

# COUNTY COMMISSION- REGULAR SESSION

**AUGUST 15, 2005**

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, AUGUST 15, 2005, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK AND SHERIFF WAYNE ANDERSON OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Richard S. Venable. Sheriff Wayne Anderson opened the commission and Comm. Dennis Houser gave the invocation. Pledge to the flag was led by Sheriff Wayne Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

<b>GARTH BLACKBURN</b>	<b>LINDA K. BRITTENHAM</b>
<b>JAMES "MOE" BROTHERTON</b>	<b>RAY CONKIN</b>
	<b>O. W. FERGUSON</b>
<b>CLYDE GROSECLOSE, JR.</b>	<b>LARRY HALL</b>
<b>RALPH P. HARR</b>	<b>JOE HERRON</b>
<b>DENNIS HOUSER</b>	<b>MARVIN L. HYATT</b>
<b>SAMUEL C. JONES</b>	<b>ELLIOTT KILGORE</b>
<b>BUDDY KING</b>	<b>JAMES L. KING, JR.</b>
<b>R. WAYNE MCCONNELL</b>	
<b>RANDY MORRELL</b>	<b>HOWARD PATRICK</b>
<b>JACK SITGREAVES</b>	
<b>MARK A. VANCE</b>	<b>EDDIE WILLIAMS</b>

**21 PRESENT 3 ABSENT(Surgenor in at 10:20 A.M.)**

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. Hyatt to approve the minutes of the July 18, 2005 Regular Session of County Commission. Said motion was approved by voice vote.

**PUBLIC COMMENTS: AUGUST 15, 2005**

**THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS  
FOLLOWS:**

**-NONE-**

-----

-----

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

JULY 18, 2005

PATTY J. BARGER

ROSA BARTRA

TINA S. CARICO

HOPE E. CARUTHERS

LINDA GAIL CHAFIN

HAROLD G. CHILDRESS

LISA ANN CHRISTIAN

BLANCHE M. CHURCHWELL

DIANE HELEN DAMIAN

HERSCHEL DAVIDSON

PRISCILLA EVANS

ANGIE G. FUGATE

ELIZABETH A. GIESE

JENNIFER K. GILLIAM

JILL MORGAN HARRISON

KELLY HODGE

SHERRY LEE IUSI

CHARLEY B. JARRETT, JR.

DINAH J. LAWSON

TAMMY MEDINA

STEFANIE L. MULLINS

FREIDA K. PETERSON

REBECCA C. POTTS

PAMELA RHYMER

MARTHA T. RICE

ROSALIE S. STALLARD

GLENDA K. STOUT

LINNIE M. TAYLOR

TINA D. TAYLOR

LINDA B. VAUGHN

CYNTHIA B. WILLIAMS

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

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

AUGUST 15, 2005

BEVERLY G. BAKER

KITA GIBSON

KATHERINE ANN GILLENWATER

LORRAINE B. HATCHER

DAVID S. HAYNES

LINDA GAY JOHNSON

MARTHA C. KILGORE

ALDA M. KISER

BELLE L. OVERBEY

SHEILA WHITE POSTELL

JEANNE K. PRICE

REGINA L. SLAUGHTER

K. MICHELLE TANKERSLEY

WALTER J. WATTS

CONNIE M. WRIGHT

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.



**AGENDA**  
**Sullivan County Board of County Commission**

*August 15 2005*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, August 15, 2005 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 06/05/01 Gilliam & Cox  
Reclassify R-1 property located at 1232 Bloomingdale Road to B-3 for the purpose of allowing for an auto repair shop. Property ID No. Tax map 30-N, Group A Parcels 1.00 & 2.00 located in the 11 Civil District.  
**Kingsport Planning**
  
- (2) File No. 06/05/02 Dan Rosenbalm  
Reclassify R-1 property located in the 2000 block of Hwy-126 to B-3 to expand commercial property. Property ID No. Tax map 36, Parcel 60.00 located in the 5<sup>th</sup> Civil District. **Sullivan County Planning**
  
- (3) File No. 06/05/03 Ray Amyx  
Reclassify R-3 property located at 1084 Packing House Road to B-3 for the purpose of allowing for an auto repair shop. Property ID No. Tax map 32-P, Group B, Parcel 1.00 located in the 10<sup>th</sup> Civil District.  
**Kingsport Planning**
  
- (4) File No. 06/05/04 Jim Berry  
Reclassify 22.68 acres of R-1 property located on the southwest corner of Fall Creek Road and Bridwell Heights Road to R-2A for the purpose of reduced lot size for single-family subdivision. Property ID. No. Tax map 48, Parcel 29.00 located in the 7<sup>th</sup> Civil District. **Kingsport Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING #06-05-01

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

Property Owner Bertha Cot  
Jr Williams  
Address 2377 Rock Springs Rd  
Kpt. In 37664  
Phone 247-8980 Date of Request 5-24-05  
Morrell Auto Repair  
Property Located in 11 Civil District

Lisa J. Morrell  
Signature of Applicant

OFFICE USE ONLY

Meeting Date 7-21-05 Time 7:00 p.m.  
Place 2nd Floor  
City Hall  
Planning Commission Approved  Denied   
County Commission Approved  Denied   
Other Roll Call Vote 20 Aye, 4 Absent  
Final Action Date 8-15-05

PROPERTY IDENTIFICATION

Tax Map 30N Group A Parcel 2.00  
1.00  
Zoning Map 6 Zoning District R-1 Proposed District B-3  
Property Location Blessingdale Rd.  
Purpose of Rezoning To allow an auto repair  
shop

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.

+ Lisa J. Morrell

Sworn to and subscribed before me this 24th day of May, 2005.

Devin Houser  
Notary Public

My Commission Expires: 1-16-08

PETITION TO SULLIVAN COUNTY FOR REZONING # 06-05-02

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.

Property Owner L. Dan Rosenbalm

Address 208 Akard Place  
Bristol, In 37620

Phone 968-5611 Date of Request 5-24-05

Property Located in 5th Civil District

[Signature]  
Signature of Applicant

OFFICE USE ONLY

Meeting Date 7-19-05 Time 7:00 p.m  
Place 2nd Floor Courthouse

Planning Commission Approved  Denied

County Commission Approved  Denied

Other Roll Call Vote 20 Aye, 4 Absent

Final Action Date 08-15-05

PROPERTY IDENTIFICATION

Tax Map 36 Group \_\_\_\_\_ Parcel 60.00

Zoning Map 9 Zoning District R-1 Proposed District B-3

Property Location May 126

Purpose of Rezoning To expand commercial property

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 24th day of May, 2005.

[Signature]  
Notary Public

My Commission Expires: 1-16-08



PETITION TO SULLIVAN COUNTY FOR REZONING # 06/05/03

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

Property Owner Ray Amyx  
Address 189 Wayne Const. RD.  
Kingsport TN 37660  
Phone 677-9787 Date of Request 5-26-05  
Property Located in 10<sup>th</sup> Civil District

OFFICE USE ONLY

Meeting Date 7-21-05 Time 7:00 pm  
Place CITY HALL 2<sup>nd</sup> FLOOR  
KINGSPORT

Planning Commission Approved  Denied

County Commission Approved  Denied

Other Roll Call 15Aye, 5Nay, 1Pass, 3Absent

Final Action Date 08-15-05

X Ray Amyx  
Signature of Applicant

PROPERTY IDENTIFICATION

Tax Map 32-P Group B Parcel 1.00

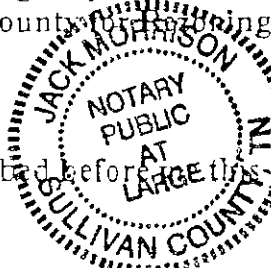
Zoning Map 7 Zoning District R-3 Proposed District B-3

Property Location 1084 Packing House RD.

Purpose of Rezoning Auto Repair & Storage

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 26<sup>th</sup> day of MAY, 2005.



Ray Amyx  
Jack Morrison  
Notary Public

My Commission Expires: 1-16-08

PETITION TO SULLIVAN COUNTY FOR REZONING # 06-05-04

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

OFFICE USE ONLY

Property Owner Jim Berry  
Address 2098 Sharon Rd.  
Kingsport 37660  
Phone 817-0495 Date of Request 6/10/05  
Property Located in 7th Civil District

X James W. Berry  
Signature of Applicant

Meeting Date 7/21/05 Time 7 pm  
Place Kingsport City Hall  
Planning Commission

Planning Commission Approved 7/21/05 7 PM Denied   
County Commission Approved 8/15/05 (9am) Denied   
Other Request Withdrawn by Applicant

Final Action Date 08-15-05

PROPERTY IDENTIFICATION

Tax Map 48 Group - Parcel 29.00  
Zoning Map 7 Zoning District R-1 Proposed District R-2A  
Property Location future subdivision -  
single-family homes on public sewer  
Purpose of Rezoning wants reduced lot  
size - Fall Creek Rd)

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 James W. Berry

Sworn to and subscribed before me this 10<sup>th</sup> day of June, 2005.

J. Lockett

Notary Public

My Commission Expires: 08-31-05

**THE COUNTY COMMISSION IS ASKED TO CONSIDER THE FOLLOWING 9 PROPOSED ZONING TEXT AMENDMENTS, AS INTRODUCED AND PROPOSED BY THE SULLIVAN COUNTY REGIONAL PLANNING COMMISSION.**

**EACH TEXT AMENDMENT SHALL BE DISCUSSED AND VOTED ON INDIVIDUALLY. THE RECOMMENDED TEXT AMENDMENT IS STATED IN THE MOTION MADE BY THE SULLIVAN COUNTY REGIONAL PLANNING COMMISSION.**

**THE TABLE REPRESENTS THE EXISTING CODES IN THE COMMUNITY.**

**PURSUANT TO STATE LAW AND POLICY, ALL THREE REGIONAL PLANNING COMMISSIONS CONSIDERED EACH TEXT AMENDMENT.**

All amendments deferred by commission 06-27-05; deferred 07-18-05; voted on each 08-15-05 as shown on each amendment in the following pages.

**1**

**PROPOSAL: Part I – to delete the lot coverage requirement for principal structures (homes) in residential and agricultural districts - Table 3-103B, Bulk Regulations for Agricultural and Residential Districts**  
**Maximum Lot Coverage (principal buildings/homes) per lot area:**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Part I, Principal Building/homes	30% all residential and agricultural zones	30% for R1A, R3, R4 35% for R5 40% for R1B, R1C	30% for R-M, R-1A, R-1B, R-2 zones 40% for R-3 zones 60% for R-4 zones	30% for A-1, R-1, R-2, R-2A, 35% for R-2B, R-3, R-4, R-5, R-6 40% for R-2C none for R-P 2-5	N/A for residential or agricultural zones

- **Sullivan County Regional Planning Commission’s Recommendation:**  
**Motion made by Dr. Webb and seconded by Buddy King to delete maximum building coverage requirement subject to meeting all minimum yard requirements such as setbacks, sewage disposal areas, driveways, parking areas and detention/retention ponds if required (from Article 3-103.3 #4 and within the Table 3-103B).** The motion was approved unanimously by those members present (7 members).
- **Staff Recommendation –** initially staff wanted the code to be similar to the surrounding cities, but over the course of a year of implementation, this has not been an issue. When you consider that all new construction has to comply with setbacks, septic areas reserved, and drainage, lot coverage for the home is a mute point. Therefore, staff recommends in favor of this text amendment, as it would be similar to Washington and other counties in the area.
- **Bristol Planning Staff –** recommended denial of this amendment.
- **Bristol Regional Planning Commission –** recommended denial.
- **Kingsport Planning Staff –** recommended denial of this amendment
- **Kingsport Regional Planning Commission –** recommended denial - unanimously

TEXT AMENDMENT APPROVED BY ROLL CALL 18 Aye, 2 Nay, 4 Absent 08-15-05.

**2**

**PROPOSAL: Part II – Maximum size of the accessory structures not to exceed 10% of the total parcel size, or 2,000 total square feet in agricultural and residential zones**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Part II, Accessory Structures, i.e. detached garages, storage buildings, carports, gazebos over 200 sq. ft.	10% of gross land area, accessory structure cannot exceed footprint of principal structure – to remain incidental and subordinate	30% of principal structure floor area, or 1,100 square feet, which is greater	Included in part I, they define lot <b>coverage for ALL buildings</b> , not broken down by principal or accessory structures	Limited to 850 square feet maximum size	All customary accessory bldgs. Shall not be larger in total area than the outside perimeter of the principal structure – same as county size limits

- Sullivan County Regional Planning Commission - Mr. Peterson made a motion to recommend changing Article 3-103.6 #2a, part iv. maximum size of the accessory structures not to exceed 10% of the total parcel size or 2,000 total square feet. The motion was seconded by Buddy King and passed unanimously with those members present.
- Staff recommendation – The only change from the existing code and the proposed code dealing with detached accessory structures is having a cap of 2,000 square feet. This means that any garage, carport, utility storage building, etc on a residential or agricultural lot would be limited in square footage to 10% of the lot size or 2,000 square feet. The intent was “whichever is less” as a garage in a typical subdivision lot would be still be limited to 10%. For example, 10% of a 20,000 square foot lot would be 2,000 square feet. This has not changed from the zoning code (old code and new code). However, by definition accessory structures still must be incidental and subordinate to the principal structure (home). This prevents “monster” garages overshadowing the home itself and the residential character is preserved. Staff recommends in favor of this text amendment as it just seeks to clarify the original intent of the existing code.
- Bristol Planning Staff – recommended in favor with the additional language of “whichever is less” be added to the code.
- Bristol Regional Planning Commission – recommended in favor with the addition of “whichever is less.”
- Kingsport Planning Staff – recommended denial as in many cases the accessory structures would dwarf the homes – Kingsport limits to 1,110 square feet or 30% of the home, whichever is less – remember accessory mean incidental and subordinate to home – excluding barns.
- Kingsport Regional Planning Commission – recommended denial.

AMENDED TO INCLUDE THE TERM "WHICHEVER IS LESS" as part of the amendment.  
 TEXT AMENDMENT APPROVED 08-15-05 ROLL CALL VOTE 19 AYE, 1 NAY, 4 ABSENT.

**3**

**PROPOSAL: Delete the maximum lot coverage for commercial and manufacturing districts - Table 4-103A Bulk Regulations for Commercial Districts (add Manufacturing Districts as well)**

Existing Codes Comparison:

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Commercial Lot Coverage	PBD-3/PUD= 40% PBD/SC = 40% B-4 = 30% B-3 = 30% B-2 = 75% B-1 = 25%	B-4P = 30% B-3 = 40%	B-1A and B-1 = 30% B-2 = 100% B-3 = total minus landscaping/buffering	B-1 = 33% or 1/3 of lot B-2 = none B-3 = none B-4 = 40% > 1 acre 50% > 1 acre B-5 = 40% > 1 acre 50% < 1 acre	B-1 = 35% max. PR-BD = 50%

- Sullivan County Regional Planning Commission recommended - Buildings be allowed on 100% of remaining property after all setbacks, sewage disposal areas, parking requirements, retention ponds if required, and buffer strips have been met. A motion was made by Buddy King and seconded by Dwight King to delete the maximum lot coverage limitation from Article 4-1-3.2 #4 and corresponding section of the Table 4-103A for Commercial Districts and Article 5-103.2#4 and corresponding section of the Table 5.103A regarding lot coverage in Manufacturing Districts.
- Staff Recommendation – staff recommends in favor of this request because if you consider the requirements of setbacks, buffering, new stormwater regulations, parking requirements, etc there is no way to completely cover a site with buildings. The lot coverage requirement was added to the new code in hopes of having similar regulations to the surrounding communities and Washington County; however considering all other site plan requirements this too is a mute point.
- Bristol Planning Staff – recommended denial – leaves no room for expansion of businesses or changes in use.
- Bristol Regional Planning Commission – recommended against this change.
- Kingsport Planning Staff – recommended against this change.
- Kingsport Regional Planning Commission – recommended against this change.

TEXT AMENDMENT APPROVED 08-15-05 ROLL CALL VOTE 15 Aye, 3 Nay, 6 Absent.

**4**

**PROPOSAL: Buffer strips to be reduced from 15’ wide to 8’ wide - Table 8-107.1 Buffer Strips**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Buffer Strips: 15-foot reserved strip along property lines abutting residential and agricultural zones	<p><b>Option 1</b> – staggered row of evergreen trees planted on 10’ centers and 4’ high when planted – 8’ high upon mature growth minimum.</p> <p><b>Option 2</b> – privacy fence of wood or masonry screening at least 6’ high</p> <p><b>Option 3</b> – mature growth tree line to be preserved with fill in trees if needed</p>	Planting strip boundary equal to abutting setback of the more restrictive zone adjacent to agricultural, residential zoning districts plus parks or the Greenbelt pathways. Planting boundary contains one deciduous tree each 50 linear feet plus ground coverage.	10’ green strips along front and 5’ green strips along sides and rear for all commercial and manufacturing districts, except B-2. In addition, the buffer is 8’ to 25’ depending on adjacent land uses	<p>Type I = 15’ buffer strip of 10 trees per 100 feet or a 10’ buffer strip with a 6 ft wood fence or masonry wall and 6 trees per 100 feet.</p> <p>Type II – 20’ buffer strip with 14 trees per 100 feet or a 15’ buffer strip with fence/wall and 8 trees per 100 feet.</p> <p>Type III – 35’ buffer strip with 18 trees per 100’ or a 25’ buffer strip with 8 fence/wall and 12’ trees per 100 feet.</p> <p>Type IV – 35’ buffer strip with 8’ fence/wall and 18 trees per 100’</p> <p>ALL evergreen trees</p>	Buffer depends on use – buffering required for two-family, multi-family, and all planned commercial districts. Buffering also required in Agr districts depending on use.

- Sullivan County Regional Planning Commission recommended - Mr. Buddy King made a motion to edit Article 8-107.1 of the existing buffering requirements from 15-foot buffer area down to an 8-foot reserved buffer area. Option 1 language keeps the same. Option 2 shall be edited to allow for any type of solid opaque fencing material such as wood, masonry, PVC. All other language remains the same. Mr. Dwight King seconded the motion and the vote in favor passed unanimously.
- Staff recommendation – Staff recommends in favor of this request, as the intent was to clarify the existing code and allow for PVC fencing material if Option 2 is selected. The other change is to reduce the width from 15’ down to 8’. This would be more appropriate as often 15’ buffer is wider than the required side yard setback.
- Bristol Planning Staff – recommended denial
- Bristol Regional Planning Commission – recommended denial to change from 15’ down to 8’ but no objection to change of material for fencing.
- Kingsport Planning Staff – recommended denial  
Kingsport Regional Planning Commission – recommended denial (6 against, 1 in favor).

TEXT AMENDMENT APPROVED 08-15-05- ROLL CALL VOTE 15 AYE, 6 NAY, 3 ABSENT.

**PROPOSAL: Change Setbacks for single family in high-density zones: Table 3-103B**

**R3-A Setbacks and R3-B Setbacks for single family only not multi-family**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
R-3A – High Density Multi-Family Zones (apartments, etc.)	R-3A same as R-3B 30' front 20' sides 30' rear	R-5, Multifamily District 10-foot front, rear, side setbacks 20% open space Lot coverage = 35% Floor area ratio = 1.3	Multi-Family district setbacks are: 30' front, 30' rear, and 8' for the sides, but both sides shall total at least 20' (adjoining lots)	Front 20' on local streets and 25' on collectors and arterials. All front facing garages shall be setback at least 25' from right-of-way to keep vehicles off street. Side yard – 8' Rear yard - 30' All parking for multi-family plans shall be side or rear yards only – not front of building. Multi-Family abutting single family requires 15' buffer	R-3 setbacks are: 30' front, 20' rear, and 10' sides. R-3A – same R-2 30' front, 25' rear and 10' sides R-2A – same  Buffering is wider than side setback in most cases
R3-B – High Density Single Family attached (condos) and detached homes	same setbacks regardless of type – house, duplex, apartment, condo.				

- Sullivan County Regional Planning Commission recommended - Mr. Gordon Peterson motioned to edit Article 3-103, Table 1-103B, R3A/R3B setbacks to read 30' front, 20' rear, 10' sides for all single-family detached dwellings, but keep the greater side and rear yard setbacks for all multi-family (apartments, etc.) and single-family attached (condos) the same. Mr. Archie Pierce seconded the motion and the vote in favor passed unanimously.
- Staff – recommended in favor to reduce the setbacks for single family detached (houses) within high-density zones as the intent of the code was to apply greater setbacks for apartment or condominium complexes (perimeter of entire site) but not for high-density subdivisions. Several of the older neighborhoods within the county have tiny lots. Allowing for this change would reduce potential variance cases.
- Bristol Planning Staff – recommends denial – not consistent with other communities
- Bristol Regional Planning Commission – recommended in favor of changing the side to 10' but keep 30' for rear setback
- Kingsport Planning Staff – recommended in favor
- Kingsport Regional Planning Commission – recommended in favor

TEXT AMENDMENT APPROVED 08-15-05-ROLL CALL VOTE 19 AYE, 1 NAY, 4 ABSENT.



**6**

**PROPOSAL: Table 7-104.2 - Paving Standards – Bonding Requirements and Conditions for Waiver of Paving Code**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Paving – Bonding Requirements	Paving can be bonded – follows bonding procedures set by county policy	Paving can be bonded following the Kingsport Subdivision regulations. All sites must be paved and gravel creates dust and further adds to the particulate matter in the air. Sullivan County is considered a non-attainment community with the EPA’s Clean Air Act	Requires striping, access control, loading areas – bonding not an option	Paving requirements may be bonded – follows the same process and set up in the Subdivision Regulations (very similar to Sullivan’s)	Have allowed in past, letter of credit for under \$20,000 only.

**Proposed Text Amendment:**

- Sullivan County Regional Planning Commission - Mr. Dwight King made a motion to edit Article 12-102.7 #5 to add the following language: Any site operator, owner or developer acting as the agent of the property may apply to the Planning Commission for an assurance performance bond to be posted for minor site improvements only if special, unforeseeable circumstances interfere with the timely completion of the project as approved by a site plan. Performance Guarantees shall be accepted pursuant Sullivan County Subdivision Regulations - Section 4B. The department may allow a signed and notarized contract between the property owner/developer and the contractor, such as a paving or landscaping company, which will allow the completion of paving and/or landscaping to be completed by the next paving or planting season. The Planning Commission may forfeit all paving, if it is not conducive to the type of business being operated or to prevent water run-off on to adjoining properties. Mr. Buddy King seconded the motion and the vote in favor passed unanimously.
- Sullivan County Planning Staff – recommended in favor of bonding provisions allowances for parking; however parking standards should remain the same per use of land – any variances requested by landowner must go through the BZA not Planning Commission – procedure set up in State Law. After considerable discussion, the intent of the Planning Commission was to allow for gravel storage yards when the general public/customers would not be using such area. This would diminish the “sea of asphalt” not necessarily needed in an open storage yard for heavy construction equipment for example. Less pavement means more surface water absorption.
- Bristol Planning Staff – recommends approval for bonding – forgot to discuss any waiver of parking standards.
- Bristol Planning Commission – recommends approval of bonding – forgot to discuss any waiver of parking standards
- Kingsport Planning Staff – recommended denial – inconsistent with all other communities
- Kingsport Planning Commission – recommended denial – Planning Commission cannot waive parking requirements – appears arbitrary to waive or forfeit paving requirements – need procedure and guidance to board.

TEXT AMENDMENT APPROVED 08-15-05 – ROLL CALL VOTE 18 AYE, 1 NAY, 1 PASS, 4 ABSENT.

**7**

**PROPOSAL: Temporary Storage of Equipment In Agriculturally Zoned Districts**

**Proposed Text Amendment: Sullivan County Regional Planning Commission recommended -**

**Temporary Storage of equipment, such as construction equipment, and earth moving equipment may be stored on all parcels of 5 acres or more. See motion made by Planning Commission.**

**Existing Codes Comparison**

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Heavy equipment temporary storage	Allowed in all approved construction projects during the life of the project – in all zones Permanent storage permitted in outside or enclosed storage yards or facilities in commercial and manufacturing zones	Prohibited in residential zones. Permitted in industrial zones.	Temporary storage of heavy equipment over 1 ½ tons is prohibited in all residential zones. Construction sites are exempt for temporary storage of heavy equipment. Home Occupations are limited to one commercial passenger vehicle no greater than 1 ton	Prohibited in residential zones, permitted in commercial zones as accessory use to the principal use. Same as Sullivan County	Same as Sullivan Co. code

- **Motion made by Dr. Webb and seconded by Buddy King to add Section I of Appendix B-106 – Temporary Uses to read as follows: Temporary motorized construction equipment and their necessary carriers shall be allowed for no more than a maximum of 90 consecutive days and no more than 90 days in any calendar year on any agriculturally zoned parcels of five acres or more. Such uses are already defined in commercial and manufacturing zones as storage or accessory storage yards. Motion was approved unanimously.**
- **Staff recommendation – There are pros and cons to this amendment and possible chances for abusing the intent of the exemption. The planning & zoning department has always allowed for one commercial vehicle to be temporarily parked on the owner’s property as many business owners drive their work vehicle home each night. This also applies to truck drivers who own their own truck. Staff recommends in favor of this exemption; however limit it to one work vehicle and attached carrier per landowner. The intent of the Planning Commission was not to allow a fleet of construction equipment stored on any property over five acres.**
- **Bristol Planning Staff – recommended against**
- **Bristol Regional Planning Commission – recommended in favor**
- **Kingsport Planning Staff – recommended in favor**
- **Kingsport Regional Planning Commission - recommended in favor**

TEXT AMENDMENT DEFERRED TO REFER BACK TO PLANNING COMMISSION FOR FURTHER REVIEW 08-15-05;

***Sullivan County Proposed Text Amendments - Introduced by Sullivan County Regional Planning Commissions - 2005***

**8**

**PROPOSAL: Appendix C. – Determining Yard Areas - The front of a lot shall be construed to be the portion nearest the public road or the private road, wherever the E-911 address is assigned.**

Existing Codes Comparison –SAME IN ALL COMMUNITIES – BASED UPON STANDARD DEFINITIONS AND ILLUSTRATIONS FROM THE AMERICAN PLANNING ASSOCIATION – WORDED DIFFERENTLY IN SOME CASES, BUT THE SAME

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Front yard	Front yard: area between front of home parallel to street rights-of-way  Side yard: area next to home and side lot line  Rear Yard: area from back corners of home to farthest lot line.  Corner Side: area between home and adjacent street rights-of-way not front yard – owner can choose, as setbacks are the same as front yard	Same	Same	same	same
Side yard					
Rear yard					
Corner side yard					

- Sullivan County Regional Planning Commission recommended the text amendment - Mr. Archie Pierce motioned to accept the suggestion of staff to edit the first sentence of the definition (page A-6) of front lot yard to read as follows: *The front of a lot shall be construed to be the portion nearest the public road or the private road, wherever the E-911 address is assigned.* Dwight King seconded the motion and the vote in favor passed unanimously.
- Staff recommendation – Staff recommends in favor of this amendment per Planning Commission motion.
- Bristol Planning Staff – recommended denial- should be uniform standards
- Bristol Regional Planning Commission – recommended denial
- Kingsport Planning Staff – recommended approval
- Kingsport Regional Planning Commission – recommended approval

TEXT AMENDMENT APPROVED 08-15-05 - ROLL CALL VOTE 22 AYE, 2 ABSENT.

**9**

**PROPOSAL: Commercial Lot Sizes – Minimum of 10,000 square feet**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Commercial Lot sizes	1-acre minimum for PBD-3, PBD, B-4 and B-3 30,000 sq ft. for B-2 20,000 sq. ft. for B-1	B-4P, Planned Business District = 25,000 sq ft B-3 = 10,000 sq ft Typically the only use using 10,000 sq. ft. are un-manned drive-up ATMs or public utility buildings.	B-1A and B-1B used for residential must be 7,500 for sf and 5000 for multi fam. All commercial zones used for commercial have no set lot size but must meet all zone requirements	No minimum set – urban commercial shall meet or exceed all parking, landscaping, buffering, setbacks, access control, loading, and stormwater drainage requirements. Stormwater not allowed by right-of-way ditches i.e. rural drainage systems. Commercial must be on sewer.	Covered in their Subdivision Regulations – plat size determined by proposed use upon plat approval.

- **Gordon Peterson motion to edit Article 4-103.2 #1, Lot Size Minimum Area and the corresponding Table 4-103A IIA to set the lot size standard for all commercial districts to be no smaller than 10,000 square feet if all bulk regulations (site plan) could be satisfied. Buddy King seconded the motion and the vote in favor passed unanimously.**
- **Staff recommendation – There are pros and cons to this text amendment. The intent of the existing code was to reduce the number of variance requests on commercial site plans and to allow for enough land for drainage. However, the site plan requirements would still need to be met for all new construction. Staff recommends in favor of this request, as it would allow for more new development on existing lots.**
- **Bristol Planning Staff – recommended approval – however all of their new commercial construction must be on sewer**
- **Bristol Regional Planning Commission – recommended approval**
- **Kingsport Planning Staff – recommended approval – however all of their new commercial must be on sewer**
- **Kingsport Regional Planning Commission – recommended in favor.**

TEXT AMENDMENT APPROVED 08-15-05 – ROLL CALL VOTE 22 AYE, 2 ABSENT.

S BEFORE THE COMM.

No. *Election*  
*Roll* *App*  
*Call* *& Bonds*

No. 5-6 5-7 5-8 5-9

S OF COMMISSIONERS

	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn	✓		✓				✓						✓					
Brittenham	✓		✓				✓						✓					
Brotherton	✓		✓				✓						✓					
Conkin	✓		✓				✓						✓					
Crawford	A		A				A						A					
Ferguson	✓		✓				✓						✓					
Graselose	✓		✓				A						✓					
Hall	✓		✓				✓						✓					
Harr	✓		✓				✓						✓					
Herron	✓		✓				✓						✓					
Houser	✓		✓				✓						✓					
Huatt	✓		✓				✓						✓					
Jones	✓		✓				✓						✓					
Kilgore	✓		✓				✓						✓					
Buddy King	✓		✓				✓						✓					
James L King Jr.	✓		✓				✓						✓					
McConnell	✓		✓				✓						✓					
McKamey	A		A				A						A					
Marrell	✓		✓				✓						✓					
Patrice	✓		✓				✓						✓					
Sitgreaves	✓		✓				✓						✓					
Surgenor	A		A				A						A					
Vance	✓		✓				✓						✓					
Williams	✓		A				✓						✓					

*deposed*

21 Aye 20 Nay  
 3 abs 4 abs

18 Aye  
 1 Nay  
 1 abs  
 4 abs

23 Aye 23 Nay  
 2 abs 2 abs

Surgenor in  
 at 10:20 AM

# Responing Requests

E THE COMM.

MISSIONERS	1		2		3		4		5-1		5-2		5-3		5-4		5-5		page 18
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
Blackburn	✓		✓		✓				✓		✓		✓		✓		✓		
Brittenham	✓		✓		✓				✓		✓		✓		✓		✓		
Wetherston	✓		✓		✓				✓		✓		✓		✓		✓		
Conkin	✓		✓		✓				✓		✓		✓		✓		✓		
Crawford	A		A		A		A		A		A		A		A		A		
Ferguson	✓		✓		✓				✓		✓		✓		✓		✓		
Groedore	✓		✓		P				✓		✓		✓		✓		✓		
Hall	✓		✓			✓			✓		✓		✓		✓		✓		
Harr	✓		✓		✓				A		A		A		✓		✓		
Herron	✓		✓		✓				✓		✓		✓		✓		✓		
Houser	✓		✓			✓			✓		✓		A		✓		✓		
Nyatt	✓		✓			✓			✓		✓		✓		✓		✓		
Gones	✓		✓		✓				✓		✓		✓		✓		✓		
Kelgore	✓		✓		✓				✓		✓		✓		✓		✓		
uddy King	✓		✓		✓				✓		✓		✓		✓		✓		
mas d. King	✓		✓		✓				✓		✓		✓		✓		✓		
McConnell	✓		✓		✓				✓		✓		✓		✓		✓		
McKamey	A		A		A		A		A		A		A		A		A		
Marrell	✓		✓		✓				✓		✓		✓		✓		✓		
Patric	✓		✓			✓			✓		✓		✓		✓		✓		
Sitgreaves	✓		✓		✓				✓		✓		✓		✓		✓		
Surgenor	A		A		A		A		A		A		A		A		A		
Vance	✓		✓		✓				✓		✓		✓		✓		✓		
Williams	A		A		✓				✓		✓		A		✓		A		

20 Aye 20 Nay 15 Aye  
 4 absent 4 abs. 5 Nay  
 1 Pass  
 3 abs.

18 Aye 19 Aye 15 Aye 15 Aye 19 Aye  
 2 Nay 1 Nay 3 Nay 6 Nay 1 Nay  
 4 abs 4 abs 6 abs 3 abs 4 abs.

SUPPORT THE COMM.	No. 2		No. 3		No. 4		No. 5		No. 6		No. 7		No. 8		No. 9		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn			✓		✓		✓		✓		✓		✓					
Buttenham			✓		✓		✓		✓		✓		✓					
Buttherton			✓		✓		✓		✓		✓		✓					
Conkin			✓		✓		✓		✓		✓		✓					
Crawford			A		A		A		A		A		A					
Ferguson			✓		✓		✓		✓		✓		✓					
Groseclose			✓		✓		✓		✓		✓		✓					
Hall			✓		✓		✓		✓		✓		✓					
Harr			✓		✓		✓		✓		✓		✓					
Herron			✓		✓		✓		✓		✓		✓					
Houser			✓		✓		✓		✓		✓		✓					
Ngatt			✓		✓		✓		✓		✓		✓					
Gones			✓		✓		✓		✓		✓		✓					
Kelgore			✓		✓		✓		✓		✓		✓					
Buddy King			✓		✓		✓		✓		✓		✓					
res. L. King Jr.			✓		✓		✓		✓		✓		✓					
McConnell			✓		✓		✓		✓		✓		✓					
McKamey			A		A		A		A		A		A					
Morrill			✓		✓		✓		✓		✓		✓					
Patrick			✓		✓		✓		✓		✓		✓					
Sitgreaves			✓		✓		✓		✓		✓		✓					
Surgener			✓		✓		✓		✓		✓		✓					
Wance			✓		✓		✓		✓		✓		✓					
Williams			✓		✓		✓		✓		✓		✓					
			22 Aye		22 Aye		22 Aye		22 Aye		22 Aye		22 Aye					
			20 Aye		20 Aye		20 Aye		20 Aye		20 Aye		20 Aye					

**RESOLUTIONS ON DOCKET FOR AUGUST 15, 2005**

<b>RESOLUTIONS</b>	<b>ACTION</b>
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 08-15-05
#2 AUTHORIZE PRESIDENT'S DAY AS HOLIDAY FOR SULLIVAN COUNTY EMPLOYEES	DEFERRED 08-15-05
#3 APPROVE LOCAL GOVERNMENT ASSESSMENT FOR FIRST TENNESSEE HUMAN RESOURCE AGENCY	APPROVED 08-15-05
#4 TO APPROVE FINANCING BY PINEY FLATS VOLUNTEER FIRE DEPARTMENT	APPROVED 08-15-05
#5 TO SUBMIT GRANT APPLICATION AND ACCEPT FUNDS TO PROVIDE A FIRE BOOSTER PROTECTION PUMP TO ASSIST IN THE EXPANSION OF EDWARDS & ASSOCIATES, TRI-COUNTY INDUSTRIAL PARK	APPROVED 08-15-05
#6 AUTHORIZE AMENDING THE 2005-2006 GEN. PURPOSE SCHOOL BUDGET USING UNDESIGNATED FUND BALANCE IN THE AMOUNT OF \$972,458.00 FOR VARIOUS SERIES AS LISTED BELOW	APPROVED 08-15-05
#7 AUTHORIZE THE BRISTOL TENN. HOUSING & REDEVELOPMENT AUTHORITY TO HOLD PUBLIC HEARINGS PRIOR TO THE APPROVAL, AMENDMENT OR IMPLEMENTATION OF ANY REDEVELOPMENT PLAN	APPROVED 08-15-05
#8 AMEND THE FY 2005-2006 BUDGET FOR THE SULLIVAN COUNTY SHERIFF'S OFFICE TO PROVIDE SCHOOL RESOURCE OFFICERS IN SULLIVAN COUNTY HIGH SCHOOLS	APPROVED 08-15-05
#9 INITIATE A COMPREHENSIVE STUDY OF FUTURE SCHOOL ENROLLMENT PROJECTIONS FOR ALL THREE (3) SCHOOL SYSTEMS IN SULLIVAN COUNTY	1 <sup>ST</sup> READING 08-15-05
#10 AUTHORIZE THE EXPANSION OF THE SULLIVAN COUNTY EDUCATE & GROW SCHOLARSHIP PROGRAM TO INCLUDE THE JUMPSTART PROGRAM IN SULLIVAN COUNTY HIGH SCHOOLS	1 <sup>ST</sup> READING 08-15-05



Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2005-08-001

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution**

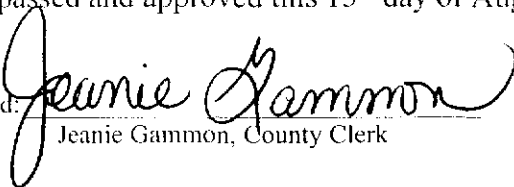
WHEREAS, the attached rezoning petitions have been duly initiated; have been before the Planning Commission (recommendations enclosed); and have received a public hearing as required; and,

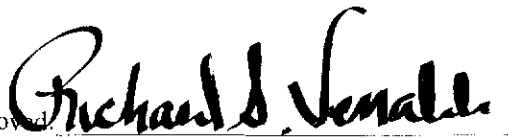
WHEREAS, such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution.

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

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

Duly passed and approved this 15<sup>th</sup> day of August 2005.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsor: James "Buddy" King**  
**Prime Co-Sponsor(s): O.W. Ferguson**

2005-08-001	County Commission
ACTION	APPROVED 08-15-05 VOICE VOTE

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

2  
Item  
Executive  
No. 2005-05-036

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of May 2005.

**RESOLUTION To Authorize President's Day as Holiday for Sullivan County Employees**

WHEREAS, all state and federal offices, as well as, all banking institutions honor the third Monday in the month of February, President's Day, as an holiday; and,

WHEREAS, upon the closure of these offices and institutions, Sullivan County's business is impeded; and,

WHEREAS, in respect of our founding fathers, Sullivan County wishes to acknowledge President's Day as a holiday;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the annual closing of Sullivan County Offices on President's Day, the third Monday in the month of February, and hereby amend the Sullivan County Handbook to include this holiday as a paid holiday for all Sullivan County Employees.**

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Introduced by Commissioner: McConnell**

**Seconded by Commissioner(s): Ferguson, Brotherton**

at

2005-05-036	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Defer to Budget Cmte 5-2-05	Defer 5-5-05	Defer 5-4-05	

Notes: 1st Reading 05-16-05; Deferred 06-27-05; Motion to defer by Williams, second by Kilgore to defer Resolution and refer to Committees for a study to evaluate extending the hours of County Offices without taking away any holidays- motion to defer approved 07-18-05 by voice vote; Committee appointed 08-15-05 by Mayor Venable consisting of Williams, McConnell, Hyatt, Kilgore, and Buddy King for study of above Resolution and to come back to the Commission with a recommendation; Deferred until committee brings back recommendation 08-15-05;

Sullivan County, Tennessee  
Board of County Commissioners

3  
Item 9  
Budget  
No. 2005-07-059

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Approve Local Government Assessment for First Tennessee Human Resource Agency**

WHEREAS, legislation was adopted by the General Assembly of the State of Tennessee and signed by the Governor that amends Tennessee Code Annotated, Title 13, Chapter 26, relative to human resource agencies; and,

WHEREAS, as adopted, it confirmed the intent of the State to assist financially by adopting a budget requiring a certain per capita assessment and the State shall be authorized to match the local contribution according to the following schedule:

Local Assessment Cents/Capita	Annual State Contribution	Contribution Cap/County
1-5	\$30,000	\$7,500
6-10	\$60,000	\$7,500
11-15	\$90,000	\$10,000

WHEREAS, such local contribution shall be based upon, in the case of counties, an amount not to exceed fifteen cents (.15) per capita based on the latest decennial census, one-half (1/2) of which may be contributed by local incorporated cities or other private, public or semi-public bodies; and,

WHEREAS, provided, however, that no county shall be required to contribute more than ten thousand dollars (\$10,000) annually; and,

WHEREAS, said funds will allow for serving more effectively our frail elderly, low income, and disadvantaged individuals;


**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby indicates willingness by adopting a budget requiring a certain per capita assessment for said purpose; and approved by the Board for said purpose; and that said resolution is effective for Fiscal Year 2006.

**BE IT FURTHER RESOLVED** that the per capita assessment, based upon the 2000 and subsequent decennial census, is hereby established at \$ .11 per capita.

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

Duly passed and approved this 15<sup>th</sup> day of August 2005.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsor: Williams**  
**Prime Co-Sponsor(s): Harr**

at

2005-07-059	Administrative	Budget	Executive	County Commission
ACTION			Approve 6-7-05	Approved 8-15-05

Notes:  
1st Reading 07-18-05;

22 Aye, 2 Absent

Sullivan County, Tennessee  
Board of County Commissioners

Item 4  
Administrative  
No. 2005-08-068

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Approve Financing by Piney Flats Volunteer Fire Department**

WHEREAS, Piney Flats Volunteer Fire Department has determined to finance an amount up to \$175,000 for the refinancing of a 2001 Kenworth Tanker; and

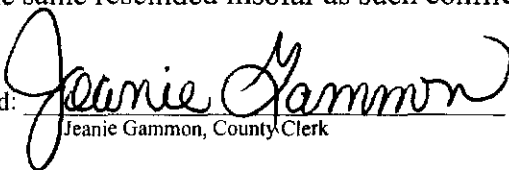
WHEREAS, the United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, that the local county legislative body must first approve the financing; and

WHEREAS, the Piney Flats Volunteer Fire Department has published a notice and held a public hearing on the financing as required by the Code and has reported the proceedings of the hearing to this Board.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approves the Piney Flats Volunteer Fire Department entering into financing, as required under the United States Internal Revenue Code for the financing to be carried out on a tax-exempt basis. And further approve the Piney Flats Fire Department's conduct of the required public hearing.

*WAIVER OF RULES REQUESTED*

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

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsored By: Marvin Hyatt**  
**Prime Co-Sponsor(s): John McKamey**

2005-08-068	Administrative	Budget	Executive	County Commission
ACTION	Approve 8-1-05			Approved 8-15-05

22 Aye, 2 Absent

NOTES: Waiver of Rules Requested.

Sullivan County, Tennessee  
Board of County Commissioners

Item 5  
Executive/Budget  
No. 2005-08-069

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Submit Grant Application and Accept Funds to Provide a Fire Booster Protection Pump to Assist in the Expansion of Edwards & Associates, Tri-County Industrial Park**

WHEREAS, in July 2005, the Board of County Commissioners approved Resolution No. 2005-07-065 authorizing the submission of a grant application and acceptance of funds in the amount of \$109,500 from the Fast Track Program to assist in the expansion of Edwards & Associates; and

WHEREAS, projected costs were underestimated; and

WHEREAS, this resolution authorizes the application for and acceptance of grant funds to the Fast Track Infrastructure Development Program (FIDP) of the Tennessee Department of Economic and Community Development, formerly known as the Tennessee Industrial Infrastructure Program (TIIP), to install a fire protection booster pump for Edwards & Associates' expansion within the Tri-County Industrial Park; and

WHEREAS, FastTrack Infrastructure Development Program funds can be used to provide and construct the fire booster pump and necessary infrastructure;

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby rescinds Resolution No. 2005-07-065 approved July 2005.

**BE IT RESOLVED** that the Board approves Sullivan County submitting an application to the FastTrack Infrastructure Development Program for the fire booster protection pump project with proposed funding of \$197,830 from FastTrack Infrastructure Development Program funds; \$40,500 provided by Sullivan County (from sale of land in Tri-County Industrial Park); and \$32,670 provided by Edwards & Associates.

**BE IT RESOLVED** that the County Mayor is authorized to enter into any and all agreements, assurances, and/or contracts to accept grant funds and implement this project; that Sullivan County is hereby authorized to receive, appropriate, and expend said grant funds; and appropriate and expend said matching funds as required. Account codes to be assigned by the Director of Accounts & Budgets.

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

Duly passed and approved this 15<sup>th</sup> day of August 2005.

Attested: *Jeanie Gammon*      Approved: *Richard S. Venable*  
Jeanie Gammon, County Clerk      Richard S. Venable, County Mayor

**Sponsor: Marvin Hyatt**  
**Prime Co-Sponsor(s): John McKamey**

2005-08-069	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				Approved 8-15-05 22 Aye, 2 Absent

Notes: Waiver of Rules Requested.

Sullivan County, Tennessee  
Board of County Commissioners

Item 6  
Budget  
No. 2005-08-070

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Authorize Amending The 2005 – 2006 General Purpose School Budget Using Undesignated Fund Balance In The Amount Of \$972,458.00 For Various Series As Listed Below**

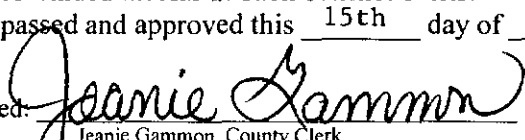
WHEREAS, the Sullivan County Department of Education Board approved the budget amendment for the Fiscal Year 2005-06 in the School Board Meeting of August 01, 2005, now

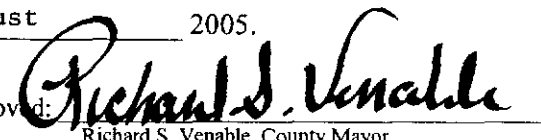
**THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
39000.000	Undesignated Fund Balance	-\$972,458.000
71100.116	Regular Instruction Teachers (Direct)	+\$70,000.00
71100.140	Salary Supplements (Direct)	+\$42,000.00
71100.163	Educational Assistants (Direct)	+\$80,000.00
71100.195	Substitute Teachers – Certified (Direct)	+\$25,000.00
71100.198	Substitute Teachers – Non Certified (Direct)	+\$25,000.00
71100.309	Contracts with Government Agencies (Direct)	+\$90,448.00
71100.322	Evaluation and Testing (Direct)	+\$10,000.00
71100.429	Instructional Supplies and Materials (Direct)	+\$62,500.00
71100.449	Textbooks (Direct)	+\$312,510.00
71100.718	Motor Vehicles – Drivers Education (Direct)	+\$36,000.00
71100.722	Regular Instruction Equipment (Direct)	+\$10,000.00
71200.322	Evaluation and Testing (Direct)	+\$5,000.00
72210.302	Advertising (Indirect)	+\$5,000.00
72210.418	Equipment and Machinery Parts (Indirect)	+\$2,000.00
72210.429	Instructional Supplies and Materials (Indirect)	+\$39,000.00
72210.432	Library Books (Indirect)	+\$39,000.00
72320.355	Travel – Office of the Superintendent (Indirect)	+\$1,000.00
72620.717	Maintenance Equipment (Indirect)	+\$30,000.00
72710.718	Motor Vehicles – Special Ed Buses (Indirect)	+\$88,000.00

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

Duly passed and approved this 15<sup>th</sup> day of August 2005.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsored By: Larry Hall**  
**Prime Co-Sponsor(s): Dennis Houser**

2005-08-070	Administrative	Budget	Executive	County Commission
ACTION				Approved 8-15-05 22 Aye, 2 Absent

Notes: Waiver of Rules Requested.

Sullivan County, Tennessee  
Board of County Commissioners

Item 7  
Administrative/Budget/Executive  
No. 2005-08-071

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Authorize the Bristol Tennessee Housing & Redevelopment Authority to Hold Public Hearings Prior To The Approval, Amendment Or Implementation Of Any Redevelopment Plan**

WHEREAS, the Bristol Tennessee Housing & Redevelopment Authority desires to investigate the use of its redevelopment powers and identify areas within the City of Bristol, Tennessee that are in need of redevelopment.

WHEREAS, as a part of the Bristol Tennessee Housing & Redevelopment Authority's redevelopment efforts, public hearing(s) will be required in the future to determine the necessity for Redevelopment Plan(s) in various areas of Bristol, Tennessee and to obtain public input regarding the scope, purpose and procedure to be included in any proposed Redevelopment Plan. Now, therefore,

**BE IT RESOLVED BY THE SULLIVAN COUNTY COMMISSION AS FOLLOWS:**

**SECTION I.** That pursuant to Tennessee Code Annotated Section 13-20-203, the Bristol Tennessee Housing & Redevelopment Authority is hereby designated and empowered by Sullivan County, Tennessee to hold any public hearings which may be required by such code section prior to the approval, amendment or implementation of any Redevelopment Plan currently being considered or which may be considered in the future for implementation within the jurisdictional limits of the Bristol Tennessee Housing & Redevelopment Authority.

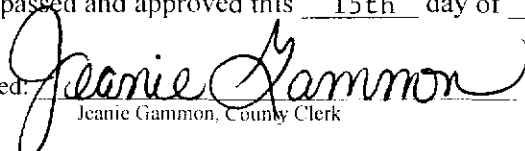
**SECTION II.** That the Bristol Tennessee Housing & Redevelopment Authority, prior to any public hearings, make copies of the proposed Redevelopment Plan available for public inspection at such reasonable time as it deems appropriate and in accordance with applicable law.


**SECTION III.** That the Bristol Tennessee Housing & Redevelopment Authority provide such public notice as is required by law for said hearings.

**SECTION IV.** That the Bristol Tennessee Housing & Redevelopment Authority during any said public hearings have a representative available to provide an explanation of the Redevelopment Plan and answer any questions raised by persons at the hearing.

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

Duly passed and approved this 15th day of August, 2005.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

Sponsored By: **Ralph Harr**  
Prime Co-Sponsor(s): **James "Buddy" King**  
J Conkin

2005-08-071	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				Approved 8-15-05

22 Aye, 2 Absent

Notes: Waiver of Rules Requested.

Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Budget  
No. 2005-08-072

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Amend the FY 2005-2006 Budget for the Sullivan County Sheriff's Office to Provide School Resource Officers in Sullivan County High Schools**

WHEREAS, the Sullivan County School System has appropriated funds to supply two additional School Resource Officers in the high schools; and

WHEREAS, it would be necessary to amend the Sheriff's Office budget for the 2005-2006 fiscal year to provide such service; and

WHEREAS, the school system will reimburse the county for these services;

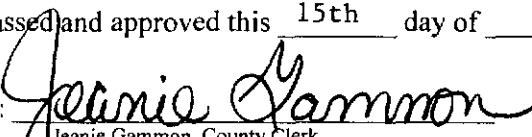
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve the following increase to provide two entry level (F class) officers and related benefits to the Sullivan County Sheriff's Office Budget and to amend the FY 2005-2006 budget as follows:**


54110.100     \$46,217.60  
54110.200     \$25,138.32

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

Duly passed and approved this 15<sup>th</sup> day of August 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsored By: Eddie Williams**  
**Prime Co-Sponsor(s): Ralph Harr**

2005-08-072	Administrative	Budget	Executive	County Commission
ACTION				Approved 8-15-05

22 Aye, 2 Absent

Notes: Waiver of Rules Requested.



Sullivan County, Tennessee  
Board of County Commissioners

Item 9  
Administrative/Budget/Executive  
No. 2005-08-073

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Initiate A Comprehensive Study Of Future School Enrollment Projections For All Three (3) School Systems In Sullivan County**

WHEREAS, the Sullivan County is the principal funding source for the three (3) School Systems; and,

WHEREAS, under provisions of Tennessee Law, local funding provided by Sullivan County for School Purposes must be shared between the 3 school systems based upon the A.D.A. (Average Daily Attendance) for the respective school years; and,

WHEREAS, the County School System's portion of the county revenues for the 2004-2005 year were 56.45%, a decline from 59.79% ten years ago; and,

WHEREAS, this decline in A.D.A. share resulted in a potential reallocation in the 2005-2006 fiscal year of more than \$2,100,000 between the three (3) school systems; and,

WHEREAS, enrollment (A.D.A.) figures which are used to allocate the County's funding for School purposes are not available to the Sullivan County Commission until the end of the respective school year and after the budget preparation process has routinely been well underway for the subsequent fiscal year; and,

WHEREAS, the final allocation of county revenues to the three (3) local school systems is not only based upon their total enrollment of the individual system, but upon the total enrollment of the county as a whole; and

WHEREAS, it is of utmost importance to the Sullivan County Commission, as well as, the three governing bodies for the individual school systems to improve their planning for funding of future operation, as well as, capital spending for the 3 school systems.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby requests that the County Mayor to report the comprehensive future student enrollment projections for the Sullivan County, the City of Kingsport, and the City of Bristol School systems to this body.**

**If these comprehensive enrollment projections can not be timely and adequately provided by representatives of the school systems, the County Mayor may enter into a contract for the purchase of the necessary professional services as shall be needed to complete the report through the 2011 or later school year where information is available.**

**Any cost for outside professional assistance up to \$12,000 shall be funded from the General Fund (39000 Account) of the County.**

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Ralph Harr**  
**Prime Co-Sponsor(s): Eddie Williams , Wayne McConnell**

2005-08-073	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Notes: Request made 08-15-05 by McConnell to be added as Co-Sponsor;  
1st Reading 08-15-05;

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Budget  
No. 2005-08-074

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of August 2005.

**RESOLUTION To Authorize the Expansion of the Sullivan County Educate & Grow Scholarship Program to include the JUMPSTART Program in Sullivan County High Schools**

WHEREAS, in April 2003, the Sullivan County Board of Commissioners approved Resolution No. 2003-03-27 authorizing funding of \$200,000.00 annually for the Educate & Grow Scholarship Program at Northeast State Technical Community College; and,

WHEREAS, Northeast State Technical Community College and the County wish to expand the scholarship program to include the JUMPSTART program which allows students in Sullivan County High Schools to take college level courses and receive college credits;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the expansion of the Sullivan County Educate & Grow Scholarship Program to include the funding of the JUMPSTART Program for students attending Sullivan County High Schools wishing to acquire college credit through Northeast State Technical Community College for courses taken in high school.

**BE IT RESOLVED** that the program will be retroactive to the beginning of the 2005-2006 school year, August 8, 2005; and that students currently enrolled who have incurred tuition for college level classes may be reimbursed through Northeast State Technical Community College.

**BE IT FURTHER RESOLVED** that any parent/guardian of a student, and/or any adult student acting on his/her own behalf, enrolled through the JUMPSTART Program who does not attend Northeast State Technical Community College upon high school graduation will be responsible for reimbursement of scholarship funds.

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

Duly passed this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Sam Jones**

**Prime Co-Sponsor(s): Randy Morrell, Howard Patrick, Mo Brotherton**

at

2008-08-074	Administrative	Budget	Executive	County Commission
ACTION				

Notes: Request made by Sponsor 08-15-05 to add Comm. Patrick and Comm. Brotherton as Co-Sponsors; 1st Reading 08-15-05;

Mayor Venable advised the Commission this 15<sup>th</sup> day of August, 2005 that on October 21, 2002, the Commission approved the \$55,000 appropriation to provide fifty percent match for lighting at intersection of Interstate 81 and 394- because of delay in letting out for bid (the state's part- not the county) the state has notified the Mayor that they were ready to put out for bid, but the cost had increased from the original proposal of \$110,000 to \$367,000. Have asked why the delay and increase in price and can we get our \$55,000 back. No answer on the first two questions and the \$55,000 has already been spent and cannot be returned.

Mayor Venable question for the Commission "is it the will of the Commission whether to continue on the road to follow our \$55,000 investment by appropriating an additional \$128,500. This can be considered at our next meeting- a decision this Commission must make".

Comm. Harr suggested the Mayor discuss with Governor- at suggestion Mayor will try to discuss with Governor and or staff.

Comm. Surgenor suggested to put in format of Resolution to be voted on and for Commission be provided with letter of situation and details. Mayor Venable to request a letter.

Comm. James King suggested maybe a re-bid.

Discussion ended – no action taken.

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR  
SESSION SEPTEMBER 19, 2005.

  
RICHARD VENABLE

COMMISSION CHAIRMAN

