Commission
ACTION		Approved 4-4-02		Approved 04/15/02-22A 2Absent

Comments

Sullivan County, Tennessee
Board of County Commissioners

No. 14
Administrative/Budget Committee
2002-04-48

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Accepting Grant Funds for the Sullivan County Health Department

WHEREAS, the State of Tennessee has made available funding to the Sullivan County Health Department in the amount of 38,575.00 to be used for supplies and capital purchases in connection with the TB Services Program provided at the Sullivan County Health Department.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting grant funds from the State of Tennessee in the amount of \$38,575.00 and appropriating same to the Sullivan County Health Department to be used in connection with the TB Services Program for the FY 2001-2002.

46980 PGM 107	TB Services Revenue	\$38,575
55190.400 PGM 107	TB Services – Supplies & Materials	\$ 5,975
55190.700 PGM107	TB Services – Capital Outlay	32,600

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 15th day of April 2002.

Attested: Janice Gamm 4/15/02 Approved: Gil Hodges 04/15/02
County Clerk Date County Executive Date

Introduced By Commissioner: Harr
Seconded By Commissioner(s): Williams

2002-04-48	Administrative	Budget	Executive	County Commission
ACTION				Approved 04/15/02-22A, 2 Absent

Comments

Sullivan County, Tennessee
Board of County Commissioners

No. 15
Budget Committee
2002-04-49

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15th day of April 2002.

RESOLUTION Approving the Acceptance of a Grant for Tri-Cities Regional Airport, TN/VA

WHEREAS, grants have been made available from the Federal Aviation Administration to the Tri-Cities Airport Commission in the amount of approximately \$227,705 for compensation for a portion of the direct costs associated with the new, additional, or revised security requirements imposed on the airport operator by the Administration (FAA) on or after September 11, 2001; and,

WHEREAS, Airport Owners are required to formally accept said grant and authorize execution of documents relating thereto.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve Sullivan County entering into a Grant Agreement with the United State of America, acting through the Federal Aviation Administration, for the purpose of obtaining federal funds to be used for the purpose of carrying out the applicable provisions of Public Law 107-117 at the Tri-Cities Regional Airport, and that the County Executive is authorized to sign any and all documents necessary to approve and accept said grant.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 15th day of April 2002.

Attested: Janice Clamm 4/15/02 Approved: Gil Hodges 4-15-02
County Clerk Date County Executive Date

Introduced By Commissioner: Jones

Seconded By Commissioner(s): King (Buddy)

2002-04-19	Administrative	Budget	Executive	County Commission
ACTION				Approved 04/15/02-22A 2Absent

Comments

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION MAY 20, 2002.



GIL HODGES

COMMISSION CHAIRMAN