

**COUNTY COMMISSION - ADJOURNED SESSION**

DECEMBER 21, 1998

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN ADJOURNED SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, DECEMBER 21, 1998, 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 Commissioner James L. King, Jr. gave the invocation. Pledge to the flag was led by County Executive, Gil Hodges.

Commissioners present and answering roll call are as follows:

CAROL J. BELCHER

BRYAN K. BOYD

FRED CHILDRESS

MIKE GONCE

DENNIS HOUSER

SAMUEL JONES

JAMES "BUDDY" KING

DWIGHT MASON

WAYNE MCCONNELL

RANDY MORRELL

ARCHIE PIERCE

MARK A VANCE

JAMES R. "JIM" BLALOCK

JUNE CARTER

O. W. FERGUSON

RALPH HARR

MARVIN HYATT

JAMES L. KING, JR.

GARY MAYES

PAUL MILHORN

HOWARD PATRICK

MICHAEL B. SURGENOR

EDDIE WILLIAMS

23 PRESENT 1 ABSENT

ELLIOTT KILGORE- ABSENT

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

**Public Comments:**

Those speaking during the public comment time were as follows:

1. Fred Bennett with the TVA on Shoreline Management Area.
2. Don Birch on the purchasing of the homes in the Flood Area.
3. Bobby Goodson on the conditions of the jail.
4. Leland Houser in opposition to destroying the old jail.
5. Cathy Carter also in opposition to destroying the old jail.
6. Robert Helvey in regards to the demolition of a house near airport.
7. Jerry Dykes in regard to changes made that the public were not made aware of concerning zoning.
8. Carly Sims against placement of the Ten Commandments Plaque.
9. Lewis Laughlin also against placement of the Ten Commandments Plaque.
10. Jeff Bridwell with the Strategic Planning Committee thanked the Commission and the County Employees for a job well done this past year.

Motion was made by Comm. Hyatt and seconded by Comm. Vance to approve the minutes of the Nov. 23, 1998 adjourned session of County Commission. Motion was approved by voice vote.

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

## ELECTION OF NOTARIES

NOVEMBER 23, 1998

Judy T. Addington  
 Melanie R. Barker  
 Pat Bass  
 Donald Wayne Birch  
 Jim Bishop  
 John E. Bland  
 Mary E. Blanton  
 Marie J. Brooks  
 Kathy T. Burke  
 Frank A. Burnette  
 Lee L. Chase  
 David L. Clark  
 Donald W. Cole  
 Orville L. Cox  
 Herbert A. Dunn  
 Carolyn G. Fields  
 Annette F. Flinn  
 Brenda Fowler  
 Rebecca C. Gray  
 Terry G. Graybeal  
 Sandra F. Grizzle  
 Jane Harwood  
 Bruce A. Hawks  
 Thomas D. Hensley  
 Michael W. Hopson  
 Sheri M. Horton  
 Jack W. Hyder, Jr.  
 Elizabeth A. Jones  
 Jerry W. Kirk  
 Myra S. Little

Charles G. McCall  
 JoAnne McInturff  
 Karen B. Mills  
 Gayvern M. Moore  
 Mitch Moore  
 Robert Moore  
 S. T. Powers  
 Deborah L. Ringler  
 Christine Robinette  
 Sherry Salyer  
 Cynthia H. Samuel  
 Patrick W. Sherrill  
 Louise S. Smith  
 Dean E. Trent  
 Edna Mae Turner  
 Janice Wagner  
 Christina L. Walden  
 Cline Edward Welch  
 Lisa C. White  
 Michael J. Williams  
 Naomi Hamilton  
 Natalie J. Owens  
 L. J. Boyer

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

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

DECEMBER 21, 1998

Ettie D. Brockley

Frank D. Gibson

Gloria Hobbs

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

22 AYE, 2 ABSENT

RESOLUTION NUMBER 1

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF December 19 98.

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

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of December 1998.

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

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

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

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

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

Duly passed and approved this 21 day of December, 1998  
Attested: Jeanie J. Hammon Date: 12/21/98 Date: \_\_\_\_\_  
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: Motion made by Comm. Gonce and seconded by Comm. Morrell to approve APPROVED 12/21/98 VOICE VOTE

**PUBLIC NOTICE**  
**SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS**

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, December 21, 1998 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) Consider a request by Eva Smith Heirs to rezone a tract of land located in the 9th Civil District on Allison Road approximately 6000 feet north of its intersection with U.S. Hwy. 11-E from A-1 to R-1 to permit the location of residential subdivision.
- (2) Consider a request by John Lisenby to rezone a tract of land located in the 13th Civil District on the east side of Pactolus Rd. approximately 1600 feet north of its intersection with Moreland Drive from R-1 to PRD to permit the location of a residential duplex.
- (3) Consider a request by Timothy W. Hall to rezone a tract of land located in the 8th Civil District on the south side of Massengill Park Rd. approximately 2800 feet west of its intersection with Enterprise Road from R-1 to R-2 to permit the location of a single-wide mobile home.
- (4) Consider a request by Frank Dodson to rezone a tract of land located in the 18th Civil District on the west side of S.R. 75 approximately 500 feet north of its intersection with Centenary Rd. from A-1 to PMD-2 to permit the location of industrial development.
- (5) Consider a request by Robert F. Ozier to rezone a tract of land located in the 2nd Civil District on the south side of Bristol Caverns Hwy approximately 400 feet east of its intersection with New Hickory Tree Rd. from A-1 to B-3 to permit the location of building of countertops and cabinets for sale.
- (6) Consider a request by Coy Williams to rezone a tract of land located in the 12th Civil District on the east side of Parker Hill Rd. approximately 240 feet north of its intersection with East Carters Valley Road from R-3A to B-3 to permit the location of auto parts sales.

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



**SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS**  
**December 21, 1998**

Consider the following:

- (1) **File # 10/98-7** A request by Eva Smith Heirs to rezone the property described below from A-1 to R-1:  
 Request approved 12/21/98 Roll call vote 22 aye, 2 absent.  
 "Being a tract of land located in the 9th Civil District on Allison Road approximately 6000 feet north of its intersection with U.S. Hwy. 11-E and further described as parcel 16.00 map 124 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 10/98-7, Eva Smith Heirs Request

Eva Smith Heirs requested that a tract of land located in the 9th Civil District on Allison Road approximately 6000 feet north of its intersection with U.S. Hwy. 11-E be rezoned from A-1 to R-1 to permit the location of residential subdivision.

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

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

- (2) **File # 11/98-1** A request by John Lisenby to rezone the property described below from R-1 to PRD:  
 Request approved 12/21/98 Roll Call vote 19 aye, 1 nay, 2 absent, 2 passed  
 "Being a tract of land located in the 13th Civil District on the east side of Pactolus Rd. approximately 1600 feet north of its intersection with Moreland Drive and further described as parcel 1.30 group A map 91D of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 11/98-1, John Lisenby Request

John Lisenby requested that a tract of land located in the 13th Civil District on the east side of Pactolus Rd. approximately 1600 feet north of its intersection with Moreland Drive be rezoned from R-1 to PRD to permit the location of a residential duplex.

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

Motion Hickam, second Belcher to approve the request. Vote in favor of the motion unanimous.

- (3) **File # 11/98-4** A request by Timothy W. Hall to rezone the property described below from R-1 to R-2:  
 Request approved 12/21/98 Roll Call 15 aye, 4 nay, 3 pass, 2 absent  
 "Being a tract of land located in the 8th Civil District on the south side of Massengill Park Rd. approximately 2800 feet west of its intersection with Enterprise Road and further described as the northernmost portion of parcel 34.00 map 96 of the Sullivan County Tax Maps paralleling Massengill Park Rd. 360 feet in depth."

The Planning Commission took the following action:

" File No. 11/98-4, Timothy W. Hall Request



Timothy W. Hall requested that a tract of land located in the 8th Civil District on the south side of Massengill Park Rd. approximately 2800 feet west of its intersection with Enterprise Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present and spoke in support of the request. No opposition was identified. Staff stated that numerous single wide mobile homes were located on Massengill Park Road but suggested the purpose of existing R-1 zoning was to stabilize and promote conventional stick built housing in the area. Staff offered no recommendation on the request.

Motion H. Barnes, second Hickam to approve the request based on existence of mixed residential land uses and absence of compelling opposition to the request. Vote in favor of the motion: H. Barnes, Hickam, Belcher, Mullins, S. Barnes, opposed: Brown. The motion carried 5 to 1.

- (4) File # 11/98-5 A request by Frank Dodson to rezone the property described below from A-1 to PMD-2:

Request approved 12/21/98 Roll call 22 aye, 2 absent.

"Being a tract of land located in the 18th Civil District on the west side of S.R. 75 approximately 500 feet north of its intersection with Centenary Rd and further described as parcel 94.40 map 79 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 11/98-5, Frank Dodson Request

Frank Dodson requested that a tract of land located in the 18th Civil District on the west side of S.R. 75 approximately 500 feet north of its intersection with Centenary Rd. be rezoned from A-1 to PMD-2 to permit the location of industrial development.

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

Motion H. Barnes, second S. Barnes to approve the request. Vote in favor of the motion unanimous.

- (5) File # 11/98-6 A request by Robert F. Ozier to rezone the property described below from A-1 to B-3:

Request approved 12/21/98 Roll Call 22 aye, 2 absent.

"Being a tract of land located in the 2nd Civil District on the south side of Bristol Caverns Hwy. approximately 400 feet east of its intersection with New Hickory Tree Rd and further described as parcel 15.00 map 39 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 11/98-6, Robert F. Ozier Request

Robert F. Ozier requested that a tract of land located in the 2nd Civil District on the south side of Bristol Caverns Hwy. approximately 400 feet east of its intersection with New Hickory Tree Rd. be rezoned from A-1 to B-3 to permit the location of building of countertops and cabinets for sale.

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

Motion Belcher, second H. Barnes to approve the request as recommended by staff. Vote in favor of the motion: Belcher, H. Barnes, Brown, Hickam; opposed: S. Barnes, Mullins. The motion carried 4 to 2.

- (6) File # 11/98-7 A request by Coy Williams to rezone the property described below from R-3A to B-3:

Request approved 12/21/98 Roll Call 22 aye, 2 absent

"Being a tract of land located in the 12th Civil District on the east side of Parker Hill Rd. approximately 240 feet north of its intersection with East Carters Valley Road and further described as parcel 48.00 group D map 12L of the Sullivan County Tax Maps."

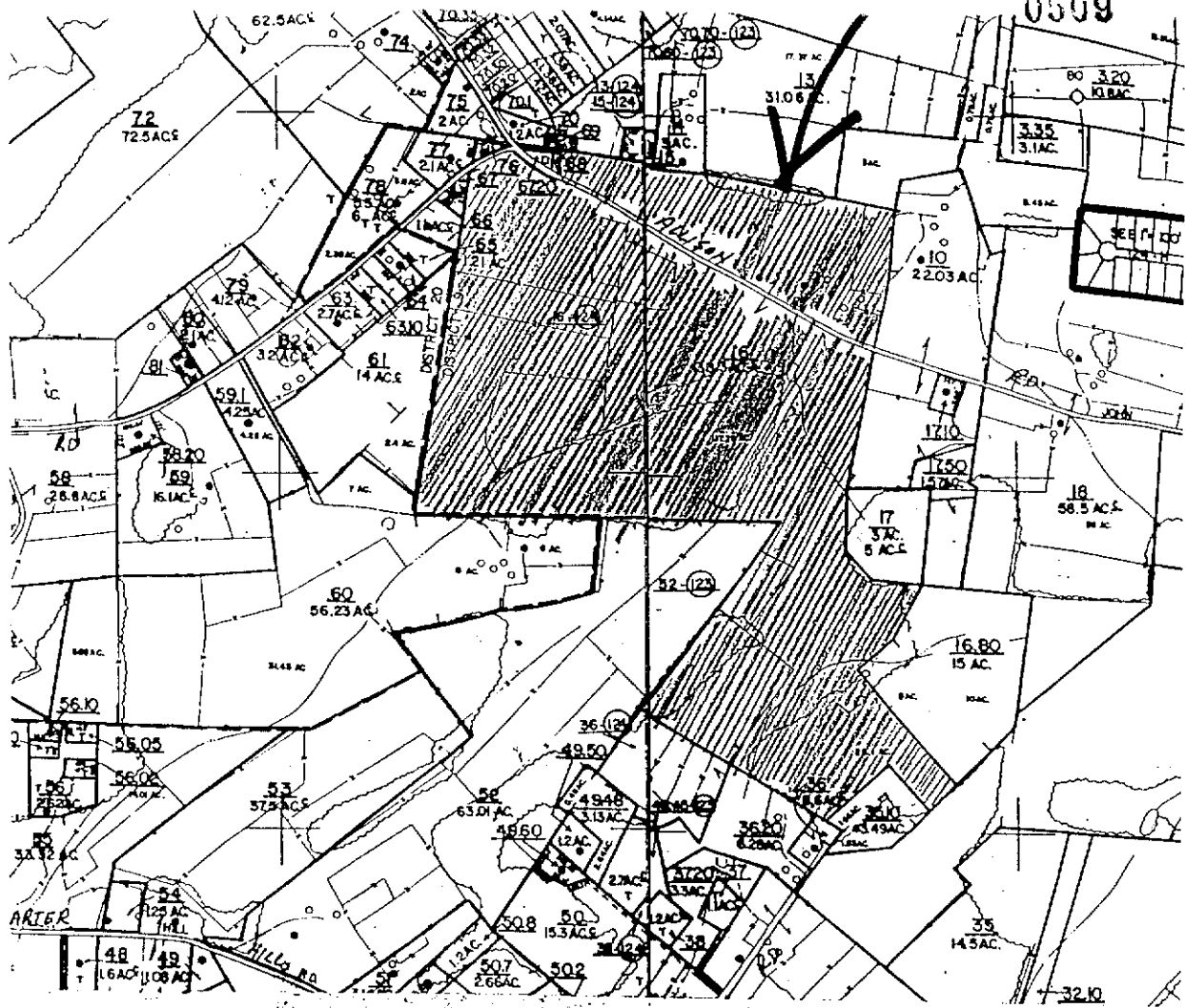
The Planning Commission took the following action:

" File No. 11/98-7, Coy Williams Request

Coy Williams requested that a tract of land located in the 12th Civil District on the east side of Parker Hill Rd. approximately 240 feet north of its intersection with East Carters Valley Road be rezoned from R-3A to B-3 to permit the location of auto parts sales.

The applicant was present and spoke in support of the request. Written opposition was submitted by property owner Jareen Hammons who stated the request would be intrusive and devalue residential property as well as negatively impact peace and quiet in the residential neighborhood. Staff stated the request was not compatible with existing zoning and land use patterns in the residential area and recommended the request be denied.

Motion Brown, second S. Bames to approve the request based on the perception that the area was in transition and the proposed zoning would be compatible with anticipated development. Vote in favor of the motion unanimous.



**REZONING REQUEST**  
 Sullivan County, Tennessee  
 From A-1 To R-1

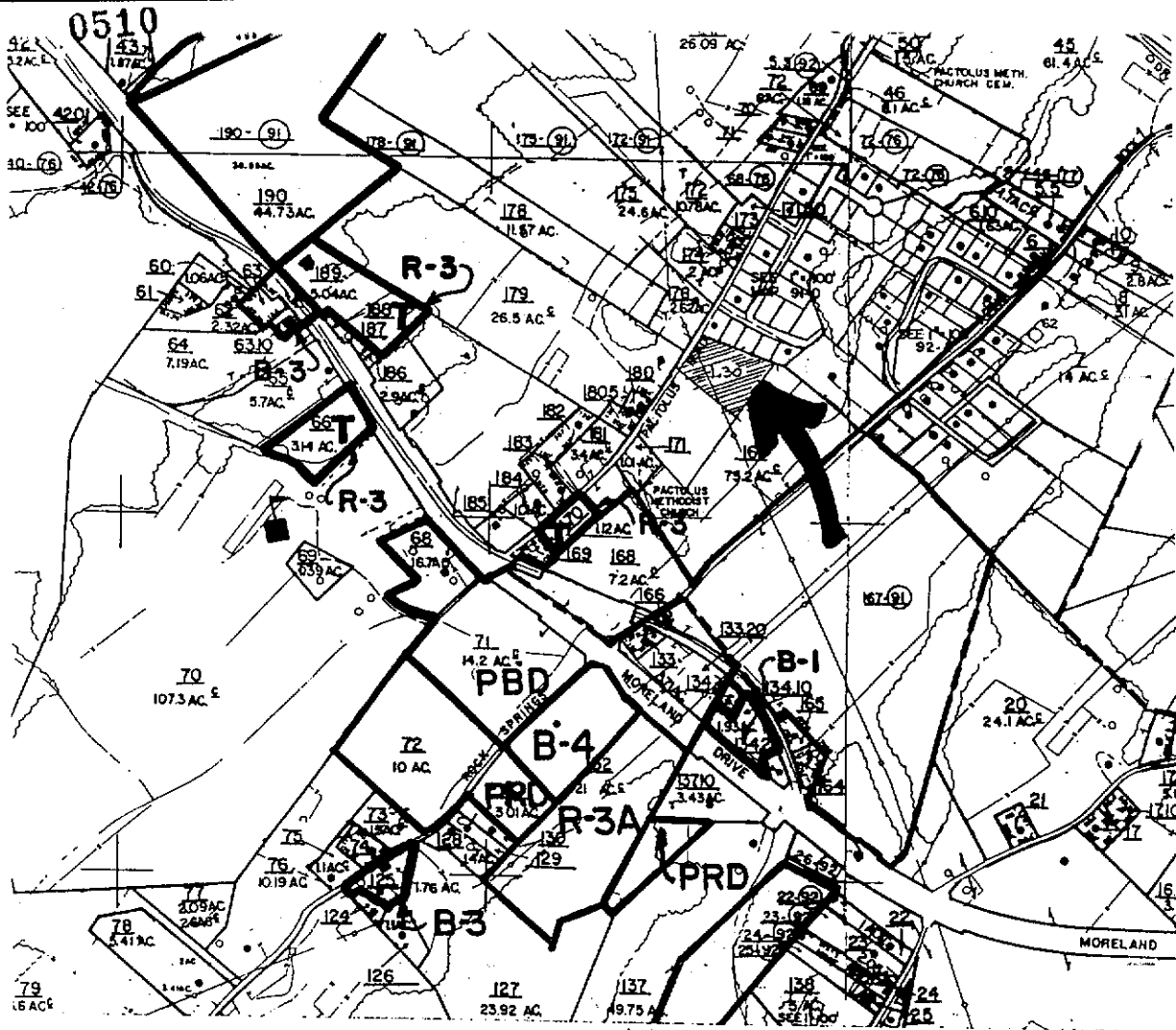
1" = 800'  
 Scale

Lot Size: 138 acres  
 Civil District: 9



October 20, 1998

File # 10/98-7



**REZONING REQUEST**  
 Sullivan County, Tennessee  
 From R-1 To PRD

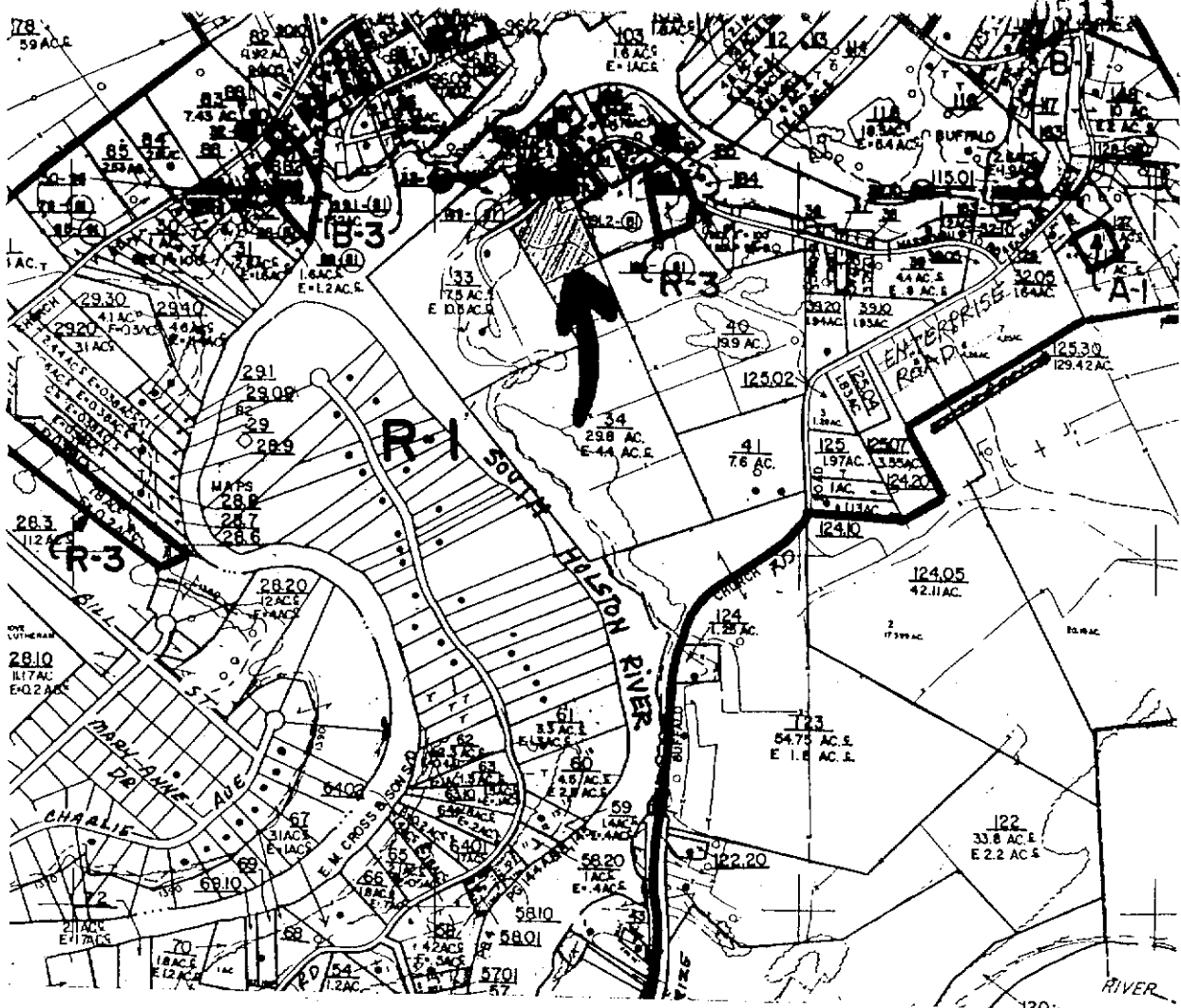
1" = 800'  
 Scale

Lot Size: 2.95 acres  
 Civil District: 13



November 17, 1998

File # 11/98-1



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

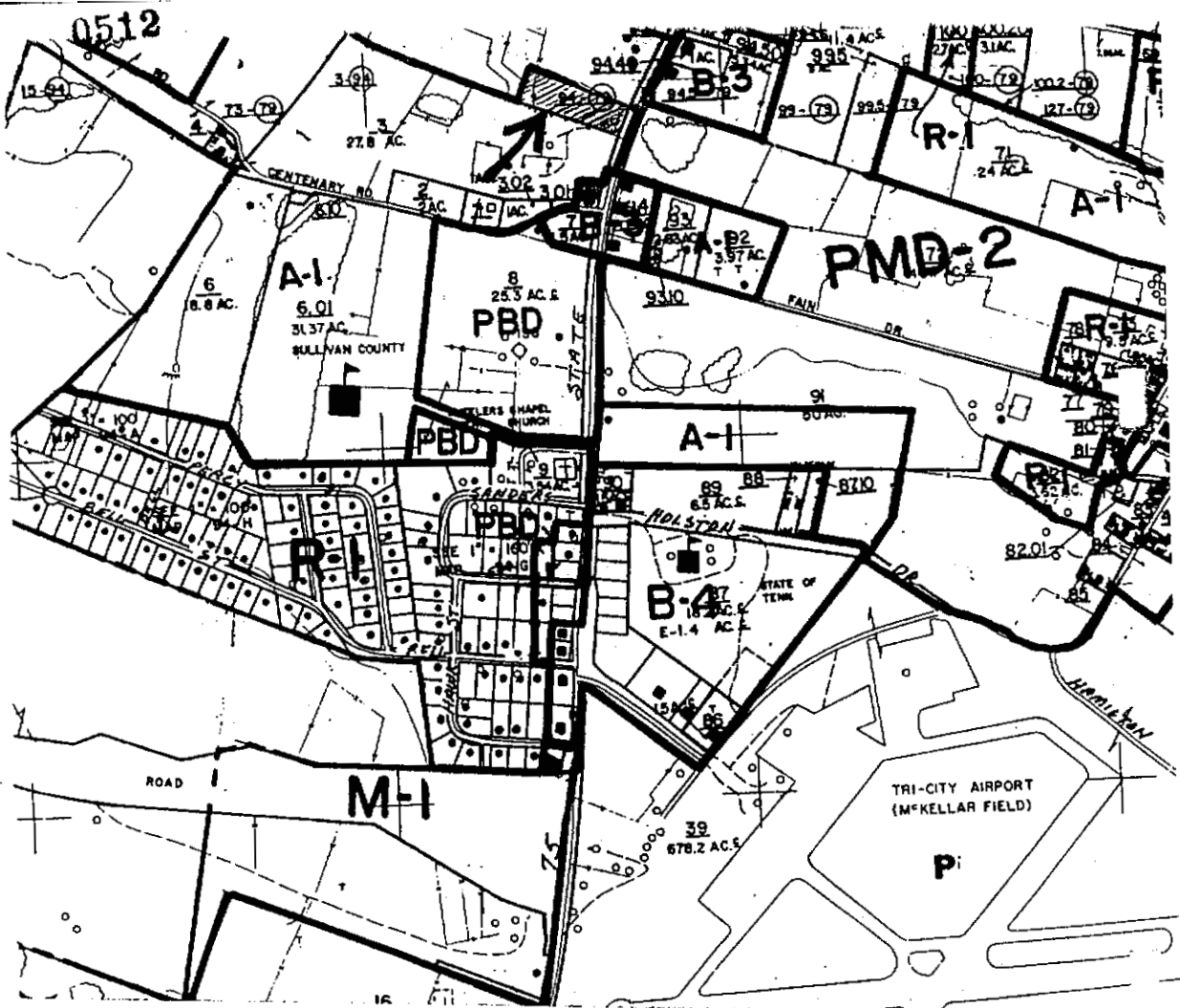
1" = 800'  
 Scale

Lot Size: 360 x 400 feet  
 Civil District: 8



November 17, 1998

File # 11/98-4



**REZONING REQUEST**  
 Sullivan County, Tennessee  
 From A-1 To PMD-2

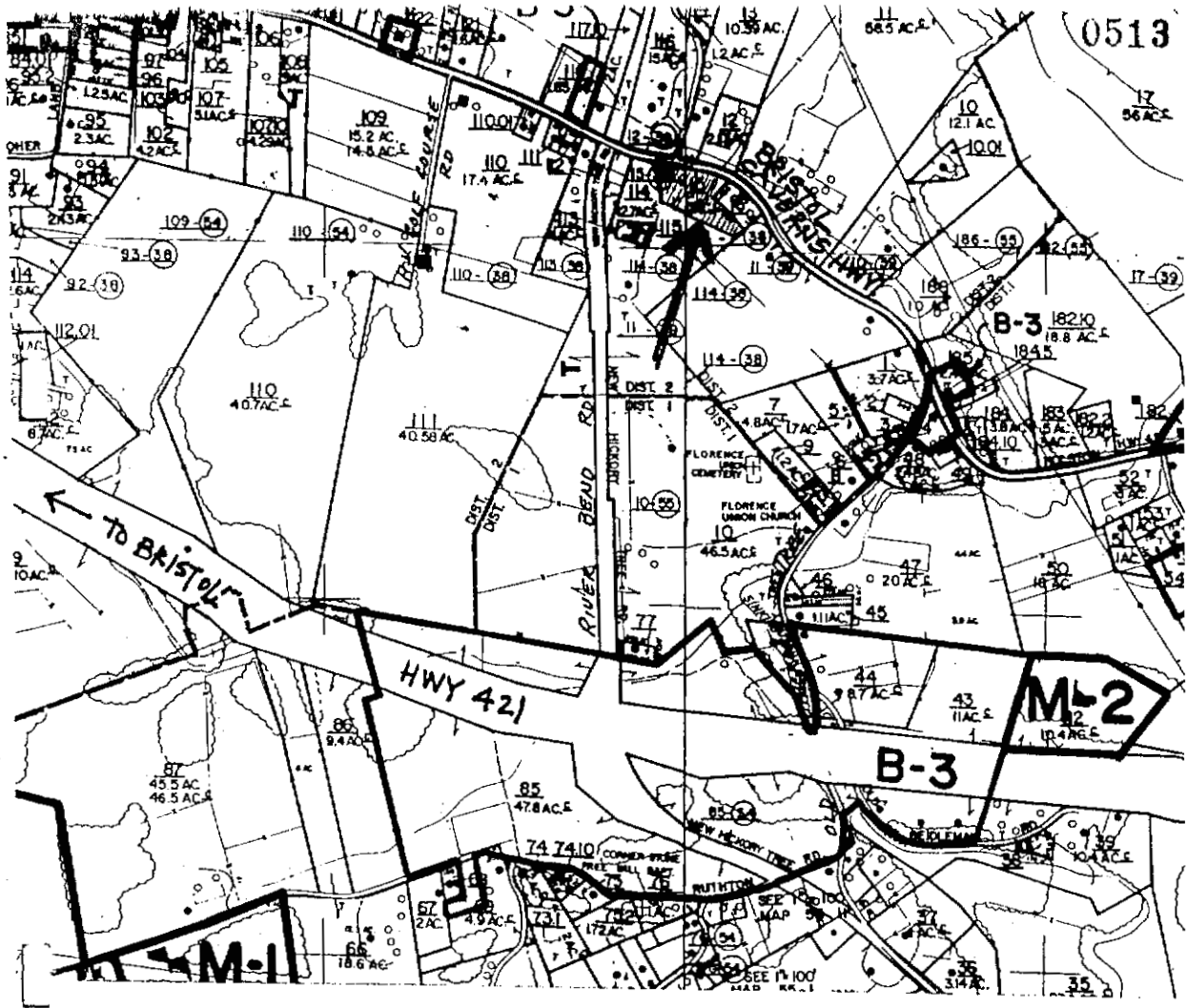
1" = 800'  
 Scale

Lot Size: 200 x 640 feet  
 Civil District: 18



November 17, 1998

File # 11/98-5



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

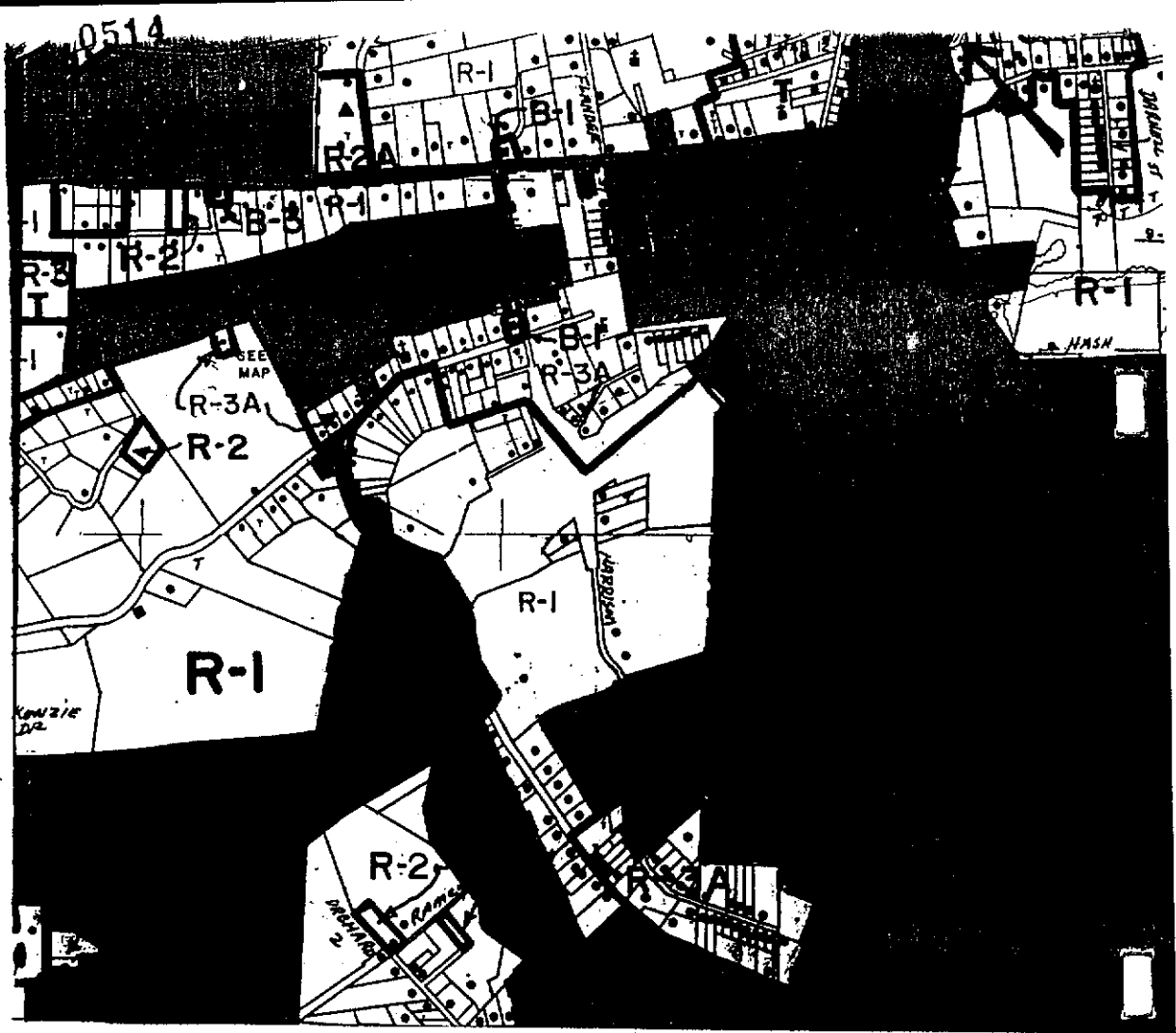
1" = 800'  
 Scale

Lot Size: 1.7 acre  
 Civil District: 2



November 17, 1998

File # 11/98-6



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

$\frac{1''}{800'}$   
Scale

Lot Size: 0.3 acre  
Civil District: 12



November 17, 1998

File # 11/98-7





TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19<sup>th</sup> DAY OF OCTOBER, 1998.

RESOLUTION AUTHORIZING Request to State Legislature to Amend Provisions of Tennessee Code Annotated §8-10-101(c) Relative to the Office of Constables

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 19<sup>th</sup> day of October, 1998;

WHEREAS, Tennessee Code Annotated §8-10-101(c) provides that the office of constable shall be abolished in counties having a population of one hundred fifty thousand (150,000) or more, but less than four hundred thousand (400,000) according to the most recent federal census; and \_\_\_\_\_

WHEREAS, it is projected that Sullivan County's population according to the census for the year 2000 will exceed one hundred fifty thousand (150,000) thereby abolishing the office of constable in Sullivan County; \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby request the state legislative body to amend the provisions of Tennessee Code Annotated §8-10-101(c) such that Sullivan County shall be excluded from the provisions of said statute.

(WAIVER OF RULES REQUESTED)

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

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

Duly passed and approved this 21 day of Dec., 1998.  
Attested: Jeanne F. Hammen Date: 12-21-98 \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER J. Carter ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER M. Gonce FUND: \_\_\_\_\_  
Patrick / Marrell

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: Motion to Table-Failed 10/19/98 DEFERRED 10/19/98  
DEFERRED 11/23/98 APPROVED ROLL CALL 12/21/98

RESOLUTION NO. 32-14 4

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19<sup>th</sup> DAY OF OCTOBER, 1998.

RESOLUTION AUTHORIZING Franchise to Marcus Cable Associates, L.P., a Delaware Limited Partnership

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 19<sup>th</sup> day of October, 1998;

WHEREAS, Sullivan County desire to grant a franchise to Marcus Cable Associates, L.P., a Delaware Limited Partnership, to build, construct, operate and maintain a cable television system in Sullivan County, Tennessee due to the previous franchise having expired, and hereby sets forth conditions accompanying the granting of this franchise;

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Sullivan County, Tennessee as follows:

Section 1 -- Title. This Resolution shall be known and may be cited as the Terms and Conditions of the Cable Television Franchise.

Section 2 -- Definitions. For the purpose of this Resolution, and when not inconsistent with the context, words used herein in the present tense include the future; words in plural include the singular, and vice versa. The word "shall" is always mandatory. The captions supplied herein for each section are for convenience only. Said captions have no force of law, are not part of the section, and are not to be used in construing the language of the section. The following terms and phrases, as used herein, shall be given the meaning set forth below:

(a) "County" or "Grantor" is Sullivan County, Tennessee, a County under the laws of the State of Tennessee, or any successor to the Legislative powers of the present County.

(b) "Grantee" or "Company" is Marcus Cable Associates, L.P., a Delaware Limited Partnership. It is the grantee of rights under this franchise.

(c) "Franchise" is the rights granted to any person by Sullivan County under the terms of this and any agreement entered into by and between Sullivan County, Tennessee, and such person according to the terms of this Code.

(d) "County Commission" is the governing legislative body of Sullivan County, Tennessee.

(e) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

(f) "Cable System" or "Cable Television System" means a system of coaxial cables or other electrical conductors and equipment used or to be used primarily to receive or transmit television or radio signals originated directly or indirectly or taken off the air and to transmit them to the subscribers for a fee.

(g) "CATV System" shall mean cable system.

(h) "Federal Communications Commission" or "FCC" is the Federal Commission or Agency created pursuant to the Communications Act of 1934 or its successor agency.

(i) "Channels" shall mean a portion of electro-magnetic frequency spectrum (or any other means of transmission, including, but not limited to, optical fibers) which is capable of carrying the equivalent of one (1) six Mega Hertz television broadcast signal and includes uses of all or any portion of such band of frequencies.

(j) "Basic Cable Service" means any service tier which includes the re-transmission of local television broadcast signals, which tier also meets the definition of Basic Service contained in 47 U.S.C. 543(b)(7).

(k) "Resolution" or "Franchise Resolution" means this Resolution which grants a franchise and defines the specific rights and obligations of each party pursuant to the general authority, powers and restrictions of this Resolution.

(l) "Streets" shall mean the surface of and all rights-of-way and the space above and below any public street, road, highway, bridge, freeway, lane, path, public way or place, sidewalk, alley, court, boulevard, parkway, drive, waterway, dock, wharf, pier, or easement now or hereafter held by the County for the purpose of public travel and shall include other easements or rights-of-way as shall be now held or hereafter held by the County which shall, within their proper use and meaning entitle the franchisee to the use thereof for the purposes of installing or transmitting cable television system transmissions over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments, and other property as may be ordinarily necessary and pertinent to a cable television system.

(m) "Year" means the remaining portion of any calendar year in which a franchise is granted. Thereafter, "Year" means a full calendar year.

### Section 3 -- Grant of Authority.

(a) The County warrants it has a right to issue a franchise and the Grantee, by acceptance, acknowledges and accepts the right of the County to issue the same.

(b) The County hereby grants to grantee, subject to the right of amendment as hereinafter provided, the right and privilege to construct, erect, operate and maintain, in, upon, along, across, above, over and under the streets, roads, alleys, public ways and public places now laid out or dedicated, and all extensions thereof, and additions thereto, in the County, poles, wires, cables, underground conduits, manholes, and other conductors and fixtures necessary for the maintenance and operation in the County of a cable system for the interception, retransmission, sale, and distribution of television signals, radio, data, or other electronic signals as may be deemed appropriate by the Grantee, upon the limitations, terms, and conditions in this resolution contained, as the same may be from time to time amended.

(c) The right to use and occupy said streets, roads, alleys, public ways and places for the purposes herein set forth shall not be exclusive when granted by the County.

### Section 4 -- Compliance With Applicable Laws.

(a) Grantee, at all times during the life of its franchise, shall be subject to all lawful exercise of the police power by the County. Unless otherwise prohibited by State or Federal law, or where jurisdiction has been or shall be conferred upon a State or Federal commission, board or body, the County reserves a right by resolution to regulate such cable system as to installation fees, if any; rates and charges to be paid by the subscribers for the service; the quality of service to be provided subscribers excluding channel line-up or content; and to adopt such other rules and regulations it may now or hereafter lawfully impose in keeping with and not in conflict with applicable State or Federal law, or the lawful rules and regulations heretofore or hereafter adopted by any Federal commission, board or body and/or any lawful State rules and/or regulations lawfully adopted by any State commission, board or body.

(b) Grantee, its successors and assigns granted a franchise hereunder shall be subject to lawful regulations heretofore or hereafter adopted by the Federal Communications Commission and should it now be or hereafter become subject to the jurisdiction of any other commission then also to the lawful rules and regulations adopted by such commission and also to the lawful rules and regulations adopted by any similar Federal commission or State regulatory body, having jurisdiction. If the Grantee, its successors or assigns, shall fail to comply with any material Federal and/or State statute, rules, regulations, orders or conditions lawfully vested under Federal law in any Federal regulatory body and/or rules, regulations, orders and conditions lawfully vested in any State regulatory body and/or rules, regulations, orders and conditions lawfully vested in the County, the County shall have the right to terminate or cancel any franchise granted hereunder after written notice to the Grantee to correct such failure or default and such failure or default shall continue for a period of time specified in such notice, not less than ninety (90) days.

Section 5 -- Franchise and Area. Any franchise granted hereunder relates to the present area within the boundaries of the County which is outside of the city or town limits of any incorporated places within the County.

Section 6 -- Services. The cable television system provided by the Grantee shall be capable of delivering 70 channels to all customers.

Section 7 -- Customer Service and Signal Quality Requirements. The Grantee shall:

(a) Comply with the technical standards provided by the Federal Communications Commission at 47 C.F.R. 76.601 through 76.609, as from time to time amended.

(b) Limit failures which leave 5 or more subscribers with no cable service to a minimum by locating and correcting such malfunctions properly and promptly, but in no event longer than twenty-four (24) hours after notice unless prevented by an act of God or causes beyond the control of the Grantee, e.g., power failure.

(c) Demonstrate by instruments or otherwise to subscribers that a signal of adequate strength and quality is being delivered.

(d) In the case of any outage from any cause in which one or more customers are completely without cable service for 24 hours or more, calculate a pro rata reduction in the charge for cable service, to be itemized and included in the next regular bill to the customer(s) involved.

(e) Comply with the Customer Service and Consumer Protection Standards at 47 C.F.R. 76.309, as from time to time amended by the Federal Communications Commission.

Section 8 -- Public, Educational & Governmental Access Channels and Emergency Broadcast Services Required.

(a) The Grantee shall provide, but without charge and subject to the rules and regulations of the Federal Communications Commission, public emergency broadcast capabilities whereby the County can interrupt service on all channels in order to make such public emergency communications as it deems necessary.

(b) Grantee shall reserve a minimum of one channel for public, educational and governmental (PEG) access use. With prior approval of the County, such channel(s) may be used by Grantee for other purposes when not required by PEG users. The County shall assume all responsibility for regulation and/or scheduling the use of the PEG channel(s) by any and all users.

Section 9 -- Indemnification. Grantee shall save the County harmless from all loss sustained by the County on account of any suit, judgment, execution, claim or demand whatsoever against the County resulting from negligence on the part of Grantee in the construction, operation or maintenance of its cable television system in the County; and for this purpose Grantee shall carry property damage and personal injury insurance with some responsible insurance company or companies qualified to do business in the State of Tennessee. The amounts of such insurance to be carried for liability due to property damage shall be \$1,000,000 as to any one occurrence; and against liability due to injury to or death of person, \$1,000,000 as to any one occurrence. The County shall notify Grantee, in writing, within ten (10) days after the presentation of any claim or demand, either by suit or otherwise, made against the County on account of any negligence as aforesaid on the part of Grantee. Where any such claim or demand against the County is made by suit or legal action, written notice thereof shall be given by the County to Grantee not less than five (5) days prior to the date upon which an answer to such legal action is due or within ten (10) days after the claim or demand is made upon the County, whichever notice period yields Grantee the larger amount of time within which to prepare an answer.

Section 10 -- Construction & Maintenance.

(a) All structures, lines and equipment erected by Grantee within the County shall be so located as to cause minimum interference with the proper use of streets, roads, alleys, public ways and places and to cause minimum interference with the rights or reasonable convenience of property owners.

Existing poles, posts, conduits, and other such structures of any electric power system, telephone company, or other public utility located in the County shall be used to the extent practicable in order to minimize interference with travel and avoid unnecessary duplication of facilities. The County shall actively assist Grantee to the fullest extent necessary in obtaining reasonable joint pole or conduit use agreements from the owners of existing poles or conduits. To the extent that existing poles, posts, conduits, and other such structures are not available, or are not available under reasonable terms and conditions, including excessive cost or unreasonable limitation upon the use of Grantee's cable television system, Grantee shall have the right to purchase, lease, or in any other manner acquire land, rights-of-way, or public utility easements upon or under which to erect and maintain its own poles, conduits, and other such structures as may be necessary for the construction and maintenance of its cable television system. Where all other existing utilities are underground, Grantee shall locate its facilities underground.

(b) In case of any disturbance by Grantee of pavement, sidewalk, driveway or other surfacing, Grantee shall, at its own cost and expense and in a manner approved by the County, replace and restore all paving, sidewalk, driveway or surface so disturbed in as good condition as before said work was commenced.

(c) Grantee shall, on the request of any person holding a building moving permit issued by the County, temporarily raise or lower its lines to permit the moving of the building. The expense of such temporary removal shall be paid by the person requesting the same, and Grantee shall have the authority to require such payment in advance.

(d) All poles, lines, structures and other facilities of Grantee in, on, over and under the streets, sidewalks, alleys, public utility easements and public grounds or place of the County shall be kept by Grantee at all times in a safe condition.

(e) When the County undertakes any reconstruction, realignment or any other work on County streets which would require relocation or modification of Grantee's poles, wires or other facilities, County shall notify Grantee, and Grantee shall be responsible for such relocations of Grantee's facilities.

RESOLUTION NO. 32144

Page Five

Section 11 -- Service Extension. Grantee agrees to extend its cables to provide additional service within the limits of Sullivan County so as to make the service available to all residential occupancies within the County which request such service, where such residential occupancies exist at a density of 25 homes per mile of service cable as measured from the nearest point of the existing System and the extension area is not served by another cable television operator. A standard installation, i.e., an aerial drop of 150 feet or less, will be done at normal rates. Non-standard installations, i.e. underground drops and aerial drops in excess of 150 feet, will be done on a time and material basis.

Section 12 -- Amendments & Supplemental Agreements. It shall be the policy of the County to amend the Franchise, upon application of the Grantee, when necessary, to enable the Grantee to take advantage of any development or developments in the field of transmission of television and radio signals which will afford it an opportunity to more efficiently, effectively or economically serve its customers. Provided, however, that this section shall not be construed to require the County to make any amendment.

Section 13 -- Maps, Plats & Reports.

(a) The Grantee shall file with the County Executive a true and accurate map or plat of all existing and proposed installations. Such map or plat shall be updated at least annually. Grantee shall also provide annually a map showing the areas where the Grantee anticipates cable service will be extended in the coming twelve months.

(b) The Grantee shall file annually with the County, or its designee, not later than ninety (90) days after the end of the company's fiscal year, a gross receipts statement certified by an officer of Grantee applicable to the operations within the County during the preceding twelve month period. There shall be submitted along with them such other reasonable information as the County shall request with respect to the Grantee's gross receipts.

(c) The Grantee shall at all times keep on file with the County Executive a current list of its partners and stockholders with an interest of 10% or greater, its officers and directors and bond holders.

Section 14 -- Franchise Term & Renewal. This franchise shall take effect and be in full force upon acceptance by Grantee as provided in Section 19, and the same shall continue in full force and effect for a term of fifteen (15) years. Renewals shall be accomplished as provided for in Federal law and regulations.

Section 15 -- Forfeiture. If Grantee should violate any material terms, conditions, or provisions of this franchise or if Grantee should fail to comply with any material provisions of any resolution of the County regulating the use by Grantee of the streets, alleys, public utility easements or public ways of the County, and should Grantee further continue to violate or fail to comply with the same for a period of ninety (90) days after Grantee shall have been notified in writing by the County to cease and desist from any such violation or failure to comply so specified, then Grantee may be deemed to have forfeited and annulled and shall thereby forfeit and annul all the rights and privileges granted by this franchise; provided, however, that such forfeiture shall be declared only by written decision of the County Commission after an appropriate public proceeding before the County Commission affording Grantee due process and full opportunity to be heard and to respond to any such notice of violation or failure to comply; and provided further that the County Commission may, in its discretion and upon a finding of violation or failure to comply, impose a lesser penalty than forfeiture of this franchise or excuse the violation or failure to comply upon a showing by Grantee of mitigating circumstances. Grantee shall have the right to appeal any finding of violation or failure to comply with any resultant penalty to any court of competent jurisdiction, as provided in 47 U.S.C. 555. In the event that forfeiture is imposed upon Grantee, it shall be afforded a period of six (6) months within which to sell, transfer, or convey this cable television system to a qualified purchaser at fair market value. During this six (6) month period, which shall run from the effective date of the final order or decision imposing forfeiture, including any appeal,

Grantee shall have the right to operate this cable television system pursuant to the provisions of this franchise.

Section 16 -- Surrender Right. Grantee may surrender this franchise at any time upon filing with the County Executive of the County a written notice of its intention to do so at least six (6) months before the surrender date. On the surrender date specified in the notice, all of the rights and privileges and all of the obligations, duties and liabilities of Grantee in connection with this franchise shall terminate. Further, should the Grantee, his and/or its successors and assigns discontinue the business for which this franchise is granted, all poles, wires, cables and other devices shall be removed without expense to the County, within ninety (90) days after demand for such removal is made by the County.

Section 17 -- Transfers. All of the rights and privileges and all of the obligations, duties and liabilities created by this franchise shall pass to and be binding upon the successors of the County and the successors and assigns of Grantee; and the same shall not be assigned or transferred without the written approval of the County Commission, which approval shall not be unreasonably withheld, in compliance with the requirements of 47 U.S.C. 537(e); provided, however, that this Section shall not prevent the assignment or hypothecation of the franchise by Grantee as security for debt without such approval; and provided further that transfers or assignments of this franchise between any parent and subsidiary corporation or between entities of which at least fifty percent (50%) of the beneficial ownership is held by the same person, persons, or entities shall be permitted without the prior approval of the County Commission.

Section 18 -- Franchise Fee. In consideration of the terms of this franchise, and in conformity with 47 U.S.C. 542, Grantee agrees to pay the County a sum of money equal to three percent (3%) of the gross annual receipts from basic cable service charges plus any additional service tier, any new product tier, and a la carte tiers received by Grantee from its subscribers in that portion of Sullivan County covered by this franchise, but not including charges for connections, disconnections and other charges which are normally nonrecurring in character. Such sum shall be payable quarterly, no later than the 30<sup>th</sup> of the month following the end of the quarter. This payment shall be in addition to any other tax or payment owed to the County by Grantee, including ad valorem and business taxes.

Section 19 -- Effective Date and Acceptance. This Resolution shall become effective upon passage and, after acceptance by Grantee, shall then be and become a valid and binding contract between the County and Grantee; provided, however, that this Resolution shall be void unless Grantee shall, within ninety (90) days after the final passage of this Resolution, file with the County Executive of the County a written acceptance of this Resolution and the franchise herein granted, agreeing that it will comply with all of the provisions and conditions hereof and that it will refrain from doing all of the things prohibited by this Resolution.

Section 20 -- Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any Federal or state court or administrative or governmental agency of competent jurisdiction, specifically including the Federal Communications Commission, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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.



RESOLUTION NO. 32-194  
Page Seven

Duly passed and approved this 21 day of Dec, 1998.

Attested: James F. Dammann Date: 12/21/98 \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER M. Vance ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER B. Boyd FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: First Reading FIRST READING 10/19/98 DEFERRED 11/23/98  
APPROVED ROLL CALL 12/21/98

RESOLUTION NUMBER 36-155

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

RESOLUTION AUTHORIZING Road Improvement Funding for Various Roads in Sullivan County

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19th day of October 1998.

THAT WHEREAS, Several roads were approved by Resolution or petitions from Sullivan County residents for road improvement before Island Road, and

WHEREAS, An engineering study for these roads should be funded at the same level as Island Road, and

WHEREAS, These road projects are essential for safe development and growth in Sullivan County. (See the attached list of roads recommended for improvement and the estimated cost of funding detailed engineering of the same. Island Road is included in this list).

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the detailed engineering fund of \$914,400.00 from Undesignated Fund Balance, Account 39000,000.

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

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

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

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

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 10/19/98 DEFERRED 11/23/98  
WITHDRAWN 12/21/98

Attachment  
Res # 36755

### Requested Major Road Improvements

Roads	Civil	Length	Est. Eng. Cost	Method	yr
Skelton Bluff Road	11	0.95	28,025	petition	93
Bloomington Road	10 11	9.50	280,250	resolution 2nd	8/21/95
East Carter Valley Road (widen)	12	0.70	20,650	petition	97
Cedar Lane	1	0.30	8,850		
Hospital Road (126 to Meadowview)	5	1.00	29,500		
Kendricks Hollow Road (widen)	5	0.60	17,700		
Hartown Road	6, 7	3.70	109,150		
Island Road (from SR-126 to Hartown Rd)	7	2.00	59,000	resolution	6/18/98
Rock Lane (11E to Industrial Park)	9	0.60	17,700		
Montana Street	11	0.30	8,850		
Sunny Lane	11	0.30	8,850		
Promise Lane	12	0.40	11,800		
Reservoir Road (I-181 to SR- 347)	13	5.00	147,500		
Rock Springs Road (SR-347 Cox Hollow road to Snapps Ferry)	13	2.00	59,000		
Fordtown Road (from Kendricks Creek to Industrial Park)	14	0.50	14,700		
Green Hills Dr. (Possible extension to Lebanon road)	14	0.50	14,700		
Lebanon Road (3 lane from Ft. Henry to Col. Hgts. Sch.)	14	1.00	29,500		
Sells Road (widen)	16	1.65	48,675		
<b>Total</b>		31	914,400		

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF October 1998.

RESOLUTION AUTHORIZING Opposing Placement of the Old Sheriff's Home on the National Register

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19th day of October 1998.

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners go on record as being opposed to the placement of the Old Sheriff's Home on the National Register and further, that in the event the grant funding which the County has applied for is not awarded, the building will be razed and that area utilized for parking for county employees.

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

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

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

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

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: FIRST READING 10/19/98 DEFERRED 11/23/98  
TABLED 12/21/98 VOICE VOTE Motion made by Houser 2nd by Belcher

RESOLUTION NO. 33 9

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 23rd DAY OF NOVEMBER, 1998.

RESOLUTION AUTHORIZING CONTINUED PARTICIPATION IN JUVENILE CORRECTION FACILITY

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 23rd day of November, 1998;

WHEREAS, THE UPPER EAST TENNESSEE JUVENILE DETENTION CENTER IS OVERCROWDED AND OUTDATED, AND

WHEREAS, AFTER CAREFUL REVIEW BY SULLIVAN COUNTY JUVENILE AUTHORITIES, IT WAS DETERMINED TO BE ADVANTAGEOUS FOR SULLIVAN COUNTY TO CONTINUE PARTICIPATION IN THE JOINT ORGANIZATION, AND

WHEREAS, THE PRESENT CONTRACTOR FOR THIS FACILITY HAS OFFERED TO FINANCE THE NECESSARY IMPROVEMENT TO THE FACILITY, AND

WHEREAS, THE PARTICIPATING COUNTIES NEED TO PURCHASE ADDITIONAL LAND FOR THE FACILITY TO BE EXPANDED ON,

NOW THEREFORE BE IT RESOLVED, THAT THE COUNTY EXECUTIVE BE AUTHORIZED TO SIGN THE NECESSARY PAPER WORK TO CONTINUE PARTICIPATION AND

THEREFORE, FUNDS OF \$120,000 NEED TO BE APPROPRIATED FROM FUND 101 39000 TO AN ACCOUNT TO BE ASSIGNED BY THE DIRECTOR OF ACCOUNTS AND BUDGETS FOR SULLIVAN COUNTY'S PARTICIPATION IN THE PURCHASE.

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 21 day of December, 19 98

*James J. Hammond* Date: 12/21/98  
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	2	1	2	
Voice Vote					

COMMENTS: FIRST READING 11/23/98 APPROVED 12/21/98 ROLL CALL

RESOLUTION NUMBER 11

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF December 19 98.

RESOLUTION AUTHORIZING Wage Increase for Sullivan County Employees Who did not Receive the Equivalent of .25 Per Hour Effective July 1, 1998

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 21st day of December 1998.

THAT WHEREAS, In the FY 1998-99 Budget, the Board of Commissioners approved a 2% wage increase retroactive to July 1, 1998; however, employees whose hourly wage was less than \$12.50 per hour received less than \$.25 per hour increase;

NOW, THEREFORE BE IT RESOLVED, That the hourly wage be adjusted for those employees who received less than \$.25 per hour [effective July 1, 1998] and that funds be appropriated for this purpose from Undesignated Fund Balance, Acct. No. 39000 to amend the budgets in the following funds:

GENERAL FUND	\$27,200.00
HIGHWAY FUND	\$16,588.00
SANITATION FUND	\$ 2,175.00
HEALTH FUND	\$ 4,286.00
TOTAL	\$50,249.00

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 21 day of December, 19\_\_ 98

*Jeanette J. Gammon*  
Attested: \_\_\_\_\_  
County Clerk

Date: 12/21/98 \_\_\_\_\_ Date: \_\_\_\_\_  
County Executive

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Belcher/Houser/Milhorn/Patrick FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20	2		2	
Voice Vote					

COMMENTS: APPROVED 12/21/98 Roll Call WITHOUT ATTACHMENT

RESOLUTION NUMBER 12

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF December 1998.

RESOLUTION AUTHORIZING Requesting the Tennessee Valley Authority to Extend the Season for the Normal Summer Pool Level of Boone, Fort Patrick Henry and South Holston Lakes.

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 21st day of December 1998.

THAT WHEREAS, Boone, Fort Patrick Henry and South Holston Lakes are important recreational facilities that serve to strengthen the economy of Sullivan County with it's three cities of Bluff City, Bristol, and Kingsport; and

WHEREAS, The economic consequences of the early drawdown of lake levels by TVA are far reaching. Ultimately businesses such as grocery stores, restaurants, clothing and hardware stores and businesses servicing other recreational needs are adversely affected. Additionally the tourism industry experiences a significant economic impact since there are commercial docks, a state park, a city park, county parks, private campgrounds, as well as numerous public access areas, located within the expanse of these three reservoirs;

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners requests the Tennessee Valley Authority to extend the normal summer pool level season on Boone, Fort Patrick Henry and South Holston Lakes.

FURTHER BE IT RESOLVED, That a copy of this Resolution be transmitted to the Board of Directors of the Tennessee Valley Authority.

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

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

Duly passed and approved this 21 day of December, 1998

*Jeanette J. Hammer* Date: 12/21/98 \_\_\_\_\_ Date: \_\_\_\_\_  
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Carter/Jones/Mason/Morrell FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: APPROVED 12/21/98 Voice Vote

# Sullivan County

Gil Hodges  
County Executive



P.O. BOX 509  
BLOUNTVILLE, TENNESSEE  
37617  
PHONE  
615 / 323-6417

July 22, 1998

Mrs. Wanda O'Neal  
Davis Boat Dock  
545 Beechwood Road  
Kingsport, TN 37663

Dear Mrs. O'Neal:

Sullivan County is planning to join the effort of six other North East Tennessee counties in studying the economic and environmental impact of maintaining higher lake levels for a longer period than the time frame currently observed by the Tennessee Valley Authority.

I will appreciate your providing information relative to the economic impact on your business if TVA would allow the water level to remain high through the end of September. If these projected figures could be received as soon as possible, they would be very helpful in our study.

Your cooperation is greatly appreciated.

Sincerely,

Gil Hodges  
County Executive

GH:sg

*We believe we would benefit at least 6700.00.*

*2500 - Dock  
2000 - Food  
200 - Ramp  
2000 - Gas*

*if the lake level was maintained longer -  
(thru September) Wanda O'Neal*



**SPORTSMAN  
BOAT DOCK, INC.**

452 Sportsman Dock Road  
Piney Flats, TN 37686



July 31, 1998

Dear Mr. Hodges:

We are writing this letter to address the seasonal water levels of Boone Lake. We own Sportsman Boat Dock, a marina located on Boone Lake. Because of insufficient water levels, we begin the seasonal close of our marina the day after Labor Day. Normally, we remain closed until March 1<sup>st</sup> of the following year. This year the Tennessee Valley Authority (T.V.A.) kept the water levels down an extra month to enable the building of the Bluff City bridge. The low water level, combined with the poor weather conditions, prevented full use of our marina. By our best estimate, this cost our business at least \$25,000.00.

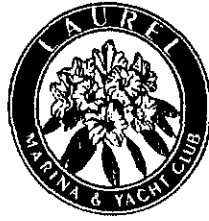
When the water levels are down, most of our docks are on dry ground. Sullivan County taxes our docks at the full rate year-round (though they are useless five months of the year). We have permits and plans to build two more docks and facilities at a cost of \$250,000.00, but we are beginning to reconsider these plans. If the T.V.A. would maintain an extra ten feet of water in Boone Lake during the winter months, and delay the pulling of the lake in fall, we would stay open year round. We believe the other marinas would also remain open, generating millions of dollars in income and providing many jobs for the three-lake area.

We would need at least two employees during the winter months to operate. We estimate our business would generate \$20,000.00 in dock rental fees and \$25,000.00 in store and gasoline income. This would allow us to lower our prices and fees to attract more people to the lake year round. The State of Tennessee would also benefit from the increased tax revenue.

We would appreciate any assistance in making these changes. It is our hope to be able to operate a year-round marina.

Sincerely,

Robert L Raver (President)  
Priscilla D. Raver (Vice-President)  
Sportsman Boat Dock, Inc.



August 17, 1998

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

Dear Gil:

I apologize for getting back to you this late, but I wanted to get input from the other marina owners on South Holston lake.

The major factors affecting the economic impact on our area TVA lakes for recreational use are the weather, temperature, and the lake levels. The lake level is the only factor man has the ability to control.

If the South Holston lake level could be held within a fluctuation range of 15 feet (1715' to 1730' sea level) from approximately April 15<sup>th</sup> to October 15<sup>th</sup> the problem would be solved for most recreational lake users. Unfortunately, TVA has always started the major draw down on South Holston lake August 1<sup>st</sup>, and the Boone lake draw down starts September 1<sup>st</sup>. TVA seems to have no problem managing their targeted winter lake level on South Holston lake within a 10 foot fluctuation range from 1693' to 1703' unless they are working on the Dam, experiencing a drought, or some other unusual situation that may develop.

The economic impact on businesses servicing boaters and campers on South Holston lake is significant. Following are conservative estimates based on the number of customers that have boats at the marinas and campgrounds on South Holston lake:

Laurel Marina & Yacht Club	450 boats
Painter Creek Dock	300 boats
Lakeview Dock	300 boats
Friendship Marina & Resort	275 boats
Sportsman's Marina	175 boats
Private Campgrounds (7)	350 boats
Sullivan Co. Ob Knob Park	75 boats
Washington Co., VA Park	75 boats

=====  
Total: 2000 boats moored or stored at Marinas and Campgrounds

It is estimated that at least 40% of these boats come from the coalfields or out of the local area. They will average at least two (2) weekends per month when the lake is up, and many families stay from a week to a month at a time while the spouse commutes. These families say they average spending \$250 to \$500 per weekend when they come to the lake to boat and camp. They spend weekly \$100 to \$200 on boating and camping supplies, and \$150 to \$300 on eating out, entertainment, and shopping for groceries, hardware, clothing and other items that are less expensive here than where they live in the coalfields. Also, they buy boats, campers, related accessories, and vehicles not calculated in this estimate.

Dealership  
(423) 878-5656

Highway 421 Bridge • P.O. Box 1646 • Bristol, TN 37621

Marina  
(423) 878-3721

When the lake drops below 1715' customers stop coming because it is too difficult to climb the banks.

Assume 2000 boaters and campers X 40% coalfield customers = 800 non resident boaters and campers that average spending \$375 per weekend for an average of two (2) weekends per month during the potential six (6) month season. This results in  $(800 \times \$750 = \$600,000)$  per month a potential of \$3,600,000 of sales for our community from April to October from customers outside the local community that come to this area to use South Holston lake.

It is estimated that approximately another 3000 boaters and campers that trailer their recreational vehicle (boat or camper) in addition to the remaining 1200 moored or stored at the above facilities use South Holston lake at least one weekend per month for the six (6) month season. If they average spending an average of only \$100 per weekend, their gross sales will total  $(6 \text{ weekends} \times \$100 \times 4200 \text{ boaters \& campers})$  \$2,520,000 for the six month season.

The total gross income potential for the current South Holston lake boaters and campers customer base from April 15<sup>th</sup> to October 15<sup>th</sup> is conservatively \$6,000,000. The prime months are June, July, and August, with May and September as the next strongest usage months. Sales are significantly lower the last two weeks of April and the first two weeks of October due to the temperature and kids in school.

Estimated Sales Potential by Month:

April 15 <sup>th</sup> to April 30 <sup>th</sup> :	\$ 200,000
May 1 <sup>st</sup> to May 30 <sup>th</sup> :	\$ 750,000
June 1 <sup>st</sup> to June 30 <sup>th</sup>	\$1,750,000
July 1 <sup>st</sup> to July 31 <sup>st</sup>	\$1,500,000
August 1 <sup>st</sup> to August 31 <sup>st</sup>	\$1,300,000
September 1 <sup>st</sup> to September 30 <sup>th</sup>	\$ 400,000
October 1 <sup>st</sup> to October 15 <sup>th</sup>	\$ 100,000
	=====
Total	\$6,000,000

Therefore, when the South Holston lake drops some in July as it has in some years, and then dramatically starts dropping in August and September, recreational sales drop as much as half. The result is a loss of at least \$1,000,000 from August 1<sup>st</sup> through October 15<sup>th</sup> in a normal year.

TVA records indicate the lowest months for rainfall in this region are August, September, and October. TVA would still have 60 to 90 days to drop the lake to it's scheduled draw down level of 1693' to 1703' for flood control purposes before they start holding the lake in January.

Hopefully, TVA will find a way to keep the lake levels higher into the late summer and possibly early fall without having a negative impact on their ability to generate electricity, maintain safe flood control levels, and keep the Tennessee River at acceptable levels for barge traffic.

If you have any questions please contact me anytime.

Thank you for asking for our input.

Sincerely,

*Dale*

Dale T. Thomas, Owner

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st OF December 19 98.

RESOLUTION AUTHORIZING Sullivan County School Department amending 1998-99 Budget for General Purpose School to meet county wide pay increase for hourly employees in the amount of \$68,000.00.

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 21st day of December 19 98.

THAT WHEREAS. The Sullivan County Board of Commissioners is authorizing an increase for some employees in which a 2% pay increase for the Fiscal Year 1998 - 99 was less than a quarter on the hour pay increase, and

WHEREAS, the Sullivan County School Board has approved amending the 1998-99 School Budget for the purpose of making these adjustments in the hourly scale, now

THEREFORE BE IT RESOLVED, that the Sullivan County Board of Commissioners approve amending the 1998-99 School Budget to various personnel and benefit accounts within the General Purpose School Budget by appropriating \$68,000.00 from the General Purpose School Undesignated Fund Balance. This hourly wage adjustment is retro - active to July 1, 1998.

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 21 day of December, 1998.

James J. Hammel County Clerk

Date: 12-21-98

Date: \_\_\_\_\_ County Executive

INTRODUCED BY COMMISSIONER M. Hyatt ESTIMATED COST: \$68,000.00
SECONDED BY COMMISSIONER B. King, D. Houser FUND: General Purpose School

Table with 5 columns: Committee Action, Approved, Disapproved, Deferred, Date. Rows: Administrative, Budget, Executive.

Table with 6 columns: Commission Action, Aye, Nay, Pass, Absent, Total. Rows: Roll Call, Voice Vote.

COMMENTS: APPROVED 12/21/98 ROLL CALL

RESOLUTION NUMBER 14

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF December 1998.

RESOLUTION AUTHORIZING Renaming Portions of SR-37 Affected by Construction of Highway 394

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 21st day of December 1998.

THAT WHEREAS, The construction of Highway 394 has divided State Route 37 into several sections of roadway which need to be renamed to avoid navigational confusion,

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes three sections of State Route 37, divided by the construction of Highway 394, to be renamed as follows:

SECTION No. I

BLOUNTVILLE BOULEVARD - Beginning at Highway 126, passing in front of the Sullivan County Library and the Fire Department down to Highway 394.

SECTION No. II

FEATHERS CHAPEL ROAD - Beginning at Highway 394 (near Estep Transmission) and continuing past the golf course.

SECTION No. III

SUMMER HILLS DRIVE - Extending from Highway 394 to Summer Hills <sup>amend</sup> Subdivision.

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

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

Duly passed and approved this 21 day of December, 1998

Presented: Jeanne T. Hammen Date: 12/21/98 Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER McConnell ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Blalock FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: APPROVED 12/21/98 ROLL CALL AMENDED TO LEAVE OFF THE "S" IN SUMMERHILL

**SULLIVAN COUNTY ENHANCED 9-1-1**EMERGENCY COMMUNICATIONS DISTRICT  
P.O. BOX 485, BLOUNTVILLE, TENNESSEE 37617*Attachment  
Res # 14*IKE D. LOWRY  
DIRECTOR**EMERGENCY  
9-1-1**Sheriff • Fire • Rescue Squads  
Police • Ambulance • Lifesaving Crews(423)-323-9111  
(423) 279-7600  
Fax: (423) 279-7607SUZANNE ROGERS  
MANAGER  
ADDRESSING / MAPPING / CAD

DATE: December 1, 1998

TO: Sullivan County Commission

FROM: Suzanne L. Rogers, Address Coordinator

SUBJECT: Renaming of portions of State Route 37 affected by the construction of Highway 394.

The construction of Highway 394 has divided State Route 37 up into several different sections of roadway which need to be renamed. To leave them as State Route 37 is not an option because it would create navigational confusion, as the road is no longer continuous. The name Old State Route 37 was ruled out to avoid debate over which newly divided section would use this name. Questionnaires were sent to all residents along these sections of road with suggestions for new street names. The results of the questionnaires are as follows.

1. The portion of roadway starting at Highway 126, passing in front of the library and fire department down to Highway 394 was given several different suggestions for names. The majority of the 42 residents who responded to the questionnaires requested that the street contain the name "Blountville". The most frequently submitted name was Blountville Boulevard, therefore it is the name proposed for this section of roadway.
2. The name suggested for the portion of roadway starting at Highway 394 (near Estep Transmission) and continuing down past the golf course was Feathers Chapel Road, in honor of one of the oldest churches in the area. Since this section includes residents in both Sullivan County and Bristol City, questionnaires were sent by both entities. The results indicated that the majority of the 19 affected residents were in favor of this name.
3. The third section of roadway extends from Highway 394 out to Summer Hills Subdivision. The majority of the 12 residents along this section have agreed on the name Summer Hills Drive. This name does not necessarily make them part

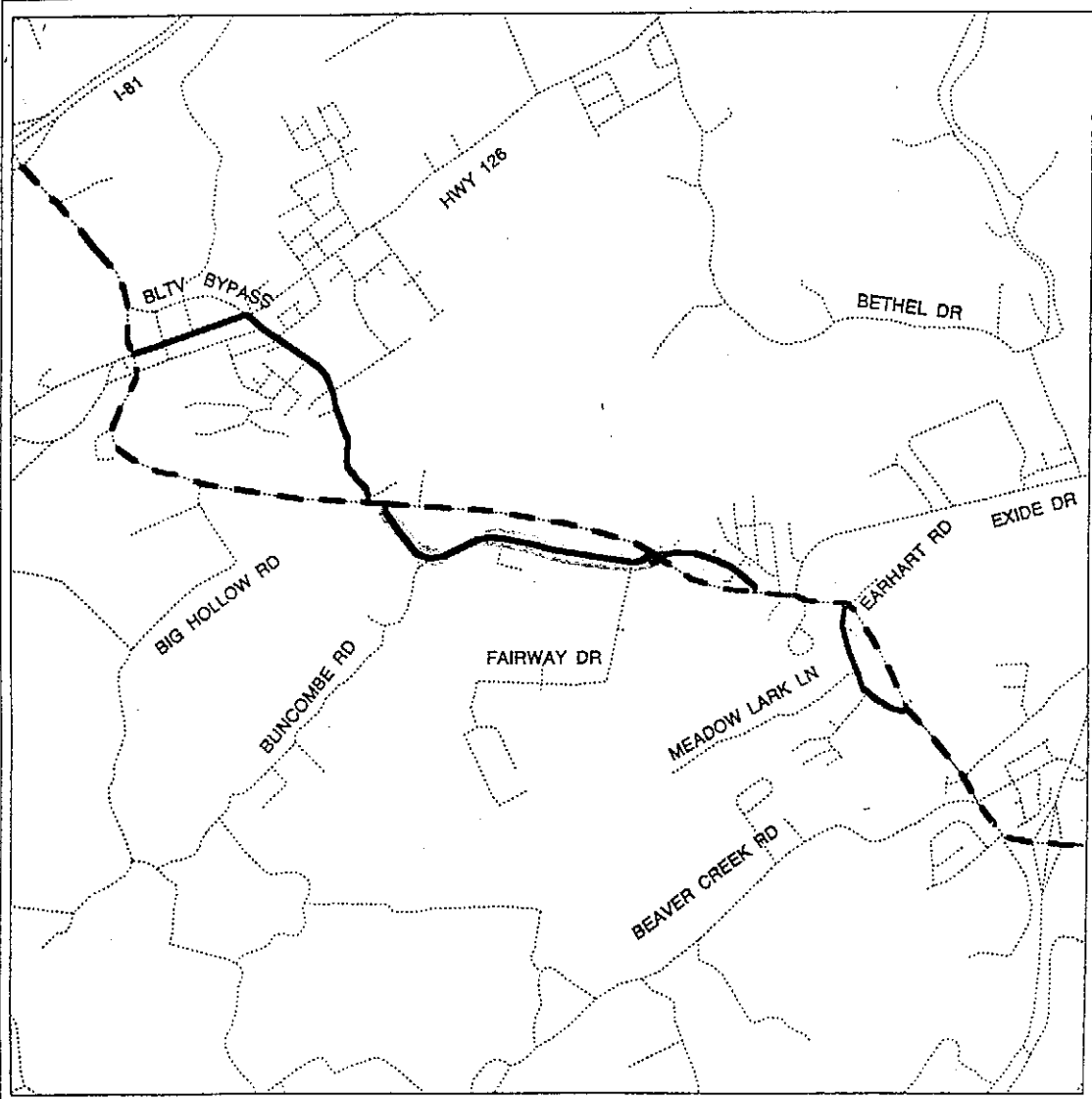
of the subdivision, it was merely suggested as an easy way to identify their location.

*Attachment  
Rev # 14*

The attached map further illustrates the location of the roadways in question.

The renaming of these roadways and the subsequent changing of property addresses, in conjunction with Bristol City, is proposed to go into effect on Monday January 4, 1999. Your attention to this matter would be greatly appreciated.

0538



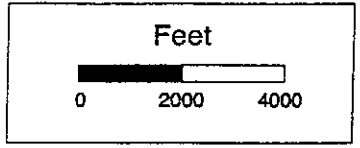
**STREET RENAMING  
REPLACEMENT OF  
SR 37 WITH SR 394  
BRISTOL/SULLIVAN CO**

- Blountville Blvd.
- Feathers Chapel Rd.
- Summer Hills Dr.

**OLD SR 37  
IN SOLID BLACK**

**NEW SR 394  
IN DASHED BLACK**

*Attachment  
Row 25 1/2*





RESOLUTION NUMBER 15

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF December 1998.

RESOLUTION AUTHORIZING NO PARKING Signs on Cranshaw Drive Extension - 13th C.D.

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 21st day of December 1998.

THAT BE IT RESOLVED, That NO PARKING signs be placed on Cranshaw Drive Extension as recommended in correspondence from the Sullivan County Highway Department and petition attached hereto.

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

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

Duly passed and approved this 21 day of December 1998

*Jeanette J. Gammon* Date: 12/21/98 Date: \_\_\_\_\_  
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17	1	2	4	
Voice Vote					

COMMENTS: APPROVED 12/21/98 ROLL CALL

0540

**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

December 11, 1998

*Attachment  
Rev # 15*

COMMISSIONERS: Eddie Williams  
Fred Childress

Dear Commissioners:

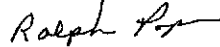
I would like to request that you consider passing the following resolution:

NO PARKING signs be placed on Cranshaw Drive Extension.

This is in the 13<sup>th</sup> Civil District.

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

Sincerely,



Ralph Pope  
Traffic Coordinator

RP/jb

C: Shirley Gurganus

PETITION

Attachment  
Res # 15

To Have no parking in Pavement SIGN  
PUT UP ON CRANSHAW DRIVE EXT CARS OR  
BLOCKING 1-ONE LANE OF ROAD

Name	Address
John & Kathryn Huxley	1402 CRANSHAW DRIVE EXT.
Ellis & Karen Robinson	1404 CRANSHAW DRIVE EXT.
Gary & Carolyn Rindge	1416 CRANSHAW DR. EXT.

RESOLUTION NUMBER 16

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF December 1998.

RESOLUTION AUTHORIZING NO PARKING Signs on Leeland Drive - 11th Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of December 1998.

THAT BE IT RESOLVED, That NO PARKING signs be placed on both sides of Leeland Drive between Gibbs Road and Claremont Road as requested by residents whose signatures appear on the petition attached hereto.

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

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

Duly passed and approved this 21 day of December, 1998

*Jeanne F. Hammen*  
Attested: \_\_\_\_\_

Date: 12/21/98

County Executive Date: \_\_\_\_\_

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17	1	2	4	
Voice Vote					

COMMENTS: APPROVED 12/21/98 ROLL CALL

Attachment  
Res # 16

We, the undersigned residents in the 11th Civil District of Sullivan County request that "NO PARKING" signs be posted on Leeland Drive between Gibbs Road and Claremont Road (on both sides of the road)

The signatures below represent the majority of the residents of said street/road.

NAME:

ADDRESS:

BUS DRIVER Bobby A. Rosenbaum 1207 Leeland Drive

Leeland Rosenbaum 1207 Leeland Drive

Shela Diobner 216 River Rd. Church Hill

P.C. White Leeland Dr.

Shirley White Leeland Dr.

Jindy DeFreece 1223 Leeland Dr. Kpt In.

Lorraine DeFreece 1223 Leeland Dr. KA

Demiel DeFreece 1223 Leeland Dr. Kpt.

M.O. White 1215 Leeland Dr. RPT.

Fame White 1215 Leeland Dr. Kpt. In.

Kathy Kuler 3011 N. Penn St. Se. Tin. P.C. White 3

Loray Hutchins 1220 Leeland Drive, Kingsport, 37640

Mr + Mrs James William 1204 Leeland Dr.

Tina + Orbin Gibson 420 G. BBS Rd. 37640

Mark White [REDACTED]

Heberca White 1205 Leeland Drive

Carl Spall 1201 Leeland Dr.

Bernard L Sheen 368 Gibbs Rd

Brian Sheen 368 Gibbs Rd

RESOLUTION NO. 21

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21<sup>st</sup> DAY OF DECEMBER, 1998.

RESOLUTION AUTHORIZING Request to State Legislature to Amend Provisions of Tennessee Code Annotated §8-10-101 Relative to Election of Constables in Sullivan County

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 21<sup>st</sup> day of December, 1998;

WHEREAS, current state law provides for constables in Sullivan County to be elected by civil district; and

WHEREAS, the election of constables by civil districts is no longer proper in that Sullivan County has recently defined its voting precincts according to census blocks and, therefore, cannot conduct elections in an efficient manner according to civil districts;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby request the state legislative body to amend the provisions of Tennessee Code Annotated §8-10-101 by adding a new subsection such that constables in Sullivan County shall be elected from constable districts established by the county legislative body.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 21 day of DEC, 1998.

*Jeanette Sammon*  
Attested: \_\_\_\_\_  
County Clerk

Date: 12/21/98 \_\_\_\_\_ Date: \_\_\_\_\_  
County Executive

INTRODUCED BY COMMISSIONER J. Carter ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER M. Gonce, H. Patrick, R. Morrell FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: APPROVED 12/21/98 Waiver of rules Roll Call

RESOLUTION NUMBER 26

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21ST DAY OF DECEMBER, 19 98.

RESOLUTION AUTHORIZING the Sullivan County Sheriff's Office permission to enter into a five year lease for a phone system with current Sheriff's Office appropriations.

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 21st day of December, 19 98.

WHEREAS, the current phone system of the Sullivan County Sheriff's Office is not sufficient to operate the department, and,

WHEREAS, the current phone system was struck by lightning approximately six months ago and destroyed the main processor, all the line cards, all but two station cards, and eleven phones, and,

WHEREAS, the current phone system was temporarily placed back in service by our local vendor using old line and station cards which had already been replaced many months ago. These cards all have some deficiencies and merely gave the Sheriff's Office very basic phone capability, and,

WHEREAS, there are fifteen offices that do not have phones that previously had phones. Booking is currently operating with one phone and one phone line. Previously, Booking operated with two phones and three phone lines. The entire Jail is operating with only one incoming phone line, and,

WHEREAS, the current phone system is ten years old and expensive to maintain (\$200 for a reconditioned phone), and,

WHEREAS, the current phone system is an analog system and at the maximum capacity of phones and phone lines, and,

WHEREAS, the current system does not provide direct dial number capability, voice mail, conference calling, and many other features, and,

WHEREAS, the proposed system (offered and maintained by Sprint) is a fully digital system and will solve all the above related problems, and,

WHEREAS, the capacity of the new system is more than sufficient for the current Sheriff's operation, and for the Jail expansion currently in progress, and,

WHEREAS, the proposed system will integrate with the new 911 phone system which is currently proposed for the year 2002, and,

WHEREAS, the proposed system will be leased from the local telephone company relieving the Sheriff's Office from any future maintenance expenditures, and,

WHEREAS, as technology advances, this system can easily be upgraded by simply renegotiating the current lease.

**NOW THEREFORE BE IT RESOLVED** that the Sullivan County Sheriff's Office requests that the Commission give permission to the Sheriff to enter into a five year contract with the local phone company to provide this phone system at \$1,401/month. These funds will be drawn from the current Sheriff's Office budget and does not require any additional appropriations.

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.

0546

Res# 26  
Page Two

Duly passed and approved this 21 day of December, 19 98

*Jeanine J. Mammen*  
County Clerk

Date: 12/21/98

County Executive Date: \_\_\_\_\_

INTRODUCED BY COMMISSIONER GARY MAYES ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER MIKE GONCE FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17		3	4	
Voice Vote					

COMMENTS: WAIVER OF RULES REQUESTED APPROVED 12/21/98 ROLL CALL



RESOLUTION NO. 27

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

RESOLUTION AUTHORIZING Extension of Renewal of Agreement with Intermont Utility District

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

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

WHEREAS, the Sullivan County Board of Commissioners previously authorized Sullivan County pursuant to Resolution No. 20 approved July 20, 1998 to renew its agreement with Intermont Utility District to provide public water for water services in the Observation Knob Park subject to Intermont Utility District's application for \$432,000.00 of Rural Development funding necessary to fund needed improvements being approved by the United States Department of Agriculture on or before December 31, 1998; and

WHEREAS, the United States Department of Agriculture's fiscal year runs from October 1<sup>st</sup> through September 30<sup>th</sup> of each year; and

WHEREAS, the agreement should be extended through September 30, 1999 so as to allow the approval of Intermont Utility District's application within the United States Department of Agriculture's 1998-1999 fiscal year;

NOW, THEREFORE, BE IT RESOLVED the Sullivan County Board of Commissioners hereby authorize Sullivan County to extend its agreement with Intermont Utility District to provide public water services to the Observation Knob Park area through September 30, 1999 subject to Intermont Utility District's application for \$432,000.00 of Rural Development Funding being approved by the United States Department of Agriculture on or before September 30, 1999 and the Sullivan County Executive is hereby authorized to execute such documents as may necessary to extend said agreement.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 21 day of DEC, 1998.

Attest: Jeanette J. Hammen Date: 12/21/98 Date: \_\_\_\_\_  
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

0548

RESOLUTION NO. 27  
Page Two

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	1		4	
Voice Vote					

COMMENTS: APPROVED 12/21/98 Waiver of rules Roll Call  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AND THEREUPON COUNTY COMMISSION ADJOURNED  
UPON MOTION MADE BY COMM. BOYD AND SECONDED BY  
COMM. VANCE TO MEET AGAIN IN REGULAR SESSION ON  
JANUARY 18, 1999.

---

GIL HODGES  
COMMISSION CHAIRMAN

