

COUNTY COMMISSION-REGULAR SESSION

JANUARY 17, 2017

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS TUESDAY MORNING, JANUARY 17, 2017, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD VENABLE, COUNTY CHAIRMAN, JEANIE GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Chairman Richard Venable. Chief Deputy Sheriff Lisa Christian opened the commission and Comm. Matthew Johnson gave the invocation. The pledge to the flag was led by Chief Deputy Sheriff Lisa Christian.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

MARK BOWERY	DARLENE CALTON
MICHAEL B COLE	
JOHN GARDNER	SHERRY GREENE GRUBB
ANDY HARE	TERRY HARKLEROAD
	JOE HERRON
BAXTER HOOD	
MATTHEW JOHNSON	BILL KILGORE
KIT MCGLOTHLIN	RANDY MORRELL
BOB NEAL	BOBBY RUSSELL
CHERYL RUSSELL	PATRICK SHULL
ANGIE STANLEY	MARK VANCE
BOB WHITE	EDDIE WILLIAMS

21 PRESENT 2 ABSENT 1 VACANT SEAT (ABSENT-HARR, HOUSER )

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. Morrell and seconded by Comm. Bowery to approve the minutes of the December 12, 2016 Regular Session. Said motion was approved by voice vote.

## Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

2 Roll Call by Jeanie Gammon, County Clerk  
Attendance  
Roll Call

**Long description**

**Chairman** Venable, Richard

**Total Vote Result**

**Voting start time** 9:05:09 AM  
**Voting stop time** 9:05:36 AM  
**Voting Configuration** Roll Call - Attendances  
**Voting mode** Open  
**Vote Result**

Present	20
Total Present	20
Total Seats	<del>24</del> 23

**Group Voting Result**

Group	Yes	Absent
No group	20	<del>24</del> 23
<b>Total Results</b>	20	<del>24</del> 23

**Individual Voting Result**

Name	Yes	Absent
Bowery, Mark ()	X	
Calton, Darlene ()	X	
Cole, Michael ()	X	
Crawford, John ()		
Gardner, John ()	X	
Grubb, Sherry ()	X	
Hare, Andy ()	X	
Harkleroad, Terry ()	X	
Harr, Mack ()		
Herron, Joe ()	X	
Hood, Baxter ()	X	
Houser, Dennis ()		
Johnson, Matthew ()	X	
Kilgore, Bill ()	X	
McGlothlin, Kit ()	X	
Morrell, Randy ()	X	
Neal, Bob ()	X	
Russell, Bobby ()	X	
Russell, Cheryl ()	X	
Shull, Patrick ()	X	
Stanley, Angie ()	X	
Vance, Mark ()	X	
White, Robert ()		
Williams, Eddie ()	X	

# *Sullivan County*

3258 HWY. 126  
SUITE 101  
BLOUNTVILLE, TENNESSEE  
37617



BRANCH OFFICES  
Tennessee Courthouse — Bristol  
Bristol 989-4366  
City Hall — Kingsport  
Kingsport 224-1790

***Jeanie F. Gammon***

County Clerk  
Phone 323-6428

DATE: NOVEMBER 14, 2016

TO: SULLIVAN COUNTY COMMISSIONERS

RE: APPOINTMENT OF COUNTY COMMISSIONER

This is to notify you that there is a vacancy in District Ten of Sullivan County, Tennessee due to the resignation of John Crawford, which he publicly announced at the Commission meeting on November 14, 2016 to be effective November 15, 2016.

This is to further notify you that in accordance with T.C.A. Section 5-1-104(b), the county legislative body shall fill the vacancy within one hundred twenty (120) days of receiving notice of the vacancy.

This notice is given in accordance with T.C.A. Section 5-5-111, which requires (10) days notice, prior to this date.

A handwritten signature in cursive script that reads "Jeanie Gammon".

Jeanie Gammon

County Clerk

cc: Mayor Richard Venable

County Attorney Dan Street



## Order Confirmation

<b>Ad Order Number</b> 0001338107	<b>Customer</b> SULLIVAN COUNTY MAYORS OFFICE	<b>Payor Customer</b> SULLIVAN COUNTY MAYORS OFFICE
<b>Sales Rep.</b> sedwards	<b>Customer Account</b> 1068452	<b>Payor Account</b> 1068452
<b>Order Taker</b> sedwards	<b>Customer Address</b> 3411 HWY 126, SUITE 206 BLOUNTVILLE TN 37617 USA	<b>Payor Address</b> 3411 HWY 126, SUITE 206 BLOUNTVILLE TN 37617 USA
<b>Ordered By</b>	<b>Customer Phone</b> 423-323-6417	<b>Payor Phone</b> 423-323-6417
<b>Order Source</b>	<b>Customer Fax</b>	<b>Customer EMail</b> angela.taylor@sullivancountyttn.g
<b>PO Number</b>		

**SULLIVAN COUNTY, TN  
VACANCY**

Per TN Code Annotated this public notice is given that a vacancy has occurred on the Sullivan County Board of Commissioners. Said Board will meet in Regular Session at 9:00 a.m. on Monday, December 12, 2016 in the Commission Room, Sullivan County Courthouse, 3411 Hwy 126, Blountville, Tennessee to consider filling the unexpired term of County Commissioner in the 10th Commission District. This election is open to all citizens as candidates except those as prohibited by the Constitution or laws of the State.

PUB1T: 12/01/16

<b>Tear Sheets</b>	<b>Proofs</b>	<b>Affidavits</b>	<b>Payment Method</b>
0	0	1	

**Invoice Text:**

<b>Blind Box</b>	<b>Materials</b>	<b>Color</b> <NONE>
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<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Amt</u>	<u>Amount Due</u>
\$54.04	\$0.00	\$54.04	\$0.00	\$54.04

<b>Ad Number</b> 0001338107-01	<b>Ad Type</b> XLegal Liner	<b>Ad Size</b> 1.0 X 28 Li	<b>Pick Up Number</b> 0001330427
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<b>External Ad #</b>	<b>Ad Attributes</b>
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<b>Run Dates</b>	12/1/2016
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**Tri-Cities/Southwest Virginia  
Regional Group**

**Advertising Affidavit**

P.O Box 609  
Bristol, VA 24203  
(276) 669-2181

**Account Number**  
2159285

**Date**  
December 03, 2016

SULLIVAN CO EXEC OFFICES  
3411 HYW 126 STE 206  
BLOUNTVILLE, TN 37617

Date	Category	Description	Ad Size	Total Cost
12/05/2016	Legal Notices	SULLIVAN COUNTY, TENNESSEE VACANCY Board of Couni	1 x 21 L	123.10

**SULLIVAN COUNTY, TENNESSEE  
VACANCY**  
**Board of County Commissioners**  
Per TN Code Annotated this public notice is given that a vacancy has occurred on the Sullivan County Board of Commissioners. Said Board will meet in Regular Session at 9:00 a.m. on Monday, December 12, 2016 in the Commission Room, Sullivan County Courthouse, 3411 Hwy 126, Blountville, Tennessee to consider filling the unexpired term of County Commissioner in the 10th Commission District. This election is open to all citizens as candidates except those as prohibited by the Constitution or laws of the State.

**Publisher of the  
Bristol Herald Courier**

This is to certify that the attached SULLIVAN COUNTY, TENNESSE was published in the Bristol Herald Courier in the Commonwealth

12/03/2016

The First insertion being given ... 12/03/2016

Newspaper reference: 0000441476

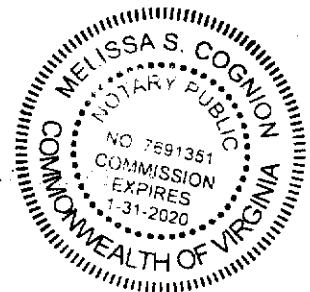
Sworn to and subscribed before me this

December 5, 2016

Melissa S. Cognion  
Notary Public

Kevin Green  
Accounting Clerk

State of Virginia  
My Commission expires 1/31/20



**THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU**



*Sullivan County*

*Board of County Commissioners  
236<sup>th</sup> Annual Session*

***IN RE: Sullivan County Commission  
Vacancy in District 10***

***Order Appointing Commissioner to Fill Remainder of Term***

WHEREAS, a vacancy has occurred in the office of Commissioner in the 10<sup>th</sup> District due to the resignation of John Crawford; and

WHEREAS, in accordance with *T.C.A. Section 5*, the County Legislative Body has the authority to fill the unexpired term until the next general election; and

WHEREAS, the nominee meets all requirements to fulfill the position as outlined in *T.C.A. Section 5*; and

WHEREAS, Bill Kilgore, a member of the Sullivan County Board of Commissioners made the nomination for said candidate to fill the remainder of the term in District 10.

NOW THEREFORE BE IT ORDERED, ADJUDGED AND DECREED pursuant to *T.C.A. Section 5* the Sullivan County Board of Commissioners hereby approves the appointment of

Name: Larry Crawford

Address: \_\_\_\_\_

Term: to serve through August 31, 2018 or until the next election.

Approved: \_\_\_\_\_

*Richard S. Venable*

Richard S. Venable, Sullivan County Mayor

Said order confirmed and entered into the record of the Sullivan County Board of Commissioners this

17th day of January, 20 17

*Jeanie Gammon*

Jeanie Gammon, Sullivan County Clerk

OATH OF OFFICE  
COUNTY COMMISSIONER

I, Larry Crawford, DO SOLEMNLY SWEAR THAT I  
WILL PERFORM WITH FIDELITY THE DUTIES OF THE OFFICE TO WHICH  
I HAVE BEEN ELECTED AND WHICH I AM ABOUT TO ASSUME. I DO  
SOLEMNLY SWEAR TO SUPPORT THE CONSTITUTIONS OF TENNESSEE AND  
THE UNITED STATES AND TO FAITHFULLY PERFORM THE DUTIES OF THE  
OFFICE OF COUNTY COMMISSIONER.

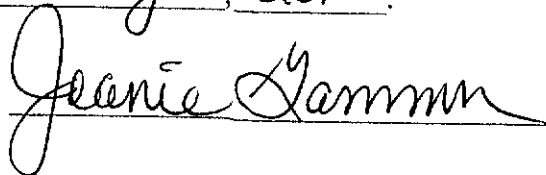
  
COUNTY COMMISSIONER

REPRESENTING THE 10th DISTRICT OF SULLIVAN COUNTY.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 17<sup>th</sup> DAY OF  
January, 2017.



Filed this 17<sup>th</sup> day of January, 2017.



SULLIVAN COUNTY BOARD OF COMMISSIONERS  
PUBLIC COMMENT  
January 17, 2017

PLEASE PRINT

	Name	Street Address	City	Please Check if Zoning Issue
1	Emelya Rafalowski	302 Lake Ave	Kingsport	
2	Lynn Tully	225 W. CENTER ST.	KINGSPOET	
3	TOM SELTON	204 SOUTH RIDGE DR	BETHEL	
4	Bruce DOTSON	221 TRACE CT	KINGS PAVT	
5	John Crawford			
6	Joel Conkin			
7				
8				
9				
10				
11				
12				
13				
14				
15				



SULLIVAN COUNTY CLERK  
JEANIE GAMMON COUNTY CLERK  
3258 HIGHWAY 126 SUITE 101  
BLOUNTVILLE TN 37617  
Telephone 423-323-6428  
Fax 423-279-2725

**Notaries to be elected January 17, 2017**

WESLEY DUANE ACKLIN II  
BRITTANY ALIFF  
KATHY E ARNOLD  
TINA MARIE AUSTIN  
GARY WAYNE BLEDSOE  
ROBIN DENISE BOLLING  
PAIGE LEE BUCKLES  
ZONA L. DENETTE  
LEANNE E ELAM  
CARA M. FINK  
ANGIE FLEENOR  
KAREN J FOX  
KAREN D HAYNIE  
PENNY S HOLLEY  
RETHA HUMPHREY  
WAYNE HUMPHREY  
CARMEN LEIGH JOHNSON  
VERONICA GEANETTE JONES  
DANIELLE A JONES  
SHARON E. KEGLEY  
KRISTEN R. MARSHALL  
SARAH E. MAXFIELD-WILSON  
HUNTER CHEYENNE MILHORN  
MICHELLE LYNN MINOR

WILLIAM D MONEYHUN  
GARY MUNT  
SHEILA DIANNE MURRAY  
CHESTALENE B MYERS  
MICHELLE ANN POWERS  
LISA ANN RICE  
LINDA C ROCHESTER  
TRICIA MCCLURE SALE  
KRISTY L SAWYER  
H LYNN SHOEM  
TAMMIE SLUSS  
C. BRAD SPROLES  
DIANE OSBORNE STAUBUS  
CRYSTAL STEFFEY  
JEANNETTE DIANE STEWART  
TERESA ANN THOMPSON  
ROCHELLE D. TRENT  
ALICIA R. TRIVETT  
SUSIE DENICE VAUGHN  
CRYSTAL G. WEAVER  
JARED ANDREW WILLIAMS  
C. EDWIN WILLIAMS

PERSONAL SURETY  
TINA MARIE AUSTIN  
10,000  
10000.00  
STATEFARM INSURANCE  
GILLEY, MCCREADY INS, INC  
\$10,000.00  
STATE FARM-KRISTY SAWYER  
KINGSPORT DEVELOPMENT  
COMPANY

UPON MOTION MADE BY COMM. BOWERY AND SECONDED BY COMM. WHITE TO APPROVE THENOTARY APPLICATIONS HEREON, SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 20 AYE, 3 ABSENT

**STATE OF TENNESSEE  
COUNTY OF SULLIVAN**

**APPROVAL OF NOTARY  
SURETY BONDS**

**January 17, 2016**

**Name of Notary**

**Brenda Bowers  
Michele L. Fleenor  
Jessica T. Goad  
Robert K. Harris  
L. Baxter Hood  
Stephanie Jamie-Lynn Ketron  
Martha Ann Mullins  
Heather N. Pugh  
Randi Searcy  
Teena M. Smith**

**Personal Surety**

**Kenny Morrell  
Randy Kennedy  
Earl K. Wilson  
Jane M. Harris  
Jeffrey G. Mull  
Jeff Taylor  
Stanford Thomas Mullins  
Ladonna DeCaterina  
Stephanie Snelson Guinn  
W. Derek Malcolm**

**Personal Surety**

**George T. Barnett  
Rebecca J. Myers  
Steven W. Morgan  
Timothy J. Lane  
Carolyn Y. Mull  
Stanford Thomas Mullins  
Jeffery Taylor  
Monika A. Hamby  
Eddie Bolling  
Gary R. Malcolm**

UPON MOTION MADE BY COMM. BOWERY AND SECONDED BY COMM. WHITE TO APPROVE THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLL CALL VOTE OF THE COMMISSION. 20 AYE, 3 ABSENT

## Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

6 Approval of Notary Publics  
Vote

**Long description**

Chairman Venable, Richard

**Total Vote Result**

Voting start time 9:55:11 AM  
 Voting stop time 9:55:43 AM  
 Voting Configuration Roll Call - Attendances  
 Voting mode Open

**Vote Result**

Present	20
Total Present	20
Total Seats	23

**Group Voting Result**

Group	Yes	Absent
No group	20	03
<b>Total Results</b>	<b>20</b>	<b>03</b>

**Individual Voting Result**

Name	Yes	Absent
Bowery, Mark ()	X	
Calton, Darlene ()	X	
Cole, Michael ()	X	
Crawford, John ()		
Gardner, John ()	X	
Grubb, Sherry ()	X	
Hare, Andy ()	X	
Harkleroad, Terry ()	X	
Harr, Mack ()		
Herron, Joe ()	X	
Hood, Baxter ()		
Houser, Dennis ()		
Johnson, Matthew ()	X	
Kilgore, Bill ()	X	
McGlothlin, Kit ()	X	
Morrell, Randy ()	X	
Neal, Bob ()	X	
Russell, Bobby ()	X	
Russell, Cheryl ()	X	
Shull, Patrick ()	X	
Stanley, Angie ()	X	
Vance, Mark ()	X	
White, Robert ()	X	
Williams, Eddie ()	X	

**PUBLIC NOTICE**  
**SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS**  
**REZONING PUBLIC HEARING**  
**January 17, 2017**

The Sullivan County Board of County Commissioners will hold a public hearing on **Tuesday, January 17, 2017 at 9:00am**, in the Sullivan County Courthouse, Blountville, TN to consider the following rezoning requests:

**Hal & Mary Almaroad:**

Rezoning request for Lot 2 of the Almaroad Property at 128 Almaroad Lane, Blountville, from A-1/General Agricultural to B-3/General Business for purposes of selling the land. Being part of Tax Map 066/Parcel 100.00 within the 5<sup>th</sup> Civil District.  
(Bristol Urban Growth Boundary – Bristol Staff in Favor, Bristol Regional Planning Commission voted unanimously in favor)

**I & L Investments, LLC:**

Rezoning request of 15+ acres off of Hwy 394 adjoining Interstate 81 at Exit #69, Blountville, from A-1/General Agricultural to PBD/SC – Planned Business District/Shopping Center. Being located within the 5<sup>th</sup> Civil District of Tax Map 050/Parcel 032.00.

(Sullivan County Planned Growth Area – County Planning & Codes Director in favor, County PC voted unanimously in favor)

**Gouge, Little & Associates, GP:**

Rezoning request for a 15+ acre farm off of Allison Road, Piney Flats from A-1/General Agricultural to R-1/Single Family Residential and R-3B for single-family/higher density development. Being located within the 9<sup>th</sup> Civil District of Tax Map 124/Parcel 021.30.

(Sullivan County Rural Area – County Planning & Codes Director in favor, County PC voted unanimously in favor)

**Rodney Hurd:**

Rezoning request for 4781 Hwy 11W, Blountville from R-1/Single Family Residential to B-3/General Business for future development. Being located within the 9<sup>th</sup> Civil District of Tax Map 033G/Group A/Parcel 067.00.

(Sullivan County Rural Area – County Planning & Codes Director in favor, County PC voted unanimously in favor)

*\* There was no one present at the Planning Commission public meetings who spoke against the above rezoning requests. Staff did not receive any calls or complaints expressing opposition to any of the cases as well. Letters were sent to all adjoining property owners as well as a public notice in the Kingsport Times News and rezoning signs placed at public rights-of-way at each site. The public is cordially invited to attend this public hearing and comment upon any rezoning request.*

PETITION TO SULLIVAN COUNTY FOR REZONING

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

Property Owner: Hal & Mary Almaroad  
Address: 128 Almaroad Lane  
Blountville, TN 37617  
Phone 423-323-1189 Date of Request 10/25/2016  
Property Located in 5 Civil District

Mary Ruth Almaroad  
Signature of Applicant  
Mary Ruth Almaroad

OFFICE USE ONLY

Meeting Date 12/19/2016 Time 6:00PM

Place 104 8<sup>th</sup> Street, Easley Annex  
Building, Bristol Planning Commission

Planning Commission Approved ✓  
12/19/16 Denied \_\_\_\_\_

County Commission Approved X  
1/17/17 Denied \_\_\_\_\_

Other Roll Call 21 Aye, 2 Absent

Final Action Date 01-17-17

PROPERTY IDENTIFICATION

Tax Map No. 066 / Group \_\_\_\_\_ / Parcel 100.00

Zoning Map 17 Zoning District A-1 Proposed District B-3

Property Location : 128 Almaroad Ln- Lot # 2 portion of parcel proposed rezoning only. See plat

Purpose of Rezoning: "Re-zone to General Business Service District with plans to sell property."

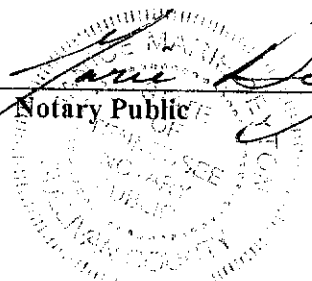
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Mary Ruth Almaroad  
Mary R. Almaroad

SWORN TO AND SUBSCRIBED before me this 25<sup>th</sup> day of October, 2016

My Commission Expires: 8/22/2017

Notary Public



## Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

8 Application # 1: Public Hearing  
Zoning Vote

Long description Hal & Mary Almaroad

Chairman Venable, Richard

**Total Vote Result**

Voting start time 9:59:37 AM

Voting stop time 9:59:53 AM

Voting Configuration Zoning Vote

Voting mode Open

**Vote Result**

Yes	21
Abstain	0
No	0
Total Present	21

**Group Voting Result**

Group	Yes	Abstain	No	Absent
No group	21	0	0	02
<b>Total Results</b>	<b>21</b>	<b>0</b>	<b>0</b>	<b>02</b>

**Individual Voting Result**

Name	Yes	Abstain	No	Absent
Bowery, Mark ()	X			
Calton, Darlene ()	X			
Cole, Michael ()	X			
<del>Crawford, John ()</del>				
Gardner, John ()	X			
Grubb, Sherry ()	X			
Hare, Andy ()	X			
Harkleroad, Terry ()	X			
Harr, Mack ()				
Herron, Joe ()	X			
Hood, Baxter ()	X			
Houser, Dennis ()				
Johnson, Matthew ()	X			
Kilgore, Bill ()	X			
McGlothlin, Kit ()	X			
Morrell, Randy ()	X			
Neal, Bob ()	X			
Russell, Bobby ()	X			
Russell, Cheryl ()	X			
Shull, Patrick ()	X			
Stanley, Angie ()	X			
Vance, Mark ()	X			
White, Robert ()	X			
Williams, Eddie ()	X			

mailed 10/24/16

CC4  
Kam  
Cole  
Hout

**PETITION TO SULLIVAN COUNTY FOR REZONING**

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

Property Owner: I & L Investments LLC  
Address: 3010 N Ingram Dr.  
Springfield MO. 65803  
Phone 423-282-1006 Date of Request 10/24/2016  
Property Located in 5 Civil District

Rick J. Bearfield / L.A. Bblity  
Signature of Applicant  
Penna Stewart & Eckriss, P.C.  
Rick J. Bearfield

**OFFICE USE ONLY**

Meeting Date 12/20/2016 Time 6:00 pm  
Place Blountville Court House

Planning Commission Approved   
12/20/16 Denied

County Commission Approved   
1/17/2017 Denied

Other Roll Call 20 Aye, 1 Pass,  
2 Absent

Final Action Date 01-17-17

**PROPERTY IDENTIFICATION**

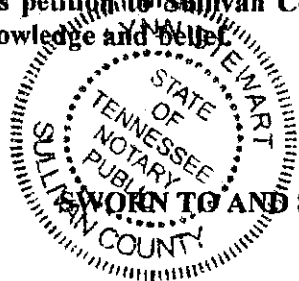
Tax Map No. 050 / Group      / Parcel 032.00

Zoning Map 8 Zoning District A-1 Proposed District PBD/SC

Property Location : Hwy 394 north of Fire Works Store

Purpose of Rezoning: For Commerical Development

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.



L.A. Bblity  
SWORN TO AND SUBSCRIBED before me this 24<sup>th</sup> day of October, 2016.

Penna Stewart  
Notary Public

My Commission Expires: 1/27/19

## Agenda subject voting report

Conference Name **Sullivan County Commission January 17 2017**

1/17/2017

9 Application # 2: Public Hearing  
Zoning Vote

**Long description**

Chairman I & L Investments  
Venable, Richard

**Total Vote Result**

Voting start time **10:02:22 AM**  
 Voting stop time **10:02:42 AM**  
 Voting Configuration Zoning Vote  
 Voting mode Open  
**Vote Result**

Yes	20
Abstain	1
No	0
Total Present	21

**Group Voting Result**

Group	Yes	Abstain	No	Absent
No group	20	1	0	<i>02</i>
<b>Total Results</b>	<b>20</b>	<b>1</b>	<b>0</b>	<i>02</i>

**Individual Voting Result**

Name	Yes	Abstain	No	Absent
Bowery, Mark ()		X		
Calton, Darlene ()	X			
Cole, Michael ()	X			
<del>Crawford, John ()</del>				
Gardner, John ()	X			
Grubb, Sherry ()	X			
Hare, Andy ()	X			
Harkleroad, Terry ()	X			
Harr, Mack ()				
Herron, Joe ()	X			
Hood, Baxter ()	X			
Houser, Dennis ()				
Johnson, Matthew ()	X			
Kilgore, Bill ()	X			
McGlothlin, Kit ()	X			
Morrell, Randy ()	X			
Neal, Bob ()	X			
Russell, Bobby ()	X			
Russell, Cheryl ()	X			
Shull, Patrick ()	X			
Stanley, Angie ()	X			
Vance, Mark ()	X			
White, Robert ()	X			
Williams, Eddie ()	X			



PETITION TO SULLIVAN COUNTY FOR REZONING

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

Property Owner: Gouge, Little, & Associates Gp

Address: 327 Laurel Canyon  
Johnson City, TN 37615

Phone 423-747-2370 Date of Request 10/27/2016

Property Located in 9 Civil District

*Carl Little - 423-747-2370*  
*Bon Gouge - 423-202-0251*

*Carl Little*  
Signature of Applicant

*CARL LITTLE*

OFFICE USE ONLY

Meeting Date 12/20/2016 Time 6:00PM

Place Blountville Courthouse 2<sup>nd</sup> floor

Planning Commission Approved

Denied \_\_\_\_\_

County Commission Approved

Denied \_\_\_\_\_

Other 21 Aye, 2 Absent

Final Action Date 01-17-17

PROPERTY IDENTIFICATION

Tax Map No. 124 / Group \_\_\_\_\_ / Parcel 021.30

Zoning Map 26 Zoning District A-1 Proposed District R-3B Lots 1-21 as proposed patio homes / R-1 proposed concept plan large lots

Property Location : Allison Road

Purpose of Rezoning: "Rezone for plans for new subdivision [Allison Meadows]."

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.

*Carl Little*

SWORN TO AND SUBSCRIBED before me this 27<sup>th</sup> day of October, 2016

My Commission Expires: 8/22/2017

*Janice Marie Dyer*  
Notary Public  
SULLIVAN COUNTY

## Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

10 Application # 3: Public Hearing  
Zoning Vote

**Long description**

Gouge, Little & Associates, GP

**Chairman**

Venable, Richard

**Total Vote Result**

**Voting start time** 10:06:16 AM  
**Voting stop time** 10:06:45 AM  
**Voting Configuration** Zoning Vote  
**Voting mode** Open  
**Vote Result**

Yes	20/21
Abstain	0
No	0
Total Present	20/21

**Group Voting Result**

Group	Yes	Abstain	No	Absent
No group	20/21	0	0	0/2
<b>Total Results</b>	<b>20/21</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Individual Voting Result**

Name	Yes	Abstain	No	Absent
Bowery, Mark ()	X			
Calton, Darlene ()	X			
Cole, Michael ()	X			
Crawford, John ()	X			
<del>Gardner, John ()</del>	X			
Grubb, Sherry ()	X			
Hare, Andy ()	X			
Harkleroad, Terry ()	X			
Harr, Mack ()				
Herron, Joe ()	X			
Hood, Baxter ()	X			
Houser, Dennis ()				
Johnson, Matthew ()	X			
Kilgore, Bill ()	X			
McGlothlin, Kit ()	X			
Morrell, Randy ()	X			
Neal, Bob ()	X			
Russell, Bobby ()	X			
Russell, Cheryl ()	X			
Shull, Patrick ()	X			
Stanley, Angie ()	X			
Vance, Mark ()	X			
White, Robert ()	X			
Williams, Eddie ()	X			

mailed  
11/16/16

PETITION TO SULLIVAN COUNTY FOR REZONING

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

Property Owner: Rodney Hurd  
Address: 1237 Sussex Drive  
Kingsport, TN 37660  
Phone 423-416-3077 Date of Request 10/27/2016  
Property Located in 9 Civil District

Rodney Hurd  
Signature of Applicant  
Rodney Hurd

OFFICE USE ONLY

Meeting Date 12/20/2016 Time 6:00PM  
Place Blountville Courthouse 2<sup>nd</sup> floor

Planning Commission Approved ✓  
12/20/2016 Denied \_\_\_\_\_

County Commission Approved X  
1/17/2017 Denied \_\_\_\_\_

Other Roll Call 20 Aye, 1 Pass,  
2 Absent

Final Action Date 01-17-17

PROPERTY IDENTIFICATION

Tax Map No. 033G / Group A / Parcel 06700

Zoning Map 7 Zoning District R-1 Proposed District B-3

Property Location : 4781 Hwy 11W

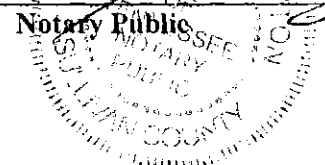
Purpose of Rezoning: "Rezoning for automotive sales and accessory services."

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.

Rodney Hurd

SWORN TO AND SUBSCRIBED before me this 27<sup>th</sup> day of October, 2016

James [Signature]



My Commission Expires: 8/22/2017

## Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

11 Application # 4: Public Hearing  
Zoning Vote

**Long description** Rodney Hurd  
**Chairman** Venable, Richard

**Total Vote Result**

**Voting start time** 10:11:29 AM  
**Voting stop time** 10:11:50 AM  
**Voting Configuration** Zoning Vote  
**Voting mode** Open  
**Vote Result**

Yes	20
Abstain	1
No	0
Total Present	21

**Group Voting Result**

Group	Yes	Abstain	No	Absent
No group	20	1	0	<i>02</i>
<b>Total Results</b>	<b>20</b>	<b>1</b>	<b>0</b>	<i>02</i>

**Individual Voting Result**

Name	Yes	Abstain	No	Absent
Bowery, Mark ()	X			
Calton, Darlene ()	X			
Cole, Michael ()	X			
Crawford, John ()				
Gardner, John ()	X			
Grubb, Sherry ()		X		
Hare, Andy ()	X			
Harkleroad, Terry ()	X			
Harr, Mack ()				
Herron, Joe ()	X			
Hood, Baxter ()	X			
Houser, Dennis ()				
Johnson, Matthew ()	X			
Kilgore, Bill ()	X			
McGlothlin, Kit ()	X			
Morrell, Randy ()	X			
Neal, Bob ()	X			
Russell, Bobby ()	X			
Russell, Cheryl ()	X			
Shull, Patrick ()	X			
Stanley, Angie ()	X			
Vance, Mark ()	X			
White, Robert ()	X			
Williams, Eddie ()	X			

**RESOLUTIONS ON DOCKET FOR JANUARY 17, 2017**

<b>RESOLUTIONS</b>	<b>ACTION</b>
#1 AMENDMENTS TO THE ZONING RESOLUTION	APPROVED 01-17-17
#2 ADOPTION OF A REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE RIVERBEND REDEVELOPMENT DISTRICT: THE BLAKE AT RIVERBEND PROJECT AREA	APPROVED 01-17-17
#3 AUTHORIZE COUNTY MAYOR AND PURCHASING AGENT TO DEVELOP A "REQUEST FOR QUALIFICATION" TO RETAIN PROFESSIONAL SERVICES TO ASSESS THE STRUCTURAL AND ENGINEERING INTEGRITY AND TO ASSESS SPACE NEEDS FOR EITHER JAIL EXPANSION OR NEW CONSTRUCTION OF THE SULLIVAN COUNTY JAIL	APPROVED 01-17-17
#4 TO ACCEPT AND APPROPRIATE GRANT FUNDS FOR THE SULLIVAN COUNTY LIBRARY	APPROVED 01-17-17
#5 APPROVE A BUDGET AMENDMENT TO FUND IMPROVEMENTS NEEDED AT OBSERVATION KNOB PARK FUND (#123) FOR THE 2017 FISCAL YEAR	APPROVED 01-17-17
#6 POST "25 MPH SPEED LIMIT" SIGNS ON RAINBOW CIRCLE IN THE 6 <sup>TH</sup> COMMISSION DISTRICT	APPROVED 01-17-17
#7 PLACE SIGNS ON CHADWELL ROAD AND BLOOMINGDALE ROAD IN THE 6 <sup>TH</sup> COMMISSION DISTRICT	APPROVED 01-17-17
#8 POST "25 MPH SPEED LIMIT" SIGNS ON RACHEL'S WAY IN THE 5 <sup>TH</sup> COMMISSION DISTRICT	APPROVED 01-17-17
#9 ALLOW THE CONSTRUCTION OF A PRIVATELY-FUNDED RETAINING WALL ON COUNTY RIGHT-OF-WAY (ROW)	APPROVED 01-17-17
#10 APPROVE APPROPRIATING FUNDS TO SBK (SULLIVAN COUNTY- BLUFF CITY -KINGSPORT) ANIMAL SHELTER/PETWORKS FOR THE PURCHASE OF LAND FOR AN ANIMAL SHELTER	1 <sup>ST</sup> READING 01-17-17

<p>#11 AUTHORIZE COUNTY MAYOR TO EXECUTE A THIRD AMENDMENT TO FUNDING AGREEMENT BETWEEN SULLIVAN COUNTY, THE CITY OF KINGSPORT, AND THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE (KEDB) REGARDING PURCHASE OF LAND BY KEDB AND LEASE OF SUCH LAND TO C &amp; F MANUFACTURING</p>	<p>1<sup>ST</sup> READING 01-17-17</p>
<p>#12 ADOPTION OF A REDEVELOPMENT PLAN AND TAX INCREMENT FINANCING AMENDMENT FOR THE DOWNTOWN BRISTOL CBD REDEVELOPMENT DISTRICT</p>	<p>1<sup>ST</sup> READING 01-17-17</p>
<p>#13 APPROVE ESTABLISHING AN ANNUAL APPROPRIATION TO ROCKY MOUNT HISTORICAL ASSOCIATION FOR SERVICES TO SULLIVAN COUNTY</p>	<p>1<sup>ST</sup> READING</p>
<p>MOTION IN REGARDS TO CIVIL ACTION NO. B0024737</p>	<p>APPROVED 01-17-17</p>



## Sullivan County

Board of County Commissioners  
237<sup>th</sup> Annual Session

### CONSENT AGENDA

January 17, 2017

Regular Session

**Item # 3: Old Business**  
**Resolution No. 2016-12-76**  
**Sponsors: Kilgore/ Russell**

**RESOLUTION to Authorize the County Mayor and Purchasing Agent to Develop a "Request for Qualifications" to Retain Professional Services to Assess the Structural and Engineering Integrity and to Assess Space Needs for Either Jail Expansion or New Construction of the Sullivan County Jail**

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Mayor and Purchasing Agent on behalf of the Sullivan County Sheriff's Office to develop a "Request for Qualifications" to retain professional services to assess the structural and engineering integrity and to access space needs for either jail expansion or new construction of the Sullivan County Jail in order to make decisions about what can be safely and efficiently be used to solve the present overcrowding at the facility.

BE IT FURTHER RESOLVED that any further professional services regarding any jail renovation or expansion will be presented to the county legislative body for consideration of funding.

**Item # 4: NEW Business**  
**Resolution No. 2017-01-02**  
**Sponsors: Morrell/ Hare**

**RESOLUTION To Accept and Appropriate Grant Funds for the Sullivan County Library**

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting and appropriating funds in an amount up to \$ 3000.00 from the Department of State, Tennessee State Library and Archives.

BE IT RESOLVED that the Sullivan County Library will provide matching funds per grant guidelines from their current capital outlay budget (No New Money Involved). Account Codes assigned by the Office of Accounts & Budgets as follows:

Revenue	101	46990	Pgm 141
Appropriation	101	56500.700	Pgm 141

**Item # 5: NEW Business**  
**Resolution No. 2017-01-03**  
**Sponsors: Vance/ Neal**

**RESOLUTION To Approve A Budget Amendment To Fund Improvements Needed At Observation Knob Park Fund (#123) For The 2017 Fiscal Year**

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes an amendment to the 2016-17 FY budget increasing appropriations

for Capital by \$10,000 to be funded from the Park Fund's surplus. Account codes to be assigned by the Director of Accounts and Budgets.

**Item # 6: NEW Business**  
**Resolution No. 2017-01-04**  
**Sponsors: Bowery/ Johnson**

**RESOLUTION To Post "25 MPH Speed Limit" Signs On Rainbow Circle In The 6<sup>th</sup> Commission District**

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

6<sup>th</sup> Commission District: Place "25 MPH Speed Limit" signs on Rainbow Circle.

**Item # 7: NEW Business**  
**Resolution No. 2017-01-05**  
**Sponsors: Johnson/ Harkleroad**

**RESOLUTION To Place Signs On Chadwell Road And Bloomingdale Road In The 6<sup>th</sup> Commission**

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

6<sup>th</sup> Commission District

To place signs on Bloomingdale Road and Chadwell Road in the vicinity of Bloomingdale Road and Chadwell Road intersection and SR 93 (Wadlow Gap Road) and Chadwell Road intersection that read:

TRUCK ADVISORY  
THROUGH TRUCKS WILL ENCOUNTER  
STEEP GRADES, SHARP CURVES  
AND TIGHT TURNS.  
ALTERNATE ROUTE STRONGLY ADVISED.  
GPS UNRELIABLE  
(Signs on SR 93 will be requested through T-DOT)

**Item # 8: NEW Business**  
**Resolution No. 2017-01-06**  
**Sponsors: Hare/ Grubb**

**RESOLUTION To Post "25 MPH Speed Limit" Signs On Rachel's Way In The 5<sup>th</sup> Commission District**

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

5<sup>th</sup> Commission District: Place "25 MPH Speed Limit" signs on Rachel's Way.

**Item # 9: NEW Business**  
**Resolution No. 2017-01-07**  
**Sponsors: Hare/ Grubb**

**RESOLUTION To Allow The Construction Of A Privately-Funded Retaining Wall On County Right-of-Way (ROW)**

NOW THEREFORE BE IT RESOLVED that occupancy of the County ROW by said wall be approved until such time as its removal is deemed necessary by this Legislative body for any reason whatsoever. Be it further resolved that the SCHD observe the construction of the wall to ensure that it complies in all material respects to the sealed plans submitted.

MOTION MADE BY WHITE, SECOND BY GARDNER TO APPROVE CONSENT AGENDA AS PRESENTED.  
MOTION APPROVED 21 AYE, 3 ABSENT



## Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

12 Consent Agenda  
Vote

**Long description**

- Item #3: Resolution No. 2016-12-76
- Item #4: Resolution No. 2017-01-02
- Item #5: Resolution No. 2017-01-03
- Item #6: Resolution No. 2017-01-04
- Item #7 Resolution No. 2017-01-05
- Item #8 Resolution No. 2017-01-06
- Item #9 Resolution No. 2017-01-07

**Chairman**

Venable, Richard

**Total Vote Result**

**Voting start time** 10:41:14 AM  
**Voting stop time** 10:41:31 AM  
**Voting Configuration** Vote  
**Voting mode** Open  
**Vote Result**

Yes	21
Abstain	0
No	0
Total Present	21

**Group Voting Result**

Group	Yes	Abstain	No	Absent
No group	21	0	0	<del>0</del> 3
<b>Total Results</b>	<b>21</b>	<b>0</b>	<b>0</b>	<del>0</del> 3

**Individual Voting Result**

Name	Yes	Abstain	No	Absent
Bowery, Mark ()	X			
Calton, Darlene ()	X			
Cole, Michael ()	X			
Crawford, John () <i>LARRY</i>	X			
Gardner, John ()	X			
Grubb, Sherry ()	X			
Hare, Andy ()	X			
Harkleroad, Terry ()	X			
Harr, Mack ()				
Herron, Joe ()	X			
Hood, Baxter ()	X			
Houser, Dennis ()				
Johnson, Matthew ()	X			
Kilgore, Bill ()	X			
McGlothlin, Kit ()	X			
Morrell, Randy ()	X			
Neal, Bob ()	X			
Russell, Bobby ()	X			

### Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

Name	Yes	Abstain	No	Absent
Russell, Cheryl ()				
Shull, Patrick ()	X			
Stanley, Angie ()	X			
Vance, Mark ()	X			
White, Robert ()	X			
Williams, Eddie ()	X			



*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 1  
No. 2017-01-01

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION TO CONSIDER AMENDMENT(S) TO THE SULLIVAN COUNTY ZONING PLAN; ZONING MAP OR THE ZONING RESOLUTION**

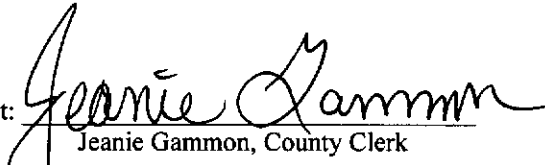
WHEREAS, the rezoning petition(s) have been duly initiated; have been before the appropriate Regional Planning Commission (recommendations enclosed); and shall receive a public hearing as required prior to final action from the County Commission; and

WHEREAS, such rezoning petition(s) and/or the proposed text amendment(s) will require an amendment to the SULLIVAN COUNTY ZONING PLAN – Zoning Map or Zoning Resolution.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby consider rezoning petition(s) and/or the Zoning Resolution Text Amendment(s), conduct the appropriate public hearing as required by law, and vote upon the proposed amendment(s) individually, by roll call vote, and that the vote be valid and binding, and that any necessary amendments to the official zoning map or resolution code book be made by the Planning & Codes Department.

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

Duly passed and approved this 17th day of January, 2017.

Attest:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsor: Commissioner John Gardner**  
**Co-Sponsor: Commissioner Bill Kilgore**  
**ACTION:**



## *Sullivan County*

*Board of County Commissioners  
236<sup>th</sup> Annual Session*

Item 2  
No. 2016-12-75

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 12<sup>th</sup> day of December 2016.

### **RESOLUTION for Adoption of a Redevelopment Plan and Tax Increment Financing Amendment for the Riverbend Redevelopment District: The Blake at Riverbend Project Area**

WHEREAS, Kingsport Housing & Redevelopment Authority ("KHRA") pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, KHRA has prepared a document entitled "Redevelopment Plan for Identified Districts & Study Areas" in conformance with Title 13, Chapter 20, Part 2, Tennessee Code Annotated, as supplemented and amended which has been adopted by the City of Kingsport ("Redevelopment Plan"); and

WHEREAS, as previously authorized by the Sullivan County Commission, KHRA conducted a public hearing on December 7, 2016, to determine the necessity for the expansion of the existing Riverbend Redevelopment District on behalf of Sullivan County and the adoption of a tax increment financing amendment which authorizes the use of tax increment financing within the expansion area; and

WHEREAS, the comments and findings of said public hearing, along with the Project proposal for the Riverbend Redevelopment District have been presented to the Sullivan County Commission; and

WHEREAS, KHRA and the City of Kingsport, Tennessee have recommended the expansion of the existing Riverbend Redevelopment District and the proposed tax increment financing amendment and have also recommended approval of the use of tax increment financing for a Project known as The Blake at Riverbend to be located within the Riverbend Redevelopment District expansion area.

NOW, THEREFORE, be it resolved by the Sullivan County Commission as follows:

1. That the expanded Riverbend Redevelopment District is a blighted area as defined by Tennessee Code Annotated section 13-20-201 in need of redevelopment
2. That the Amendment to the Riverbend Redevelopment Plan which includes an amendment expanding the district boundary and authorizing tax increment financing, as presented and recommended by KHRA, a copy of the Amendment being attached hereto as Exhibit A, is hereby approved, and the factual findings contained therein are affirmed and adopted by the Sullivan County Commission.

3. That use of tax increment financing as described in the Riverbend Redevelopment Plan Amendment for use in support of the project known as The Blake at Riverbend is hereby approved.

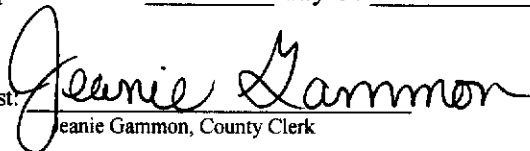
4. That the Sullivan County Mayor and Sullivan County Assessor are hereby authorized and empowered to negotiate and execute all such documents as may be reasonably required to implement the Redevelopment Plan and tax increment financing amendment.

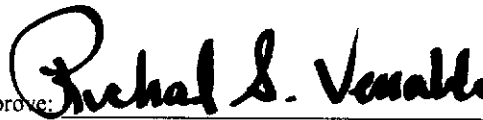
5. That KHRA is hereby authorized and empowered to implement the Redevelopment Plan and amendment on behalf of Sullivan County through the execution of a Redevelopment Agreement.

6. This resolution is restricted solely to the Riverbend Redevelopment District and The Blake at Riverbend Project Area as described in the attached amendment and is not an approval or denial of any other Redevelopment Plan or District.

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.

Approved this 17th day of January, ~~2016~~ <sup>2017</sup>.

Attest:   
Jeanie Gammon, County Clerk

Approve:   
Richard S. Venable, County Mayor

**Sponsored By: Commissioner John Gardner**

**Co-Sponsor(s): Commissioner Joe Herron**

ACTIONS: No action taken by Executive Committee 12/6/16; County Commission 12/12/16 – 1<sup>st</sup> Reading;

Approved by Executive Committee 1/3/17; Approved by Administrative Committee 1/4/17;

01/17/17- Amended by Sponsor to correct typo error in paragraph "E" (attached)  
to read 10 year instead of 15 year

01-17-17- RESOLUTION Approved roll call vote

**RIVERBEND REDEVELOPMENT DISTRICT  
TAX INCREMENT FINANCING AMENDMENT  
THE BLAKE AT RIVERBEND PROJECT AREA**

Tax-increment financing ("TIF") is a redevelopment tool to be administered by housing and redevelopment authorities codified at Tenn. Code Ann. §§13-20-204 and 205, et. seq. The purpose of TIF is to provide an economic stimulus for blighted property in need of redevelopment. Upon adoption of this Amendment, TIF may be utilized to finance eligible redevelopment costs for a redevelopment project known as The Blake at Riverbend ("The Blake") to be located within the newly expanded Riverbend Redevelopment District subject to the provisions of this Amendment. The TIF shall be administered as follows:

A. District History.

The property on which The Blake will be located is property adjacent to Wal-Mart on Fort Henry Drive which has remained undeveloped in spite of commercial activity around it. The current Riverbend Redevelopment District is shown on the map attached as Exhibit One. This Amendment would expand the Riverbend Redevelopment District to incorporate approximately 22 additional acres which consists of Sullivan County Tax Map 077H Parcels 003.00 and 004.00 as shown on Exhibit Two ("Expansion Area"). The Blake will occupy approximately 8.64 acres within the Expansion Area as shown on Exhibit Three ("Project Area"). The entire District as expanded by this Amendment will consist of approximately 45 acres. The remainder of the Expansion Area will be subdivided into additional outparcels which are expected to be developed for additional restaurant and retail space. The Project Area is under contract to be purchased by the Developer. Much of the property within the Expansion Area was graded with little to no control of erosion from the site. The property was cited for violations on several occasions. No progress has been made on the abandoned development for several years. This condition has negatively affected development in the nearby areas. In order to combat these issues for the site it is proposed that the Expansion Area (which includes the Project Area) be designated as part of the Riverbend Redevelopment District and be afforded all tax incentives as appropriate to encourage new land uses in the area.

The Expansion Area is recognized as having a potential economic return to the City and County primarily due to its desirable location near Fort Henry Drive. Delay of the redevelopment of this site will continue to have a deteriorative impact on the adjacent commercial areas. The use of TIF will allow the redevelopment of a well-located site which has previously been underutilized. The existing blight, dilapidated structures and negative impact on surrounding areas would all be remediated or eliminated by implementation of the proposed Redevelopment Project. Redevelopment of this area would also provide the opportunity to help alleviate the existing shortage of assisted living units available for rent in the Kingsport and Sullivan County markets.

Based on the foregoing circumstances and conditions, the Board of Commissioners of KHRA has determined that the Expansion Area of the District which includes the Project Area is blighted as defined by TCA 13-20-201 et seq. The District experiences the following conditions:

1. Long-term vacant and underutilized property.
2. The continued deterioration of the property due to unfinished grading and erosion control and negative impact to the surrounding properties.

It is recommended that the project be redeveloped, rehabilitated and/or renovated in order to correct such blighted, deteriorated and dilapidated conditions.

B. District Zoning and Land Use.

The redevelopment of the Riverbend Redevelopment District shall comply with the Zoning Ordinances and building codes as well as other applicable rules, laws, ordinances, codes and regulations of the City. KHRA shall also review the Plan and any redevelopment projects within the District with appropriate City agencies and officials to ensure that the Plan and the proposed redevelopment activities conform with local objectives relating to appropriate land uses, improved traffic flow, public transportation, public utilities, recreation and community facilities and other public improvements and needs. For a more complete description of the requirements and restrictions of the Zoning Ordinances of the City, reference should be made to the Ordinances themselves. This property should continue to be zoned B-4P (Planned Business District) by the City of Kingsport.

The City and KHRA will cooperate in the planning and construction of improvements to the streets, roadways, sidewalks, curbs and gutters, parking systems, lighting, landscaping and traffic signalization and control.

C. Estimated Cost of the Project.

The total estimated costs of all the proposed improvements to be made by The Blake at Kingsport, LLC (the "Developer") for The Blake, is \$21,348,625.00. The proposed improvements include construction of one building with two courtyards consisting of a total of 106,500 square feet which will include 120 units of assisted living apartments containing a total of 131 beds, on site therapy, on site healthcare, secure memory care and other related amenities (the "Redevelopment Project"). KHRA will be paid an annual administration fee equal to five percent of the total and annual tax increment revenue received by KHRA. The Project will be located in the Project Area on a portion of current Sullivan County Tax Map 077H, Control Map C, Group 077H, Parcels 003.00 and 004.00 which are the sole tax parcels within the Project Area. The TIF shall be limited to eligible expenditures for the Redevelopment Project within the Project Area.

D. Sources of Revenue to Finance the Cost of the Project.

The primary sources of revenue to pay for the Redevelopment Project are proceeds in the amount of \$17,078,900.00 from a permanent loan to the Developer, Developer investment of \$3,269,725.00, and tax-increment based debt (to be issued by the KHRA in the form of bonds, notes, or other indebtedness) in an amount not to exceed \$1,000,000.00, but in no event in an amount to exceed the estimated amount of debt that can be amortized over a 10 year increment period which are hereby authorized by City of Kingsport (the "City") and Sullivan County, Tennessee (the "County"). Current projections suggest that the tax increment from the

proposed improvements within the Project Area will be sufficient to retire this amount of indebtedness within a ten (10) year amortization period for both the City and the County.

The total current property tax assessment for the Project Area is \$180,000.00. This results in annual property tax payments to the City in the amount of \$3,726.00 and annual property tax payments to the County in the amount of \$4,149.72. The Redevelopment Project would result in a total estimated assessed value for property within the Project Area of \$6,188,080.00. Based on current tax rates, this would result in total estimated annual city taxes of \$128,093.26 and total estimated annual county taxes of \$159,367.81. Because Sullivan County has dedicated \$0.166 of its \$2.5754 tax rate for repayment of indebtedness and the City of Kingsport has dedicated \$.3400 of its \$2.07 tax rate for repayment of indebtedness, that portion of the increment, pursuant to Tenn. Code Ann. §§13-20-205 and 9-23-103, shall not be allocated as provided in Paragraph G below but shall be collected and paid to the respective taxing agency as all other property taxes are collected and paid. Thus, the estimated total available increment from Sullivan County taxes after the administration fee and statutory debt service set aside is \$137,480.79. The estimated total available increment from City of Kingsport taxes after the administration fee and statutory debt service set aside is \$ 98,742.79 resulting in an estimated total annual available tax increment from City and County of \$236,223.59. A detailed calculation of these estimated projections is attached hereto as Exhibit Four. The redevelopment of the Project Area will not occur to the degree proposed without the use of tax-increment financing.

E. Amount and the Final Maturity of Bonded or other Indebtedness to be Incurred.

The amortization period for any indebtedness backed by the tax-increment revenue generated within the Project Area shall be no more than ~~ten~~<sup>ten</sup> years from the date of issuance of the debt. In any event, the final maturity date of all indebtedness issued pursuant to this Amendment shall be on or before May 15, 2030. Upon retirement of all bonds, loans, or other indebtedness incurred and payable from tax-increment funds, or at such time as monies on deposit in the tax-increment fund or funds are sufficient for such purpose, all property taxes resulting from the incremental development of the project shall be retained by the appropriate taxing agency for disbursement according to law.

F. Impact of the Tax-Increment Financing Provisions Upon Taxing Agencies.

The total assessment of the City of Kingsport's real property tax base for the 2016 tax year is approximately \$1,294,676,740.00. The total assessment of Sullivan County's real property tax base for the 2016 tax year is approximately \$3,099,352,235.00. The current assessment of the Project Area represents 0.0001% of the City of Kingsport's property tax base and 0.00006% of the Sullivan County property tax base. The estimated assessment of the Proposed Improvements would represent 0.006% of the current City of Kingsport tax base and 0.0026% of the current Sullivan County tax base. Based on these small percentages, the City and the County (the two taxing agencies affected by this Redevelopment Project) will not be substantially impacted financially by this tax-increment financing provision.

The development of the Redevelopment Project will result in additional residents and economic activity within the Redevelopment District. It is estimated as many as 76 new local jobs could be created during the construction phase of the Redevelopment Project which would result in approximately \$165,000,000 in local income over the course of the project and approximately \$1,400,000.00 in local taxes and other revenue for local governments. In addition, the long term impact includes the addition of residents to our communities which



means approximately 81 new local jobs which creates approximately \$3,000,000.00 in local income and other revenue for local governments. While all these numbers rely on certain assumptions and projections, the end result of the Redevelopment Project is that a need for assisted living units has been met and the City and County will receive a substantial economic boost.

G. Division of Property Taxes.

Upon approval of this Amendment, the taxes levied and collected over the Project Area shall be collected by the appropriate taxing authorities in the same manner as provided by law, except that said taxes shall be divided as follows:

1. The portion of the taxes which would be produced by the rate at which the tax is levied each year by each taxing agency, upon the assessed value of such property within the Project Area as of the 2016 tax year (which is the year of approval of this TIF amendment) ("Base Assessment"), shall be allocated to, and when collected, shall be paid to, the respective taxing agencies as taxes levied by such taxing agencies on all other property are paid; provided, that in any year in which taxes of the Project Area are less than the Base Assessment and the Dedicated Taxes, there shall be allocated and paid to those respective taxing agencies only those taxes actually imposed and collected; and provided further, that, in any year or years in which the Base Assessment would be diminished solely due to a rate reduction under Title 67, Chapter 5, Part 17, of the Tennessee Code, the Base Assessment shall nevertheless be established at the amount originally determined.

2. Subject to the restraints herein and applicable law, all of the City of Kingsport taxes levied in each year in excess of the Base Assessment and Dedicated Taxes shall be allocated to and, when collected, shall be paid into a special fund or funds of KHRA to pay the administration fee and to pay the principal of and interest on any bonds, loans or other indebtedness incurred or to be incurred by KHRA to finance or refinance, in whole or in part, eligible redevelopment expenses of the Redevelopment Project contemplated by the Redevelopment Plan, and such other expenses as may be allowed by law.

3. Subject to the restraints herein and applicable law, sixty five percent (65%) of the Sullivan County taxes levied in each year in excess of the Base Assessment and Dedicated Taxes shall be allocated to and, when collected, shall be paid into a special fund or funds of KHRA to pay the administration fee and to pay the principal of and interest on any bonds, loans or other indebtedness incurred or to be incurred by KHRA to finance or refinance, in whole or in part, eligible redevelopment expenses of the Redevelopment Project contemplated by the Redevelopment Plan, and such other expenses as may be allowed by law. The remaining thirty five percent (35%) of the Sullivan County taxes levied in each year in excess of the Base Assessment and Dedicated Taxes shall be allocated to and, when collected, shall be paid to Sullivan County in the same manner as taxes on all other property are paid.

4. Upon retirement of all bonds, loans or other indebtedness incurred by KHRA and payable from such special fund or funds, or at such time as monies on deposit in such special fund or funds are sufficient for such purpose, all taxes levied each year in excess of the Base Assessment and Dedicated Taxes shall, when collected, be paid to the respective taxing agency as taxes levied by such taxing agencies on all other property are paid, and KHRA shall give notice to all affected taxing agencies of such retirement. Excess taxes beyond amounts necessary to fund or reserve for eligible expenditures may be applied to principal and

interest of debt incurred to finance such eligible expenditures or shall revert to the taxing agency general fund. In any event, the division of property taxes required by this document shall not continue for any tax year beyond 2029.

H. Property Tax Assessments and Collection.

1. The appropriate assessor shall, in each year during the period in which taxes are to be allocated to KHRA pursuant to Paragraph G, compute and certify the net amount, if any, by which the current assessed value of all taxable property located within the Project Area which is subject to taxation by the particular taxing agency exceeds the base assessment. The net amount of any such increase is referred to in this subdivision as the incremental value for that particular year.

2. In any year in which there exists a tax increment to be allocated to KHRA, the appropriate assessor shall exclude it from the assessed value upon which the appropriate assessor computes the tax rates for taxes levied that year by the taxing agency. However, the assessor shall extend the aggregate tax rate of such taxes against the Base Assessment and the incremental value and shall apply the taxes collected there from as provided herein.

3. If in any year property comprising a portion of the Project Area shall be removed from the tax rolls of a taxing agency, the Base Assessment for the Project Area shall be reduced by the amount of the Base Assessment allocable to the property so removed for each subsequent year in which taxes are to be allocated to a particular authority pursuant to the above provisions.

I. Documentation for Assessor's Office.

Upon approval of this Amendment, KHRA shall transmit to the assessor of property and the chief financial officer for each taxing agency affected, a copy of the description of all land within the Project Area (including tax parcel numbers), the date or dates of the approval of the redevelopment plan or amendment thereto, a copy of the resolution approving the redevelopment plan or approving an Amendment thereto, a map or plat indicating the boundaries of such property and the Base Assessment with respect to the Project Area, and taxes shall thereafter, when collected, be allocated and paid in the manner provided herein.

J. Excluded Taxes.

Notwithstanding anything to the contrary in this section, taxes levied upon property subject to tax-increment financing provisions by any taxing agency for the payment of principal of and interest on all bonds, loans or other indebtedness of such taxing agency, and taxes levied by or for the benefit of the State of Tennessee (herein "Dedicated Taxes"), shall not be subject to allocation as provided in Paragraph G but shall be levied against the property and, when collected, paid to such taxing agency as taxes levied by such taxing agency on all other property are paid and collected.

K. Interpretation.

This tax-increment financing amendment is being proposed pursuant to *Tenn. Code Ann. § 13-20-201, et. seq.* and *Tenn. Code Ann. § 9-23-101, et. seq.* and all relevant provisions are hereby incorporated herein by reference. All provisions of this Amendment shall be construed in a manner consistent with said Code sections.

L. Conditions of Tax-Increment.

KHRA shall enter into a redevelopment agreement with Developer which requires Developer to pursue and complete the Redevelopment Project in a diligent manner, and in accordance with plans and specifications approved by KHRA. The redevelopment agreement to be entered into between KHRA and Developer shall contain such terms as KHRA believes reasonably necessary to accomplish this purpose.

M. Limitation of Approval.

The approval of this TIF Amendment by Sullivan County, Tennessee is limited solely to Redevelopment Project and the Project Area described herein and shall not be interpreted as an approval of any other tax increment financing project, or Redevelopment District.

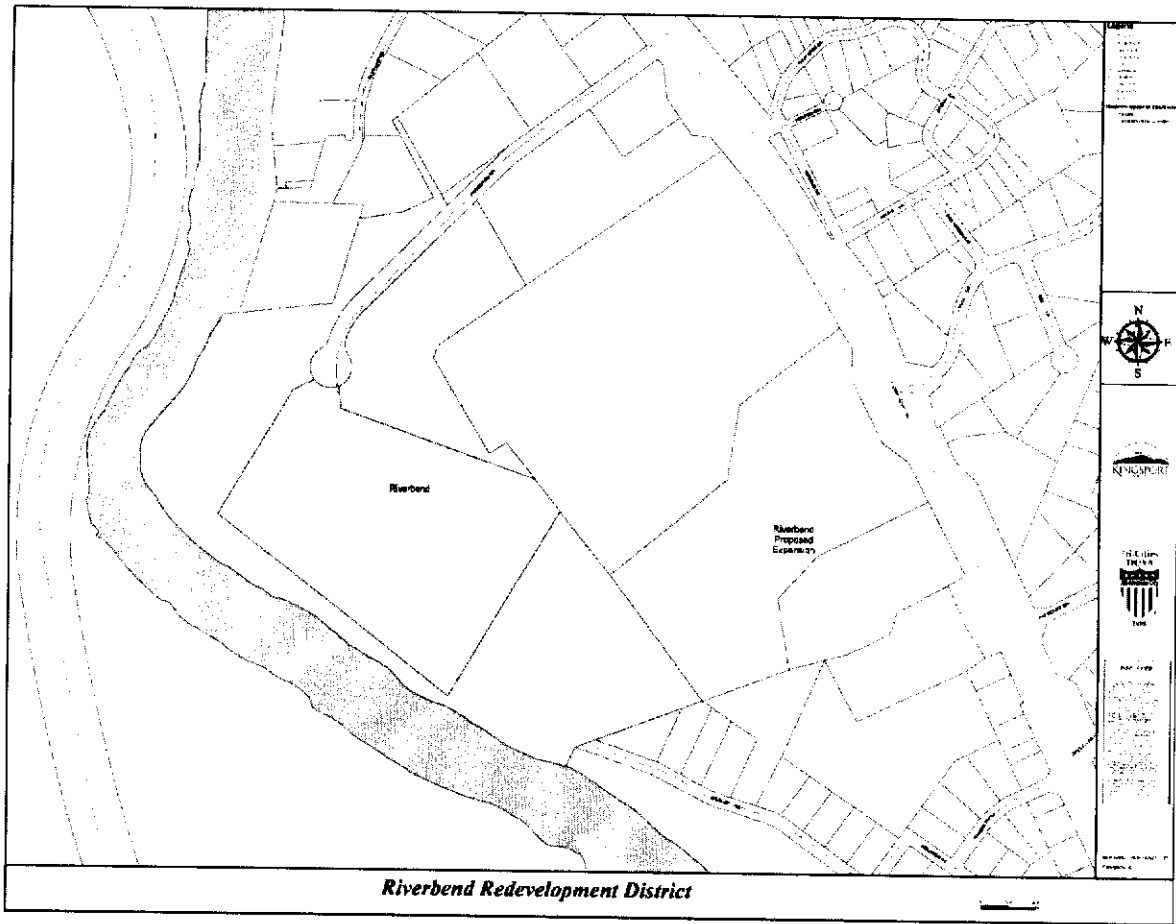
EXHIBIT ONE

MAP OF CURRENT RIVERBEND REDEVELOPMENT DISTRICT



EXHIBIT TWO

MAP OF EXPANDED RIVERBEND REDEVELOPMENT DISTRICT



# EXHIBIT THREE

## MAP OF THE BLAKE PROJECT AREA

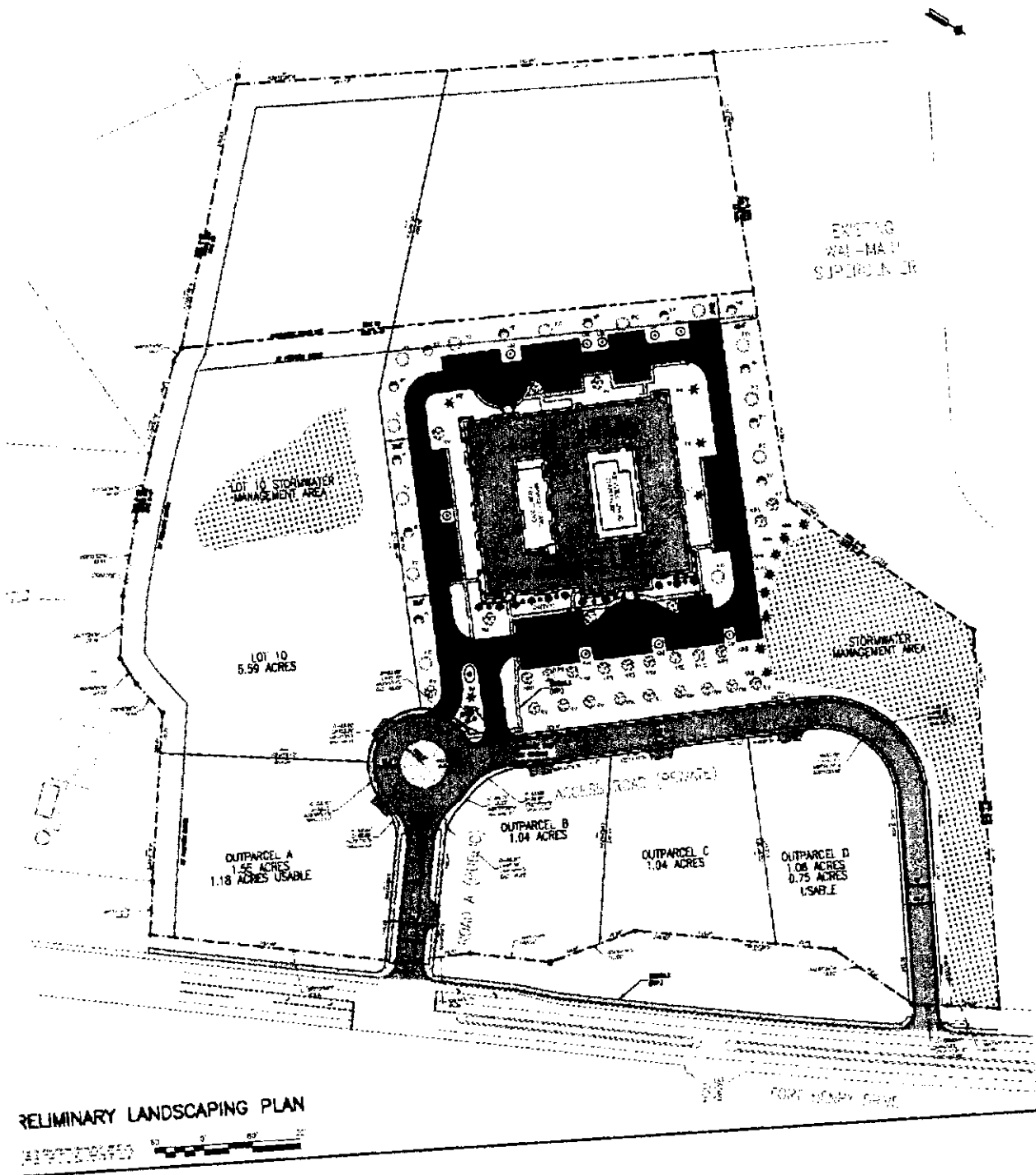


EXHIBIT FOUR

TIF ESTIMATE  
RIVERBEND REDEVELOPMENT DISTRICT  
THE BLAKE AT RIVERBEND PROJECT AREA

Total Original Assessed Value	\$180,000.00
County Tax Rate	2.5754
City Tax Rate	2.07
Total Proposed Assessed Value	\$6,188,080.00
County Debt Service Set Aside	0.1667
City Debt Service Set Aside	0.3400
Total Proposed County Taxes	\$159,367.81
Current County Taxes	\$4,635.72
Proposed County Increment	\$154,732.09
County Debt Service Set Aside	\$10,015.47
Total Available County Increment	\$144,716.62
Net County Increment after Fee	\$137,480.79
Total Proposed City Taxes	\$128,093.26
Current City Taxes	\$3,726.00
Proposed City Increment	\$124,367.26
City Debt Service Set Aside	\$20,427.47
Total Available City Increment	\$103,939.78
Net City Increment After Fee	\$98,742.79
<b>Net Available City and County Increment</b>	<b>\$236,223.59</b>

Total Original Assessed Value	\$180,000.00
County Tax Rate	2.5754
City Tax Rate	2.07
Total Proposed Assessed Value	\$8,000,000.00
County Debt Service Set Aside	0.1667
City Debt Service Set Aside	0.3400
Total Proposed County Taxes	\$206,032.00
Current County Taxes	\$4,635.72
Proposed County Increment	\$201,396.28
County Debt Service Set Aside	\$13,035.94
Total Available County Increment	\$188,360.34
Net County Increment after Fee	\$178,942.32
Total Proposed City Taxes	\$165,600.00
Current City Taxes	\$3,726.00
Proposed City Increment	\$161,874.00
City Debt Service Set Aside	\$26,588.00
Total Available City Increment	\$135,286.00
Net City Increment After Fee	\$128,521.70
<b>Net Available City and County Increment</b>	<b>\$307,464.02</b>



## Agenda subject voting report

Conference Name

Sullivan County Commission January 17 2017

1/17/2017

13 Item # 2: Old Business Resolution No. 2016-12-75 Sponsors: Gardner/Herron  
Vote

**Long description**

RESOLUTION for Adoption of a Redevelopment Plan and Tax Increment Financing Amendment for the Riverbend Redevelopment District: The Blake at Riverbend Project Area

Chairman

Venable, Richard

**Total Vote Result**

Voting start time 10:39:54 AM  
Voting stop time 10:40:15 AM  
Voting Configuration Vote  
Voting mode Open  
Vote Result

Yes	19
Abstain	0
No	2
Total Present	21

**Group Voting Result**

Group	Yes	Abstain	No	Absent
No group	19	0	2	03
<b>Total Results</b>	<b>19</b>	<b>0</b>	<b>2</b>	<b>03</b>

**Individual Voting Result**

Name	Yes	Abstain	No	Absent
Bowery, Mark ()	X			
Calton, Darlene ()	X			
Cole, Michael ()	X			
Crawford, John <i>LARRY</i>	X			
Gardner, John ()	X			
Grubb, Sherry ()	X			
Hare, Andy ()	X			
Harkleroad, Terry ()	X			
Harr, Mack ()				
Herron, Joe ()	X			
Hood, Baxter ()			X	
Houser, Dennis ()				
Johnson, Matthew ()	X			
Kilgore, Bill ()	X			
McGlothlin, Kit ()	X			
Morrell, Randy ()	X			
Neal, Bob ()	X			
Russell, Bobby ()	X			
Russell, Cheryl ()				
Shull, Patrick ()			X	
Stanley, Angie ()	X			
Vance, Mark ()	X			
White, Robert ()	X			
Williams, Eddie ()	X			



*Sullivan County*

*Board of County Commissioners  
236<sup>th</sup> Annual Session*

Item 3  
No. 2016-12-76

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 12<sup>th</sup> day of December 2016.

**RESOLUTION to Authorize the County Mayor and Purchasing Agent to Develop a "Request for Qualifications" to Retain Professional Services to Assess the Structural and Engineering Integrity and to Assess Space Needs for Either Jail Expansion or New Construction of the Sullivan County Jail**

WHEREAS, the main structure of the Sullivan County Jail facility was constructed in 1986 with an 150 bed expansion being added in 1999 and another jail extension (separate e building) added in 2005 due to the ever increasing inmate populations; and

WHEREAS, according to experts within the detention system, jail capacity reaches its limit at approximately 90% of its bed space; however, the Sullivan County Jail over the last five years has averaged a daily population at 125% of its total bed space capacity; and,

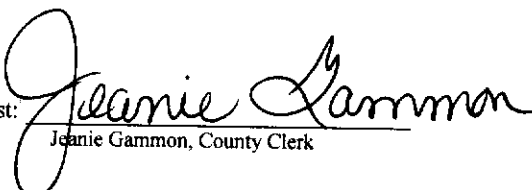
WHEREAS, due to overcrowding conditions some of the operational challenges the Sullivan County Jail is experiencing is as follows: no ability to classify and separate inmates by risk; limited space to house inmates with special medical needs; no ability to segregate housing for maximum security female and male inmates, as well as, other issues involving inmate booking and housing of weekend offenders.

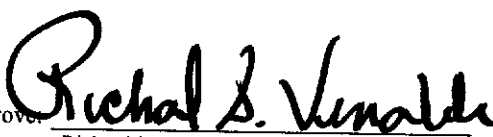
**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Mayor and Purchasing Agent on behalf of the Sullivan County Sheriff's Office to develop a "Request for Qualifications" to retain professional services to assess the structural and engineering integrity and to access space needs for either jail expansion or new construction of the Sullivan County Jail in order to make decisions about what can be safely and efficiently be used to solve the present overcrowding at the facility.

**BE IT FURTHER RESOLVED** that any further professional services regarding any jail renovation or expansion will be presented to the county legislative body for consideration of funding.

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.

Approved this 17th day of January, 2017~~2016~~.

Attest:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsored By: Commissioner Bill Kilgore**  
**Co-Sponsor(s): Commissioners Cheryl Russell, Sherry Grubb**

**ACTIONS:** 1<sup>st</sup> Reading 12/12/16; Action deferred by Executive Committee 1/3/17; D Approved by Administrative Committee 1/4/17/16 01-17-17 Placed on Consent Agenda  
01-17-17 Approved by Commission.



*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 4  
No. 2017-01-02

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Accept and Appropriate Grant Funds for the Sullivan County Library**

WHEREAS, a grant has become available through the Tennessee State Library and Archives in an amount up to \$3,000.00 for public access computers for all library locations; and,

WHEREAS, the Sullivan County Library has anticipated and planned for this project and has chosen to spend a portion of their budget on this project;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting and appropriating funds in an amount up to \$ 3000.00 from the Department of State, Tennessee State Library and Archives.

**BE IT RESOLVED** that the Sullivan County Library will provide matching funds per grant guidelines from their current capital outlay budget (No New Money Involved). Account Codes assigned by the Office of Accounts & Budgets as follows:

Revenue	101	46990	Pgm 141
Appropriation	101	56500.700	Pgm 141

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.

Approved this 17th day of January 2017.

Attest: Jeanie Gammon  
Jeanie Gammon, County Clerk

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

**Sponsored By: Commissioner Randy Morrell**  
**Co-Sponsor(s): Commissioners Andy Hare**

**ACTIONS:** Approved by Executive Committee 1/3/17; Approved by Administrative Committee 1/4/17;  
01-17-17 Placed on Consent Agenda 01-17-17 Approved by Commission



*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 5  
No. 2017-01-03

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Approve A Budget Amendment To Fund Improvements Needed At Observation Knob Park Fund (#123) For The 2017 Fiscal Year**

**WHEREAS**, improvements over the security of the operations of the Observation Knob Park have not kept up with the current standards over such a public facility; and,

**WHEREAS**, the Park has requested that a security gate be installed to control the vehicles entering the park on a daily basis; and,

**WHEREAS**, the park has adequate balances in the fund balance account to provide funding to cover certain one-time improvements.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes an amendment to the 2016-17 FY budget increasing appropriations for Capital by \$10,000 to be funded from the Park Fund's surplus. Account codes to be assigned by the Director of Accounts and 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.

Approved this 17<sup>th</sup> day of January, 2017.

Attest: Jeanie Gammon  
Jeanie Gammon, County Clerk

Approved: Richard S. Venable  
Richard Venable, County Mayor

**Sponsored By: Commissioner Mark Vance**  
**Co-Sponsor(s): Commissioners Bob Neal, Dennis Houser**

**ACTIONS:** Approved by Executive Committee 1/3/17; Approved by Administrative Committee 1/4/17;  
01-17-17- Placed on Consent Agenda  
01-17-17- Approved by Commission



*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 6  
No. 2017-01-04

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Post "25 MPH Speed Limit" Signs On Rainbow Circle In The 6<sup>th</sup> Commission District**

**WHEREAS**, Commissioner Mark Bowery requested speed limit sign changes be made on Rainbow Circle; and

**WHEREAS**, the Sullivan County Highway Department has reviewed the request and approves the change.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

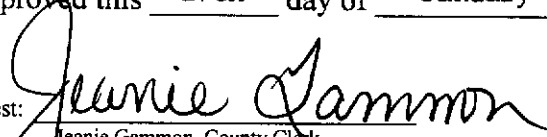
**6<sup>th</sup> Commission District**

**Place "25 MPH Speed Limit" signs on Rainbow Circle.**

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.

Approved this 17<sup>th</sup> day of January 2017.

Attest:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsored By: Commissioner Mark Bowery**

**Co-Sponsor(s): Commissioners Matthew Johnson**

**ACTION:** Approved by Executive Committee 1/3/17; Approved by Administrative Committee 1/4/17;  
01-17-17- Placed on Consent Agenda; 01-17-17 Approved by Commission

SULLIVAN COUNTY  
HIGHWAY DEPARTMENT  
P.O. BOX 990  
BLOUNTVILLE, TENNESSEE 37617

JIM BELGERI  
HIGHWAY COMMISSIONER

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

RESOLUTION REQUEST REVIEW

DATE: 12-20-2016

TO: Sullivan County Commission

REQUEST MADE BY: MARK Bowery

SUBJECT: To place 25 MPH speed limits on  
Rainbow Cir

6<sup>th</sup> COMMISSIONER DISTRICT

Matthew Johnson

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENT:

Roger Cooper 12/20/16  
TRAFFIC COORDINATOR DATE

J. Belger 12/20/16  
HIGHWAY COMMISSIONER DATE



*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 7  
No. 2017-01-05

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Place Signs On Chadwell Road And Bloomingdale Road In The 6<sup>th</sup> Commission District**

WHEREAS, Commissioner Matthew Johnson requested the Sullivan County Highway Department to make the above referenced change; and

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

**6th Commission District**

To place signs on Bloomingdale Road and Chadwell Road in the vicinity of Bloomingdale Road and Chadwell Road intersection and SR 93 (Wadlow Gap Road) and Chadwell Road intersection that read:

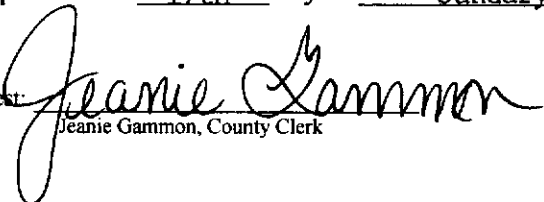
**TRUCK ADVISORY  
THROUGH TRUCKS WILL ENCOUNTER  
STEEP GRADES, SHARP CURVES  
AND TIGHT TURNS.  
ALTERNATE ROUTE STRONGLY ADVISED.  
GPS UNRELIABLE**

(Signs on SR 93 will be requested through T-DOT)

***WAIVER OF THE 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.

Approved this 17th day of January 2017.

Attest:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Sponsored By: Commissioner Matthew Johnson**

**Prime Co-Sponsor(s): Commissioner Terry Harkleroad, Mark Bowery, John Gardner**

**ACTIONS:** Waiver of Rules; Submitted as draft at Executive Committee 1/3/17; recommended for submission and approval by Executive Committee 1/3/17; Approved by Administrative Committee 1/4/17;

01-17-17- Placed on Consent Agenda; 01-17-17 Approved by Commission

**Picture Below: Truck and trailer attempting to make turn from Chadwell Road onto Bloomingdale Road.**







*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 8  
No. 2017-01-06

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Post "25 MPH Speed Limit" Signs On Rachel's Way In The 5<sup>th</sup> Commission District**

**WHEREAS**, Commissioner Andy Hare requested speed limit sign changes be made on Rachel's Way; and

**WHEREAS**, the Sullivan County Highway Department has reviewed the request and approves the change.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following traffic sign placement in Sullivan County:

**5<sup>th</sup> Commission District**

**Place "25 MPH Speed Limit" signs on Rachel's Way.**

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.

Approved this 17<sup>th</sup> day of January 2017.

Attest:

*Jeanie Gammon*  
Jeanie Gammon, County Clerk

Approved:

*Richard S. Venable*  
Richard S. Venable, County Mayor

**Sponsored By: Commissioner Andy Hare**

**Co-Sponsor(s): Commissioners Sherry Grubb**

**ACTION:** 01-17-17-Placed on Consent Agenda; 01-17-17-Approved by Commission.

SULLIVAN COUNTY  
HIGHWAY DEPARTMENT  
P.O. BOX 590  
BLOUNTVILLE, TENNESSEE 37617

JIM BELGERI  
HIGHWAY COMMISSIONER

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

RESOLUTION REQUEST REVIEW

DATE: 1-11-2017

TO: Sullivan County Commission

REQUEST MADE BY: ANDY HARE

SUBJECT: TO PLACE 25 MPH SPEED Limits  
signs on Rachel's Way.

5th COMMISSIONER DISTRICT

Sherry Grubb

APPROVED BY HIGHWAY DEPARTMENT

DENIED BY HIGHWAY DEPARTMENT

COMMENT:

Regan Cooper  
TRAFFIC COORDINATOR      DATE

J. Belgeri      01/11/17  
HIGHWAY COMMISSIONER      DATE



## Sullivan County

Board of County Commissioners  
23<sup>rd</sup> Annual Session

Item 9  
No. 2017-01-07

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Allow The Construction Of A Privately-Funded Retaining Wall On County Right-of-Way (ROW)**

**WHEREAS**, Mr. Fred Pinney is owner of a private residence at 771 Hamilton Trail, Piney Flats, in Sullivan County, and

**WHEREAS**, Mr. Pinney plans improvements to his property to include a retaining wall and driveway improvements, and

**WHEREAS**, Mr. Pinney has commissioned a Registered Engineer to design said retaining wall and said wall will occupy a portion of the County ROW, and

**WHEREAS**, sight distances along the County ROW will be improved by the presence of said retaining wall;

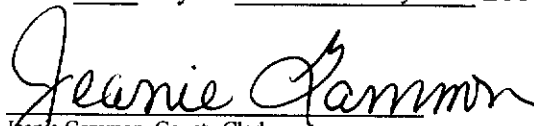
**NOW THEREFORE BE IT RESOLVED** that occupancy of the County ROW by said wall be approved until such time as its removal is deemed necessary by this Legislative body for any reason whatsoever. Be it further resolved that the SCHD observe the construction of the wall to ensure that it complies in all material respects to the sealed plans submitted.

This Resolution shall take effect from and after its passage.

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

Approved this 17th day of January 2017.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Mayor Richard S. Venable, Chairman

**Introduced By: Commissioner Andy Hare**

**Seconded By: Commissioner Sherry Grubb**

**ACTIONS:** 01-17-17- Placed on Consent Agenda; 01-17-17 Approved by Commission.



## *Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 10  
No. 2017-01-08

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Approve Appropriating Funds To SBK (Sullivan County - Bluff City - Kingsport) Animal Shelter/PETWORKS For The Purchase Of Land For An Animal Shelter**

**WHEREAS**, the SBK (Sullivan County, Bluff City, Kingsport) Animal Shelter is going through a rebranding and renaming process which will include the City of Bristol, Tennessee joining the shelter and financially contributing accordingly; and

**WHEREAS**, the new formed organization will be identified as PETWORKS Regional Animal Service. And they will be dedicated to providing the best possible care to lost, abused, and homeless animals with their goal to achieve a status of no kill performance; and

**WHEREAS**, within the rebranding process, PETWORKS wishes to construct a new shelter to be known as PETWORKS Adoption Center; and

**WHEREAS**, to be able to provide this service Sullivan County needs to contribute their share of the costs to fund this project.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes an amendment to the 2016-17 FY budget to appropriate funds not to exceed \$75,000 from the General Fund to contribute to PETWORKS for costs in relation to the purchase of land for an animal shelter. Account codes to be assigned by the Director of Accounts and 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.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

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

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

**Sponsored By: Commissioner Joe Herron**

**Co-Sponsor(s): Commissioners Angie Stanley, Terry Harkleroad, Matthew Johnson**

**ACTIONS:** 01-17-17- 1st Reading;



## *Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 11  
No. 2017-01-09

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Authorize the County Mayor to Execute a Third Amendment to Funding Agreement between Sullivan County, the City of Kingsport, and the Industrial Development Board of the City of Kingsport, Tennessee (KEDB) regarding purchase of land by KEDB and lease of such land to C & F Manufacturing**

WHEREAS, on June 20, 2011, the Sullivan County Board of Commissioners approved Resolution No. 2011-06-55 committing Sullivan County to annual appropriate \$150,000 to be used as a contingency to cover the County's portion of any shortfall in lease payments made by C & F Manufacturing as required to cover the debt service incurred by the Industrial Development Board of the City of Kingsport with Bank of Tennessee (the lender) funding the purchase of a building and property located at 10388 Airport Parkway, Kingsport, Tennessee and leased to C & F Manufacturing; and

WHEREAS, pursuant to that purchase, a Lease Agreement was entered into by KEDB leasing said land to C & F Manufacturing USA, Inc.; and

WHEREAS, C & F Manufacturing USA, Inc. defaulted in their lease payments; and

WHEREAS, in 2015 at the request of the County, City, and KEDB, the Bank of Tennessee agreed to modify payment terms on the loan used to finance the purchase of said building and property and requested that each entity enter into a First Amendment to the Funding Agreement in connection with such loan modifications; and

WHEREAS, on April 20, 2015, the Sullivan County Board of Commissioners passed Resolution No. 2015-04-20 approving the County Mayor to execute a First Amendment to Funding Agreement between Sullivan County, the City of Kingsport and the Industrial Development Board of the City of Kingsport, Tennessee (KEDB) which basically provided that during the period of April 22, 2015 to March 22, 2016 interest only would be due and payable on the outstanding loan; and

WHEREAS in 2016 it was again necessary to modify payments terms on the loan with Bank of Tennessee and the Funding Agreement between Sullivan County, the City of Kingsport and the Industrial Development Board of the City of Kingsport; and

WHEREAS, on March 21, 2016, the Sullivan County Board of Commissioners passed Resolution No. 2016-03-15 approving the County Mayor to execute a Second Amendment to Funding Agreement which provided that the principal amortization required under the Promissory Note shall be suspended and payments of only accrued interest shall be due and payable from April 22, 2016 to March 22, 2018, and thereafter, continuing with each succeeding calendar month, principle and interest shall be due and payable in consecutive monthly installments; and

WHEREAS, a buyer (Leclerc Foods) for the building has been found; however, after sale of the building it appears there will be a balance due on the original debt to Bank of Tennessee in the amount of approximately \$\$740,804.21 (Seven Hundred and Fifty Thousand Dollars); and

WHEREAS, the City of Kingsport and Sullivan County will have to pay the \$740,804.21 (+/-) balance due on said debt; and

WHEREAS, the Bank of Tennessee has offered a repayment schedule of four to five years at an interest rate lower than the current rate on the original loan; and

WHEREAS, it is necessary to modify payments terms on the loan with Bank of Tennessee and the Funding Agreement between Sullivan County, the City of Kingsport and the Industrial Development Board of the City of Kingsport; and

WHEREAS, attached hereto are drafts of the following documents: 1) Third Amendment to Funding Agreement between the City of Kingsport, Sullivan County and the Industrial Development Board of the City of Kingsport, 2) Third Amendment to Loan and Security Agreement between Bank of Tennessee and the Industrial Development Board of the City of Kingsport, and 3) Third Modification to Promissory Note between Bank of Tennessee and the Industrial Development Board of the City of Kingsport;

**NOW THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners hereby authorizes the County Mayor to approve any appropriate and necessary changes to the attached draft of Third Amendment to Funding Agreement between the City of Kingsport, Sullivan County and the Industrial Development Board of the City of Kingsport, and to execute a final draft of said Funding Agreement and any and all documents needed to modify payment terms of said Funding Agreement; and**

**BE IT FURTHER RESOLVED that the Sullivan County Board of Commissioners hereby affirms its original commitment to the annual appropriation of One Hundred Fifty Thousand Dollars (\$150,000) to be used to pay along with the City of Kingsport the approximate balance of Seven Hundred and Forty Thousand, Eight Hundred Four and 21/100 Dollars (\$740,804.21) owed to Bank of Tennessee for the original purchase of said building.**

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.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

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

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

**Sponsored By: Commissioner Mark Vance**  
**Co-Sponsor(s): Commissioners Eddie Williams**

**ACTIONS: 01-17-17- 1st Reading;**

### THIRD MODIFICATION TO PROMISSORY NOTE

**THIS THIRD MODIFICATION TO PROMISSORY NOTE**, effective as of January 17, 2017, is made by and between **BANK OF TENNESSEE**, a Tennessee banking corporation ("Bank") and **THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE**, a Tennessee corporation organized under T.C.A. 7-53-101 et seq. ("Borrower").

#### RECITALS:

A. Bank previously has provided a loan to Borrower in the principal amount of \$3,500,000 as evidenced by Borrower's Promissory Note dated August 22, 2011 payable to Bank in the principal amount of \$3,500,000 as amended by Modification to Promissory Note dated April 3, 2015 (collectively the "Promissory Note") and Second Modification to Promissory Note dated April 18, 2016.

B. The indebtedness evidenced by the Promissory Note is governed and secured by the terms of a Loan and Security Agreement dated August 22, 2011 as amended by First Amendment to Loan and Security Agreement dated April 3, 2015 and Second Amendment to Loan and Security Agreement dated April 18, 2016 (collectively the "Loan Agreement").

C. Borrower has requested that Bank further modify the payment terms under the Promissory Note and Bank is willing to provide such modification in accordance with the terms and conditions set forth hereinbelow.

**NOW, THEREFORE**, in consideration of the foregoing premises, and in consideration of the parties' mutual covenants and undertakings set forth hereinbelow, Bank and Borrower do hereby amend the Promissory Note as follows:

1. Current Principal Balance. Bank and Borrower agree that the current outstanding principal balance under the Promissory Note is \$740,804.21.

2. Modification of Interest Rate. Effective as of January 17, 2017, interest shall accrue on the outstanding principal balance at the fixed rate of 2.84% per annum.

3. Modified Payment Schedule. Commencing February 17, 2017, and continuing on the 17<sup>th</sup> day of each succeeding calendar month through January 17, 2021, principal and interest shall be due and payable in forty-eight (48) consecutive monthly installments of \$16,356.76 each. All remaining principal and accrued interest shall be due and payable in full on January 17, 2021.

4. No Other Modifications. Except as set forth in this Third Modification to Promissory Note, the terms and conditions of the Promissory Note, as originally executed and previously amended, remain unaltered and in full force and effect.

**IN WITNESS WHEREOF**, Bank and Borrower have executed this Third Modification to Promissory Note by and through their respective duly authorized corporate officers.

**BANK OF TENNESSEE**

By: \_\_\_\_\_  
Jenny Dugger  
Senior Vice President

**THE INDUSTRIAL DEVELOPMENT  
BOARD OF THE CITY OF  
KINGSPORT, TENNESSEE**

By: \_\_\_\_\_  
William D. Dudney  
Chairman

ATTEST:

\_\_\_\_\_  
Keith Wilson  
Secretary-Treasurer



### THIRD AMENDMENT TO LOAN AND SECURITY AGREEMENT

**THIS THIRD AMENDMENT TO LOAN AND SECURITY AGREEMENT** ("Agreement"), effective as of January 17, 2017, is made and entered into by and between **BANK OF TENNESSEE**, a Tennessee banking corporation ("Lender"), and **THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE**, a Tennessee public not-for-profit corporation with its offices in Kingsport, Tennessee ("Borrower").

#### RECITALS:

A. Pursuant to Loan and Security Agreement dated August 22, 2011 and Borrower's Promissory Note dated August 22, 2011 payable to Lender in the principal amount of \$3,500,000 as amended by Modification to Promissory Note dated April 3, 2015 (the "First Modification") and Second Modification to Promissory Note dated April 18, 2016 (the "Second Modification") (collectively the "Promissory Note"), Lender has provided to Borrower a term loan in the principal amount of \$3,500,000 (the "Term Loan").

B. The purpose of the Term Loan was for Borrower to acquire a manufacturing facility located at 10388 Airport Parkway, Kingsport, Tennessee (the "Facility") and to lease the Facility to C & F Manufacturing USA, Inc. ("C&F") pursuant to Lease Agreement dated August 22, 2011 (the "Loan Agreement")

C. As stated in the First Modification and Second Modification, C & F has defaulted in the payment of rent due under the Lease Agreement and Borrower requested that Lender modify the payment terms under the Promissory Note.

D. Borrower has requested that Lender further modify the Term Loan, which modification Lender is willing to provide pursuant to the Third Modification to Promissory Note dated January 17, 2017 (the "Third Modification") as set forth hereinbelow.

**NOW, THEREFORE**, in consideration of the foregoing premises, and in consideration of and to induce Lender's further modification of the Promissory Note as described herein, Lender and Borrower do hereby contract and agree as follows:

1. Status of Term Loan. The parties acknowledge that the current outstanding principal balance under the Promissory Note, as of the date of this Third Amendment to Loan and Security Agreement, is \$740,804.21.

2. Modification of Interest Rate. Effective as of January 17, 2017, interest shall accrue on the outstanding principal balance under the Promissory Note at the fixed rate of 2.84% per annum.

3. Modification of Payment Schedule. The parties agree that the payment schedule under the Promissory Note shall be modified as follows: Commencing February 17, 2017, and continuing on the 17<sup>th</sup> day of each succeeding calendar month through January 17, 2021, principal and interest shall be due and payable under the Promissory Note in forty-eight (48) consecutive monthly installments of \$16,356.76 each. All remaining principal and accrued interest shall be due and payable on January 17, 2021.

4. Reaffirmation of Contingency Funding Commitment by the City of Kingsport. In consideration of the Third Modification of the Promissory Note as described herein, Borrower shall cause the City of Kingsport, Tennessee to reaffirm its commitment under the Funding Agreement dated August 22, 2011 to pay to Borrower 50% of the amount by which payments collected by Borrower from the Facility are insufficient to make the payments required under the Promissory Note.

5. Reaffirmation of Contingency Funding Commitment by Sullivan County, Tennessee. In consideration of the Third Modification of the Promissory Note as described herein, Borrower shall cause Sullivan County, Tennessee to reaffirm its commitment under the Funding Agreement dated August 22, 2011 to pay to Borrower 50% of the amount by which payments collected by Borrower from the Facility are insufficient to make the payments required under the Promissory Note.

6. Reaffirmation of Security Interest and Pledge. Borrower hereby acknowledges and reaffirms its assignment, pledge and grant of a security interest to Lender in Borrower's rights under the Funding Agreement as collateral for the Term Loan and Promissory Note.

7. No Other Amendments or Modifications. Except as set for the herein, all other terms and provisions of the Loan Agreement remain in full force and effect as originally executed.

**IN WITNESS WHEREOF**, the parties have caused this instrument to be executed by their respective duly authorized representatives as of the date first written hereinabove.

**BANK OF TENNESSEE**

By: \_\_\_\_\_  
Jenny Dugger  
Senior Vice President

**THE INDUSTRIAL DEVELOPMENT  
BOARD OF THE CITY OF KINGSFORT,  
TENNESSEE**

By: \_\_\_\_\_  
William D. Dudney  
Chairman

By: \_\_\_\_\_  
Keith Wilson  
Secretary-Treasurer

### THIRD AMENDMENT TO FUNDING AGREEMENT

**THIS THIRD AMENDMENT TO FUNDING AGREEMENT**, effective as of January 17, 2017, is made by and among **THE CITY OF KINGSPORT, TENNESSEE**, a municipal corporation of the State of Tennessee (herein the "City"), **SULLIVAN COUNTY, TENNESSEE**, a political subdivision of the State of Tennessee (herein the "County"), and **THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSPORT, TENNESSEE**, a corporation organized under T.C.A. § 7-53-101 et seq., commonly known as the "Kingsport Economic Development Board" (herein "KEDB") (the City, County and KEDB sometimes referred to herein individually as a 'Party' or collectively as the "Parties").

#### RECITALS:

- A. The Parties previously have entered into a Funding Agreement dated as of August 22, 2011 (the "Funding Agreement") pursuant to which the City and County have undertaken certain contingency funding commitments to support a loan made by Bank of Tennessee (the "Lender") to KEDB in the principal amount of \$3,500,000 (the "Term Loan"), the proceeds of which were used by KEDB to acquire a manufacturing facility located at 10388 Airport Parkway, Kingsport, Tennessee (the "Facility").
- B. Pursuant to Lease Agreement dated August 23, 2011 (the "Lease Agreement") KEDB leased the Facility to C & F Manufacturing USA, Inc. ("C&F") for the purpose of facilitating C & F's manufacturing operations at such Facility.
- C. C & F defaulted in the payment of rent due under the Lease Agreement thereby necessitating the performance of the obligations of the City and the County under the Funding Agreement to provide funds to KEDB for the purpose of making payments due under the Term Loan.
- D. Pursuant to the request of the City, County, and KEDB, Lender has previously agreed to modify the payment terms under the Term Loan pursuant to First Amendment to Loan and Security Agreement dated April 3, 2015, and Modification to Promissory Note dated April 3, 2015, and Second Amendment to Loan and Security Agreement dated April 18, 2016, and Second Modification to Promissory Note dated April 18, 2016.
- E. KEDB has requested that Lender further amend and extend the Term Loan pursuant to a Third Amendment to Loan Agreement and a Third Modification to Promissory Note, and Lender has requested that the City, County and KEDB enter into this Third Amendment to Funding Agreement in connection with such loan modification.

**NOW, THEREFORE**, in consideration of the foregoing premises, and in consideration of and to induce Lender's modification of the Term Loan as described herein, the City, County and KEDB do hereby contract and agree as follows:

1. Status of Term Loan. The Term Loan is evidenced by KEDB's Promissory Note dated August 22, 2011, payable to Lender in the original principal amount of \$3,500,000 as amended by the Modification to Promissory Note dated April 3, 2015, Second Modification to Promissory Note dated April 18, 2016, and Third Modification to Promissory Note dated January 17, 2017 (collectively the "Promissory Note"). The Parties acknowledge that the current outstanding principal balance under the Promissory Note, as of the date of this Third Amendment to Funding Agreement, is \$740,804.21.

2. Modification of Interest Rate. Effective January 17, 2017, interest on the outstanding principal balance under the Promissory Note shall accrue at the fixed rate of 2.84% per annum.

3. Modified Payment Schedule for Promissory Note. Commencing February 17, 2017, and continuing on the 17<sup>th</sup> day of each succeeding calendar month through January 17, 2021, principal and interest shall be due and payable in forty-eight (48) consecutive monthly installments of \$16,356.76 each. All remaining principal and accrued interest under the Promissory Note shall be due and payable on January 17, 2021.

4. Reaffirmation of Contingency Funding Commitment by the City of Kingsport. In consideration of the modification of the Promissory Note as described herein, the City hereby reaffirms its commitment under the Funding Agreement to pay to KEDB 50% of the amount by which payments collected by KEDB from the Facility are insufficient to make the payments required under the Promissory Note, as amended by the Third Modification to Promissory Note. All other terms and conditions of the City's funding commitment remain as originally stated in the Funding Agreement.

5. Reaffirmation of Contingency Funding Commitment by Sullivan County. In consideration of the modification of the Promissory Note as described herein, the County hereby reaffirms its commitment under the Funding Agreement to pay to KEDB 50% of the amount by which payments collected by KEDB from the Facility are insufficient to make the payments required under the Promissory Note, as amended by the Third Modification to Promissory Note. All other terms and conditions of the County's funding commitment remain as originally stated in the Funding Agreement.

6. Reaffirmation of Security Interest and Pledge. The City and County hereby acknowledge and agree that (i) KEDB has assigned, pledged and granted to Lender a security interest in its rights under the Funding Agreement as collateral for the Promissory Note, (ii) KEDB shall modify the Loan and Security Agreement as required by Lender to reflect the loan modification as described in the Third Modification to Promissory Note, and, (iii) Lender, as the assignee, pledgee and holder of such security interest, shall be entitled to enforce KEDB's rights under the Funding Agreement, as modified by this Third Amendment to Funding Agreement, and to apply the monies payable by the City and County under the Funding Agreement, as modified by this Third Amendment to Funding Agreement, to the monies due from time to time under the Promissory Note, as modified.

7. No Other Amendments or Modifications. Except as set forth herein, all other terms and provisions of the Funding Agreement remain in full force and effect as originally executed.

8. No Personal Liability. No member, director, officer, commissioner, elected representative or employee, whether past present or future, of the City, County or KEDB, or any successor body, shall have any personal liability for the performance of any obligations of the City, the County or KEDB respectively, under the Funding Agreement as modified by this Third Amendment to Funding Agreement.

**IN WITNESS WHEREOF**, the Parties have caused this instrument to be executed by their respective duly authorized representatives as of the date first written hereinabove on the following pages.

**THE CITY OF KINGSPORT,  
TENNESSEE**

By: \_\_\_\_\_  
John Clark  
Mayor

**ATTEST:**

\_\_\_\_\_  
City Recorder

**APPROVED AS TO FORM:**

\_\_\_\_\_  
J. Michael Billingsley  
City Attorney

**SULLIVAN COUNTY, TENNESSEE**

By: \_\_\_\_\_  
Richard S. Venable  
Mayor

**ATTEST:**

\_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Daniel P. Street  
County Attorney

**THE INDUSTRIAL DEVELOPMENT  
BOARD OF THE CITY OF KINGSPORT,  
TENNESSEE**

By: \_\_\_\_\_  
William D. Dudney  
Chairman

**ATTEST:**

\_\_\_\_\_  
Keith Wilson  
Secretary-Treasurer



*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

Item 12  
No. 2017-01-10

**RESOLUTION OF THE SULLIVAN COUNTY COMMISSION  
FOR ADOPTION OF A REDEVELOPMENT PLAN AND  
TAX INCREMENT FINANCING AMENDMENT FOR THE  
DOWNTOWN BRISTOL CBD REDEVELOPMENT DISTRICT**

WHEREAS, Bristol Housing ("Bristol Housing") pursuant to the provisions of Title 13, Chapter 20, Tennessee Code Annotated, as supplemented and amended, has the power and authority to administer redevelopment programs located within its statutory boundaries; and

WHEREAS, Bristol Housing has prepared a document entitled "Redevelopment Plan for Identified Districts & Study Areas" in conformance with Title 13, Chapter 20, Part 2, Tennessee Code Annotated, as supplemented and amended which has been adopted by the City Council of the City of Bristol, Tennessee pursuant to Resolution No. 06-14; and

WHEREAS, as previously authorized by the Sullivan County Commission, Bristol Housing conducted a public hearing on November 30, 2016, to determine the necessity for the adoption of a Redevelopment Plan for the Downtown CBD Redevelopment District on behalf of Sullivan County which includes the use of tax increment financing; and

WHEREAS, the comments and findings of said public hearing, along with the Project Proposal for the Downtown CBD Redevelopment District have been presented to the Sullivan County Commission; and

WHEREAS, Bristol Housing and the City Council of the City of Bristol, Tennessee have recommended the adoption of the Redevelopment Plan and the proposed tax increment financing amendment and have also recommended approval of the use of tax increment financing for a Project known as E.W. King Building to be located within the Downtown CBD Redevelopment District.

NOW, THEREFORE, be it resolved by the Sullivan County Commission as follows:

1. That the Redevelopment Plan for the Downtown CBD Redevelopment District, along with the proposed Amendment, as presented and recommended by Bristol

Housing, a copy of the Plan and Amendment being attached hereto as Exhibit A and Exhibit B, respectively, are hereby approved, and the factual findings contained therein are affirmed and adopted by the Sullivan County Commission.

2. That use of tax increment financing as described in the Downtown CBD Redevelopment Plan as amended for use in support of the project known as E.W. King Building is hereby approved.

3. That the Sullivan County Mayor and Sullivan County Assessor are hereby authorized and empowered to negotiate and execute all such documents as may be reasonably required to implement this Plan.

4. That Bristol Housing is hereby authorized and empowered to implement the Redevelopment Plan on behalf of Sullivan County through the execution of a Redevelopment Agreement

5. This resolution is restricted solely to the Downtown CBD Redevelopment District and is not an approval or denial of any other Redevelopment Plan or District.

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

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

**Sponsor: Commissioner Mark Vance**  
**Co-Sponsor: Commissioner Bob White**  
ACTION: 01-17-17- 1st Reading;

**DOWNTOWN CBD REDEVELOPMENT DISTRICT  
E.W. KING BUILDING PROJECT  
TAX INCREMENT FINANCING AMENDMENT**

Tax-increment financing ("TIF") is a redevelopment tool to be administered by housing and redevelopment authorities codified at Tenn. Code Ann. §§13-20-204 and 205, et. seq. The purpose of TIF is to provide an economic stimulus for blighted property in need of redevelopment. Upon adoption of this Amendment, TIF may be utilized to finance eligible redevelopment costs for a redevelopment project known as the E.W. King Building ("E.W. King Building") to be located within the existing Downtown CBD Redevelopment District subject to the provisions of this Amendment. The TIF shall be administered as follows:

A. District History.

The Downtown CBD Redevelopment District was designated as a Redevelopment District by BRISTOL HOUSING ("BRISTOL HOUSING") in 2005. Due to its size and key location, redevelopment of this area is a critical component to complete the transformation of the Downtown CBD Redevelopment District. The E.W. King Building Project Area of the Downtown CBD Redevelopment District is shown on the map attached as Exhibit One ("Project Area").

The Project Area is recognized as having a potential economic return to the City and County primarily due to its desirable location in the heart of downtown's central business district. Delay of the redevelopment of this site will continue to have a deteriorative impact on the adjacent commercial areas. The use of TIF will allow the redevelopment of a well-located site which has remained underutilized for decades. The existing blighting influence and underutilization would be remediated or eliminated by implementation of the proposed Redevelopment Project. Redevelopment of this area would also create approximately 25 new jobs and perhaps more depending on the ultimate use of the property. An additional 25 or more persons working and perhaps living in Downtown Bristol will also provide an economic stimulus to the downtown area. The construction contemplated by the Project will all also create jobs and generate sales tax through the purchase of materials.

Based on the foregoing circumstances and conditions, the Board of Commissioners of BRISTOL HOUSING has determined that the District is blighted as defined by TCA 13-20-201 et seq. The District experiences the following conditions:

1. Long-term vacant and underutilized property.
2. Deleterious land use.
3. Blighting effect of the continued vacancy and deterioration of the property and impact to the surrounding properties.



It is recommended that the project be redeveloped, rehabilitated and/or renovated in order to correct such blighted and deteriorated conditions.

B. District Zoning and Land Use.

The redevelopment of the District shall comply with the Zoning Ordinances and building codes as well as other applicable rules, laws, ordinances, codes and regulations of the City. BRISTOL HOUSING shall also review the Plan and any redevelopment projects within the District with appropriate City agencies and officials to ensure that the Plan and the proposed redevelopment activities conform with local objectives relating to appropriate land uses, improved traffic flow, public transportation, public utilities, recreation and community facilities and other public improvements and needs. For a more complete description of the requirements and restrictions of the Zoning Ordinances of the City, reference should be made to the Ordinances themselves. This property should continue to be zoned B-2 by the City of Bristol.

The City and BRISTOL HOUSING will cooperate in the planning and construction of improvements to the streets, roadways, sidewalks, curbs and gutters, parking systems, lighting, landscaping and traffic signalization and control.

C. Estimated Cost of the Project.

The total estimated costs of all the proposed improvements to be made by Champion Property Development, LLC (the "Developer") for the E.W. King Building is \$ 2,800,000.00. The proposed improvements include removal and replacement of the existing windows and sprinkle system; new elevators, stairwells and restrooms; upgrades to the electrical system, the exterior façade and brickwork; and the build out of one or more floors to meet the needs of potential tenants (the "Redevelopment Project"). In addition, BRISTOL HOUSING will be paid an annual administration fee equal to five percent of the total annual tax increment revenue received by BRISTOL HOUSING. The Project will be located upon Sullivan County Tax Map 020D, Control Map 020D, Group F, Parcel 025.00 which is the sole tax parcel within the Project Area. The TIF shall be limited to eligible expenditures for the Redevelopment Project within the Project Area.

D. Sources of Revenue to Finance the Cost of the Project.

The primary sources of revenue to pay for the Redevelopment Project is an investment in the amount of \$2,800,000.00 from the Developer and tax increment based debt (to be issued by the BRISTOL HOUSING in the form of bonds, notes, or other indebtedness) in an amount not to exceed \$ 475,000.00, but in no event in an amount to exceed the estimated amount of debt that can be amortized over the 15 year increment periods which are hereby authorized by City of Bristol (the "City") and Sullivan County, Tennessee (the "County"). Current projections suggest that the tax increment from the proposed improvements within the Project Area will be sufficient to retire this amount of indebtedness within a fifteen year amortization period for both the City and the County.

The total current property tax assessment for the Project Area is \$119,840.00. This results in annual property tax payments to the City in the amount of \$2,696.00 and annual property tax payments to the County in the amount of \$3,086.36. The Redevelopment Project would result in a total estimated assessed value for property within the Project Area of \$1,200,000.00. Based on current tax rates, this would result in total estimated annual city taxes of \$27,000.00 and total estimated annual county taxes of \$30,904.80. Because Sullivan County has dedicated \$0.2344 of its \$2.5754 tax rate for repayment of indebtedness and the City of Bristol has dedicated \$0.13 of its \$2.25 tax rate for repayment of indebtedness, that portion of the increment, pursuant to Tenn. Code Ann. §§13-20-205 and 9-23-103, shall not be allocated as provided in Paragraph G below but shall be collected and paid to the respective taxing agency as all other property taxes are collected and paid. Thus, the estimated total available increment from Sullivan County taxes after the administration fee and statutory debt service set aside is \$24,716.92. The estimated total available increment from City of Bristol taxes after the administration fee and statutory debt service set aside is \$22,899.39 resulting in an estimated total annual available tax increment from City and County of \$46,471.42. A detailed calculation of these estimated projections is attached hereto as Exhibit Two. The redevelopment of the Project Area will not occur to the degree proposed without the use of tax-increment financing.

E. Amount and the Final Maturity of Bonded or other Indebtedness to be Incurred.

The amortization period for any indebtedness backed by the tax-increment revenue generated within the Project Area shall be no more than fifteen years from the date of issuance of the debt. In any event, the final maturity date of all indebtedness issued pursuant to this Amendment shall be on or before May 15, 2034. Upon retirement of all bonds, loans, or other indebtedness incurred and payable from tax-increment funds, or at such time as monies on deposit in the tax-increment fund or funds are sufficient for such purpose, all property taxes resulting from the incremental development of the project shall be retained by the appropriate taxing agency for disbursement according to law.

F. Impact of the Tax-Increment Financing Provisions Upon Taxing Agencies.

The total assessment of the City of Bristol's real property tax base for the 2016 tax year is approximately \$608,567,930. The total assessment of Sullivan County's real property tax base for the 2016 tax year is approximately \$3,099,352,235. The current assessment of the Project Area represents 0.0002 % of the City of Bristol's property tax base and 0.000039% of the Sullivan County property tax base. The estimated assessment of the Proposed Improvements would represent 0.002 % of the current City of Bristol tax base and 0.00039 % of the current Sullivan County tax base. Based on these small percentages, the City and the County (the two taxing agencies affected by

this Redevelopment Project) will not be substantially impacted financially by this tax-increment financing provision.

The development of the Redevelopment Project will result in additional workers and economic activity within the Redevelopment District. It is estimated approximately 20 total jobs could be created during the construction phase of the Redevelopment Project with total wages in excess of \$1,000,000.00 which results in significant local taxes and other revenue for local governments. In addition, the long term impact includes the addition of workers to the Downtown area and creates a total of approximately 25 jobs which with total wages of almost \$1,000,000.00 annually resulting in significant local taxes and other revenue for local governments. While all these numbers rely on certain assumptions and projections, the end result of the Redevelopment Project is that a long underutilized building will be redeveloped, jobs will be created and the City and County will receive a substantial economic boost.

G. Division of Property Taxes.

Upon approval of this Amendment, the taxes levied and collected over the Project Area shall be collected by the appropriate taxing authorities in the same manner as provided by law, except that said taxes shall be divided as follows:

1. The portion of the taxes which would be produced by the rate at which the tax is levied each year by each taxing agency, upon the assessed value of such property within the Project Area as of the 2016 tax year (which is the year of approval of this TIF amendment) ("Base Assessment"), shall be allocated to, and when collected, shall be paid to, the respective taxing agencies as taxes levied by such taxing agencies on all other property are paid; provided, that in any year in which taxes of the Project Area are less than the Base Assessment and the Dedicated Taxes, there shall be allocated and paid to those respective taxing agencies only those taxes actually imposed and collected; and provided further, that, in any year or years in which the Base Assessment would be diminished solely due to a rate reduction under Title 67, Chapter 5, Part 17, of the Tennessee Code, the Base Assessment shall nevertheless be established at the amount originally determined.

2. Subject to the restraints herein and applicable law, all the taxes levied in each year in excess of the Base Assessment and Dedicated Taxes shall be allocated to and, when collected, shall be paid into a special fund or funds of BRISTOL HOUSING to pay the administration fee and to pay the principal of and interest on any bonds, loans or other indebtedness incurred or to be incurred by BRISTOL HOUSING to finance or refinance, in whole or in part, eligible redevelopment expenses of the Redevelopment Project contemplated by the Redevelopment Plan, and such other expenses as may be allowed by law.

3. Upon retirement of all bonds, loans or other indebtedness incurred by BRISTOL HOUSING and payable from such special fund or funds, or at such time as

monies on deposit in such special fund or funds are sufficient for such purpose, all taxes levied each year in excess of the Base Assessment and Dedicated Taxes shall, when collected, be paid to the respective taxing agency as taxes levied by such taxing agencies on all other property are paid, and BRISTOL HOUSING shall give notice to all affected taxing agencies of such retirement. Excess taxes beyond amounts necessary to fund or reserve for eligible expenditures may be applied to principal and interest of debt incurred to finance such eligible expenditures or shall revert to the taxing agency general fund. In any event, the division of property taxes required by this document shall not continue for any tax year beyond 2033.

H. Property Tax Assessments and Collection.

1. The appropriate assessor shall, in each year during the period in which taxes are to be allocated to BRISTOL HOUSING pursuant to Paragraph G, compute and certify the net amount, if any, by which the current assessed value of all taxable property located within the Project Area which is subject to taxation by the particular taxing agency exceeds the base assessment. The net amount of any such increase is referred to in this subdivision as the incremental value for that particular year.

2. In any year in which there exists a tax increment to be allocated to BRISTOL HOUSING, the appropriate assessor shall exclude it from the assessed value upon which the appropriate assessor computes the tax rates for taxes levied that year by the taxing agency. However, the assessor shall extend the aggregate tax rate of such taxes against the Base Assessment and the incremental value and shall apply the taxes collected there from as provided herein.

3. If in any year property comprising a portion of the Project Area shall be removed from the tax rolls of a taxing agency, the Base Assessment for the Project Area shall be reduced by the amount of the Base Assessment allocable to the property so removed for each subsequent year in which taxes are to be allocated to a particular authority pursuant to the above provisions.

I. Documentation for Assessor's Office.

Upon approval of this Amendment, BRISTOL HOUSING shall transmit to the assessor of property and the chief financial officer for each taxing agency affected, a copy of the description of all land within the Project Area (including tax parcel numbers), the date or dates of the approval of the redevelopment plan or amendment thereto, a copy of the resolution approving the redevelopment plan or approving an Amendment thereto, a map or plat indicating the boundaries of such property and the Base Assessment with respect to the Project Area, and taxes shall thereafter, when collected, be allocated and paid in the manner provided herein.

J. Excluded Taxes.

Notwithstanding anything to the contrary in this section, taxes levied upon property subject to tax-increment financing provisions by any taxing agency for the payment of

principal of and interest on all bonds, loans or other indebtedness of such taxing agency, and taxes levied by or for the benefit of the State of Tennessee (herein "Dedicated Taxes"), shall not be subject to allocation as provided in Paragraph G but shall be levied against the property and, when collected, paid to such taxing agency as taxes levied by such taxing agency on all other property are paid and collected.

K. Interpretation.

This tax-increment financing amendment is being proposed pursuant to *Tenn. Code Ann. § 13-20-201, et. seq.* and *Tenn. Code Ann. § 9-23-101, et. seq.* and all relevant provisions are hereby incorporated herein by reference. All provisions of this Amendment shall be construed in a manner consistent with said Code sections.

L. Conditions of Tax Increment.

BRISTOL HOUSING shall enter into a redevelopment agreement with Developer which requires Developer to pursue and complete the Redevelopment Project in a diligent manner, and in accordance with plans and specifications approved by BRISTOL HOUSING. The redevelopment agreement to be entered into between BRISTOL HOUSING and Developer shall contain such terms as BRISTOL HOUSING believes reasonably necessary to accomplish this purpose.

EXHIBIT ONE

MAP OF E.W. KING BUILDING PROJECT AREA LOCATED IN DOWNTOWN CBD  
REDEVELOPMENT DISTRICT

EXHIBIT TWO

TIF ESTIMATE  
E.W. KING BUILDING PROJECT AREA  
DOWNTOWN CBD  
REDEVELOPMENT DISTRICT

Total Original Assessed Value	\$119,840.00
County Tax Rate	2.5754
City Tax Rate	2.25
Total Proposed Assessed Value	\$1,200,000.00
County Debt Service Set Aside	0.1667
City Debt Service Set Aside	0.13
Total Proposed County Taxes	\$30,904.80
Current County Taxes	\$3,086.36
Proposed County Increment	\$27,818.44
County Debt Service Set Aside	\$1,800.63
Total Available County Increment	\$26,017.81
Net County Increment after Fee	\$24,716.92
Total Proposed City Taxes	\$27,000.00
Current City Taxes	\$2,696.40
Proposed City Increment	\$24,303.60
City Debt Service Set Aside	\$1,404.21
Total Available City Increment	\$22,899.39
Net City Increment After Fee	\$21,754.42
<b>Net Available City and County Increment</b>	<b>\$46,471.34</b>



## *Sullivan County*

*Board of County Commissioners  
23<sup>rd</sup> Annual Session*

Item 13  
No. 2017-01-11

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 17<sup>th</sup> day of January 2017.

**RESOLUTION To Approve Establishing An Annual Appropriation To Rocky Mount Historical Association For Services To Sullivan County**

WHEREAS, Rocky Mount State Historic Site has been a popular tourist site and destination for visitors to Sullivan County for over 50 years. Each year approximately 14,000 visitors tour the historic site from mid-March through the first of December; and

WHEREAS, Rocky Mount is only partially funded by the state (27%) and relies heavily upon tours, school groups, and donations for funding; and

WHEREAS, Rocky Mount has been accommodating and welcoming in providing Sullivan County citizens in the Piney Flats community with a location to adequately serve as a voting precinct. Additionally, Rocky Mount staff are still needed to work those days to provide services that are needed to assist with election officials and voters. Rocky Mount is the most logical location for a voting precinct in the Piney Flats area and the Election Commission wishes to continue to utilize this facility in the future.

**NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves establishing an annual appropriation of \$1500.00 to the Rocky Mount Historical Association for their services to Sullivan County. Said appropriation beginning in the FY 2016-17 with funds being appropriated from the General Fund. Account Codes to be assigned by the Director of Accounts and 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.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

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

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

**Sponsored By: Commissioner Andy Hare**  
**Co-Sponsor(s): Commissioner Sherry Grubb**  
**ACTIONS:**

1st Reading 01-17-17;





*Sullivan County*

*Board of County Commissioners  
237<sup>th</sup> Annual Session*

**IN RE:** *Sullivan County, Tennessee and The Sullivan County Board of Education  
v.  
The City of Bristol, Tennessee and The City of Kingsport, Tennessee  
Civil Action No. B0024737*

**Motion in Regards to Civil Action No. B0024737**

WHEREAS, on this 17<sup>th</sup> day of January, 2017, the Sullivan County Commission convened in Regular Session and was provided an update by County Attorney Daniel P. Street in regards to the status of the above caption lawsuit; and

WHEREAS, Commissioner White made a motion that Sullivan County join together with other counties in the Court of Appeals trying to resolve this same liquor-by-the-drink issue in a consolidated effort to expedite this matter through the judicial system.

Second by Commissioner Hare & Bowery.

Said motion, second, and vote entered into the record of the Sullivan County Board of Commissioners this 17<sup>th</sup> day of January, 2017.

Handwritten signature of Richard S. Venable in black ink.


Richard S. Venable, Sullivan County Mayor

Handwritten signature of Jeanie Gammon in black ink.

Attest: Jeanie Gammon, Sullivan County Clerk

Approved 01-17-17

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. WHITE TO MEET AGAIN IN REGULAR  
SESSION FEBRUARY 21, 2017.

A handwritten signature in black ink, reading "Richard Venable", written in a cursive style. The signature is positioned above a horizontal line.

RICHARD VENABLE

COMMISSION CHAIRMAN