

JULY 17, 1989
MONDAY MORNING, JULY 17, 1989

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT FOR A REGULAR SESSION OF COUNTY COMMISSION IN SESSION THIS MONDAY MORNING, JULY 17, 1989, IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK, AND KEITH CARR, COUNTY SHERIFF OF SAID BOARD OF COMMISSIONERS OF SAID COUNTY, TO WITNESS:

COMMISSIONERS PRESENT AND ANSWERING ROLL CALL:

AMMONS, ANDERSON, ARRINGTON, BARGER, BLALOCK, CARROLL, CHILDRESS, DEVAULT, DINGUS, FERGUSON, FORTUNE, GROSECLOSE, ICENHOUR, JONES, KING, MCKAMEY, MCCONNELL, MILHORN, MORRELL, NEIL, NICHOLS, ROCKETT, RUSSIN AND THOMAS.

ABSENT: NONE

JULY 17, 1989

ELECTION OF CHAIRMAN OF THE BOARD OF COMMISSIONERS

Upon motion made by Commissioner Ray Dingus and seconded by Commissioner Wayne Anderson, the name of County Executive, Keith Westmoreland was placed in nomination to serve as Chairman of the County Commission. Motion made by Comm. Fred Childress and Seconded by Comm. Nick Russin, that nominations cease, County Executive, Keith Westmoreland, was elected by roll call vote to serve as Chairman of the Board of Commissioners.

ELECTION OF CHAIRMAN PRO-TEM OF THE BOARD OF COMMISSIONERS

Upon motion made by Commissioner Joe Thomas and seconded by Commissioner Ray Dingus, the name of Albert Morrell was placed in nomination to serve as Chairman Pro-Tem of the Board of Commissioners. Motion made by Commissioner Rita Groseclose and seconded by Bob Ammons, that nominations cease, Commissioner Albert Morrell was elected by roll call vote to serve as Chairman Pro-Tem of the County Commission.

Election of Notaries

Wayne Bartley
Margaret C. Bear
Vergie H. Blair
Patricia W. Bolling
Daphne Statzer Booher
Sam H. Bray
Robert C. Callahan
William D. Fields
Linda G. Galliher
Doris Ann Keel
Lisa A. Laughlin
Vickie H. Messer
Shirley Jean Ramey Miller
Beverly E. Minnick
Sheila White Postell
William C. Shears
Anne C. Spry
Barbara Stephens
Delmer H. Wallen, Sr.

ELECTION | Upon motion made by Commissioner Albert Morrell and Seconded by
OF | Commissioner Joe Thomas, Jr., the above names were read before the
NOTARIES | County Commission and elected to serve a term of four years as Notary
 | Public by roll call vote of the Commission. 24 aye 0 Nay

STATE OF TENNESSEE I
COUNTY OF SULLIVAN I

QUARTERLY REPORTS

1. COUNTY EXECUTIVE
KEITH WESTMORELAND
2. ACCOUNTS & BUDGETS
HARRY TRENT, DIRECTOR ✓
3. HIGHWAY DEPARTMENT-SAFETY CO-ORD.
J. D. WILSON ✓
4. SCHOOL DEPARTMENT
WALLACE KETRON
5. HEALTH DEPARTMENT & ANIMAL WARDEN
BILLY RAY, ADM.
6. SHERIFFS DEPT., JAIL, & WORKHOUSE
KEITH CARR ✓
7. AGRICULTURE AGENT & HOME DEM. AGENT
HUBERT LAMBERT ✓
8. PURCHASING AGENT, CENTRAL STORES & PRINT DEPT.
JOE MIKE AKARD ✓
9. PROBATION OFFICER
ROBERT FRAZIER
10. VETERANS SERVICE OFFICER
BRISTOL & KINGSPORT
11. ELECTION COMMISSION
MARGARET MILHORN, REGISTRAR
12. CIVIL DEFENSE
GARY MAYES
13. LIBRARY
KAY HAMRICK

APPROVAL OF QUARTERLY REPORTS □

Upon motion made by Commissioner Albert Morrell and Seconded by Commissioner Ray Dingus, all quarterly reports submitted for the period ending June 30, 1989, as checked above, were received and adopted by voice vote of the County Commission and filed with the Clerk as a matter of record.

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION THIS THE 26th DAY OF June, 19 89. RESOLUTION AUTHORIZING WHEEL TAX FOR SULLIVAN COUNTY

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION , AUTHORIZES COUNTIES

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 26th day of June, 19 89,

THAT WHEREAS, The Sullivan County Education Department is recognized for its high standards and to continue this standard of excellence, the Education Budget for 1989-90 must be increased by eleven cents more than approved by the Budget Committee.

NOW, THEREFORE, BE IT RESOLVED THAT a Wheel Tax of twenty five dollars (\$25) be assessed to each registered vehicle in Sullivan County as soon as feasible.

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

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

Duly passed and approved this day of , 19 .

ATTESTED: APPROVED: Date: Date: County Clerk County Executive

INTRODUCED BY COMMISSIONER GROSECLOSE ESTIMATED COSTS:

SECONDED BY COMMISSIONER FORTUNE FUND:

COMMISSION ACTION: [aye] [nay]

ROLL CALL

V CE VOTE

C MITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: FIRST READING 6/26/89 WITHDRAWN 7/17/89

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 26th DAY OF June, 1989.

RESOLUTION AUTHORIZING Reappointment of Two Representatives of Industrial Development Board of the County of Sullivan

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 26th day of June, 1989,

THAT George Gibson and Albert C. Noble be reappointed to another six year term on the Industrial Development Board of the County of Sullivan.

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

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

Duly passed and approved this 17th day of July, 1989.

ATTESTED:

APPROVED:

County Clerk Date: 7-17-89 Keith Westmoreland
County Executive Date: 7-17-89

INTRODUCED BY COMMISSIONER ICENHOUR ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER RUSSIN FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE X _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>EXECUTIVE</u> (Deferred)	_____	_____	<u>7/5/89</u>
<u>ADMINISTRATIVE</u> (Deferred)	_____	_____	<u>7/10/89</u>

COMMENTS: FIRST READING 6/26/89 PASSED 7/17/89 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION THIS THE 26th DAY OF June, 1989.

RESOLUTION AUTHORIZING SULLIVAN COUNTY COMMISSIONERS BE NOTIFIED ONE MONTH PRIOR TO FILLING VACANCIES AND/OR EXPIRATION OF TERMS ON VARIOUS BOARDS AND COMMISSIONS

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Adjourned Session on the 26th day of June, 1989.

THAT notices of vacancies and/or expiration of terms on the various boards and commissions to which the Sullivan County Commission makes appointments/be furnished to the Commission one month prior to the appointment dates.

7/17/89 AMEND: COMM. THOMAS--Resume of all nominees be furnished the Commissioners.

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

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

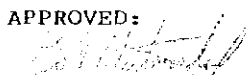
Duly passed and approved this 17th day of July, 1989.

ATTESTED:

APPROVED:

County Clerk

Date: 7/17/89


County Executive

Date: 7-17-89

INTRODUCED BY COMMISSIONER DeVAULT ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER FERGUSON FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL

VOICE VOTE X

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Executive (See comments below)	X as amended		7/5/89
ADMINISTRATIVE	X		7/10/89

COMMENTS: FIRST READING 6/26/89

(Executive Committee)

Motion by Comm. Thomas to amend to include resumes, seconded by Comm. Barger

PASSED AS AMENDED 7/17/89 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION THIS THE 26th DAY OF June, 19 89.

RESOLUTION AUTHORIZING EQUALIZING SEWER USER RATES FOR RESIDENTS OF SULLIVAN COUNTY

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Adjourned Session on the 26th day of June, 19 89.

THAT WHEREAS, the County Commission of Sullivan County purchased capacity in the waste water treatment plants in Bristol and Kingsport thus reducing the user rates for the customers using those plants,

THEREFORE, BE IT RESOLVED THAT the County Executive be authorized to assist with negotiations between the Cities of Kingsport and Johnson City to provide sewer service and water to residents of Airport Acres.

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

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

Duly passed and approved this _____ day of _____, 19____.

ATTESTED:

APPROVED:

County Clerk Date: 7-17-89

Keith Westmoreland
County Executive Date: 7-17-89

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER BLALOCK & DINGUS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE X _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Executive (Deferred)	_____	_____	<u>7/5/89</u>
Administrative	<u>X</u>	_____	<u>7/10/89</u>

COMMENTS: FIRST READING 6/26/89 PASSED 7/17/89 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 1989.

RESOLUTION AUTHORIZING 9-1-1 ROAD NAME CHANGES

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of JULY, 1989,

THAT WHEREAS, the Sullivan County Commission approved Resolution # 15 on June 26, 1989 - ROAD NAME CHANGES FOR 9-1-1, including Cole Road to Dunn Drive.

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Commission rescinds approving Cole Road to Dunn Drive, which is a private road and should be deleted.

BE IT FURTHER RESOLVED, That the Sullivan County Commission approves the following 9-1-1 road name changes:

Houston Road to South Summer Sound Road

Echo Lane to Echo Lane Extension.

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

This resolution shall become effective on _____, 1989, the public welfare requiring it.

Duly passed and approved this 17th day of July, 1989.

ATTESTED:

APPROVED:

County Clerk

[Signature]
County Executive

INTRODUCED BY COMMISSIONER MCKAMEY ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DINGSUS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

V CE VOTE X _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: Waiver of Rules PASSED 7/17/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 19 89.

RESOLUTION AUTHORIZING ACCEPTING ROAD IN STUFFLE HEIGHTS

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17TH day of JUNE, 19 89.

THAT WHEREAS, Mr. Horton has requested the county to accept part of a road in Stuffle Heights between Stuffle Heights Subdivision - Addition # 3 and Stuffle Heights Subdivision - Addition # 1 that connects Sharron Road and,

WHEREAS, said road is used by Sullivan County Buses, and

WHEREAS, Mr. Horton has agreed to pay back taxes and for the deed, deeding the road to the county, and

WHEREAS, Mr. Wilson, Road Commissioner has agreed to accept said road as a county road.

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Commission approves and accepts said road as a county road.

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

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

Duly passed and approved this 17th day of July, 19 89.

ATTESTED:

APPROVED:

County Clerk Date: 7-17-89

[Signature]
County Executive Date: 7-17-89

INTRODUCED BY COMMISSIONER Carroll ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER NEIL FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL 24 _____

VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
Executive X _____ 7-5-89

COMMENTS: WAIVER OF RULES PASSED 7/17/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION

THIS THE 17TH DAY OF JULY, 1989.

RESOLUTION AUTHORIZING DISPOSITION OF PROPERTY (OLD TIRES, ETC.)

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in REGULAR Session on the 17TH day of JULY, 1989.

THAT THE SULLIVAN COUNTY BOARD OF COMMISSIONERS ALLOW THE PURCHASING AGENT TO SELL USED TIRES, ETC. (PER THE ATTACHED LISTING) BY SEALED BIDS, TO THE HIGHEST BIDDER, AFTER SAME HAS BEEN PROPERLY ADVERTISED IN OUR LOCAL NEWSPAPER.

PROPOSED SEALED BID OPENING DATE: MONDAY, JULY 31, 1989

WE REQUEST WAIVER OF RULE BY 2/3 VOTES.

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

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

Duly passed and approved this 17th day of July, 1989.

ATTESTED: _____ Date: 7-17-89
County Clerk
APPROVED: [Signature] Date: 7-17-89
County Executive

INTRODUCED BY COMMISSIONER MORRELL /ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER CHILDRESS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL 24

VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULE PASSED 7/17/89 ROLL CALL

000129

JULY 13, 1989

**DISPOSITION OF PROPERTY
AT
SULLIVAN COUNTY CENTRAL STORES**

The following is a listing of RECAPPABLE AND NON-RECAPPABLE TIRES, OLD INNER TUBES, and LINERS to be sold to the highest bidder by sealed bids for the Sullivan County Central Stores Department (Tire Repair Center).

<u>SIZE</u>	<u>NUMBER</u>
14-80R20-1	1
15:00x22.5	1
800R19.5	9
8:25x20	7
9:00x20	7
10:00x20	156
10:00x22	30
14:00x24	5
16.9x24	4
17.5x24	2

Plus, Three Hundred Sixty-Three, (363) small passenger car and truck tires of various sizes.

TOTAL TIRES TO BE SOLD 585

Also to be sold, approximately Six Hundred (600) pounds of old inner tubes and liners.

Each bidder must bid on all tires, tubes, liners (one lump sum price). The tire lot must be cleared of the above mentioned items and successful high bidder is responsible for removing said items within five (5) days after the bid has been awarded.


Alfred H. Keen, Supervisor
Central Stores

brd

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION

THIS THE 17th DAY OF JULY, 1989.

RESOLUTION AUTHORIZING COUNTY EXECUTIVE ENTER INTO A LEASE AGREEMENT

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of July, 1989,

THAT WHEREAS, COUNTY EXECUTIVE, KEITH WESTMORELAND BE GIVEN THE AUTHORITY TO ENTER INTO A "LEASE AGREEMENT" BETWEEN ALLIANCE FOR BUSINESS AND TRAINING OF NORTHEAST TENNESSEE, INC. AND SULLIVAN COUNTY, TENN., FOR PROPERTY KNOWN AS "THE BATES HOUSE" ADJACENT TO THE SULLIVAN COUNTY COURTHOUSE, NOW HOUSING JTPA.

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

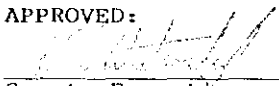
This resolution shall become effective on _____, 19____, the public welfare requiring it.

Duly passed and approved this 17th day of July, 1989.

ATTESTED:

APPROVED:

County Clerk
Date: 7-17-89



County Executive
Date: 7-17-89

INTRODUCED BY COMMISSIONER DEVAULT ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER AMMONS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL 24

VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 7/17/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17TH DAY OF JULY, 1989.

RESOLUTION AUTHORIZING GEORGE E. MASSENGILL DAY - JULY 21, 1989

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of July, 1989,

THAT Friday, July 21, 1989 be designated as GEORGE E. MASSENGILL day in Sullivan County.

WHEREAS, Mr. Massengill who died on December 24, 1979 at the age of 89, was a native of Sullivan County and a long time resident of Bluff City, and

WHEREAS, Mr. Massengill the owner of "Southern Valley Farms" consisting of 400 acres was a man who loved the land, loved farming and dealing with livestock, and

WHEREAS, Mr. Massengill, a devoted family man, married Maggie Plank and they had six (6) daughters, whom he loved deeply, and

WHEREAS, he was a devout Christian being active in his church, including directing the Church Choir.

NOW, THEREFORE, BE IT RESOLVED That, the Sullivan County Commission designate Friday, July 21, 1989 as GEORGE MASSENGILL day in Sullivan County.

BE IT FURTHER NOTED, That the State of Tennessee in Senate Resolution No. 64, by Senators Montgomery and Cohen have named a bridge on State Route 37 to Elizabethton, the "GEORGE MASSENGILL BRIDGE".

Lined area for text entry, currently blank.


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

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

Duly passed and approved this 17th day of July, 19 89.

ATTESTED:

Date: 7-17-89
County Clerk

APPROVED:


Date: 7-17-89
County Executive

INTRODUCED BY COMMISSIONER MCKAMEY

ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER JONES

FUND: _____

COMMISSION ACTION: Aye Nay

ROLL CALL _____

VOICE VOTE x _____

COMMITTEE ACTION APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 7/17/89 2/3 Voice Vote

Lined area for additional comments, currently blank.

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17th DAY OF July, 1989.

RESOLUTION AUTHORIZING Salary Schedules for the 1989 - 1990 Budget Manual

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION , AUTHORIZES COUNTIES TO

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of July, 1989.

THAT in accordance with Resolution #3 with amendments passed at the June 26, 1989 meeting of the Sullivan County Court, the following salary schedules are submitted for your approval.

Attached: Salary Schedules for the following.

General Fund and General Purpose School Fund

Emergency Medical Services Schedule

Highway Fund

Professional School Staff Schedule

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

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

Duly passed and approved this 17th day of July, 1989.

ATTESTED:

APPROVED:

County Clerk Date: 7-17-89

County Executive Date: 7-17-89

INTRODUCED BY COMMISSIONER Blalock

ESTIMATED COSTS:

SECONDED BY COMMISSIONER DINGUS

FUND:

COMMISSION ACTION: [aye] [nay]

ROLL CALL 24

VOICE VOTE

Table with 4 columns: COMMITTEE ACTION, APPROVED, DISAPPROVED, DATE. All cells are empty.

COMMENTS: WAIVER OF RULES PASSED 7/17/89 ROLL CALL

REZONING REQUESTS
Sullivan County Commission
July 17, 1989

Motion by: (1) Consider a request by Mr. Clyde Manis to rezone a tract of land
Comm. Morrell located in the 10th civil district on the north side of Highway 11-W
Sec. by: near Packing House Road from R-1 Residential to B-4 Business.
Comm. Thomas

Approve

PASSED 7/17/89 Roll Call 24 Aye
File No. 5/89-1, Eastgate Properties (Clyde Manis, Agent) from R-1 to B-4. Mr. Clyde Manis requested that property he owns on the north side of 11-W near Packinghouse Road be rezoned from R-1 (Low Density) Residential to B-4 (Arterial) Business to allow for commercial development. Mr. Manis appeared and spoke in favor of the request. No one appeared in opposition to the request. Staff reported that the property was located along a four-lane highway adjacent to an existing B-4 zone, that there was a manufacturing district nearby, and recommended that the property be rezoned. Mr. Russin made a motion, seconded by Mr. Guthrie, to approve the request. Motion to approve carried unanimously.

Motion by: (2) Consider a request by Clyde Manis to rezone a tract of land located
Comm. Morell and located on the west side of Shady View Road from A-1 Agriculture to
Sec. By: Comm. Childress R-1 Residential.

To Approve

PASSED 7/17/89 ROLL CALL 24 Aye
File No. 5/89-2, Cecil Bishop Request from A-1 to R-1. Mr. Clyde Manis appeared on behalf of Mr. Cecil Bishop and requested that a parcel of property located on the west side of Shady View Road be rezoned from A-1 (Agriculture) to R-1 (Low Density) Residential in order to protect a new subdivision, Timberland Estates, which was being developed. Mr. Manis reported that this property had been previously zoned R-1 by the City of Kingsport. Staff recommended that the request be approved. Mr. Baumit made a motion, seconded by Mrs. Paty, to approve the request. Motion to approve carried unanimously.

Motion by: (3) Consider a request by Holly Millard to rezone a tract of land
Comm. Morrell located in the 17 civil district on the east side of Shankle Mill Road
Sec. by: approximately 500 feet north of Shanks Road from R-1 Residential to R-2
Comm. Childress Residential.

To Approve

PASSED 7/17/89 ROLL CALL 24 Aye
File No. 5/89-5, Holly Millard Request from R-1 to R-2. Mr. Millard appeared before the commission and requested that property he owns on the east side of Shankle Mill Road be rezoned from R-1 (Low Density) Residential to R-2 (Medium Density) Residential to permit the location of a mobile home. Staff noted that Mr. Millard's property fronted two roads - Shankle Mill Road and Grove Park Street. Staff further noted that Grove Park Street was single-family in character, was a fairly new subdivision, and also noted that Shankle Mill Road on the other hand had several mobile homes on it. Staff stated that a review of the request, showed

Shankle Mill Road was topographically different in character from the part of the lot that fronted Grove Park Street. Staff recommended that the lot be subdivided, and that the portion on Shankle Mill Road be rezoned from R-1 (Residential) to R-2 Residential, that the part of the lot fronting Grove Park Street not be rezoned. Mr. Brumit made a motion, seconded by Mr. Russin, to approve the request provided that it is subdivided into two lots and that the lot fronting Shankle Mill Road be submitted to the county commission. The motion to approve the request carried, with Mrs. Paty voting "no".

(4) Consider a request by Mr. Frank Allison to rezone a tract of land located in the 5th civil district on the northside of Masengill Road approximately 400 feet west of I-81 from R-1 Residential to R-2 Residential.

Motion by: Comm. Morrell
Sec. by: Comm. Thomas

PASSED 7/17/89 ROLL CALL 24 Aye

To Approve

File No. 5/89-6, Frank Allison Request from R-1 to R-1. Mr Frank Allison appeared before the commission and requested that a tract of land he owns on the south side of Massengil Road be rezoned from R-1 (Low Density) Residential to R-2 (Medium Density) Residential to permit the location of a mobile home. Mrs. Frankie Allison appeared to support the rezoning. Staff noted that at present there was a mobile home on the property and several other mobile homes in the area. Staff recommended the request be approved, and noted that there could be problems with the setback and side yards which might have to come before the board of zoning appeals. Mr. Russin made a motion, seconded by Mr. Brumit to approve the request. Motion to approve carried unanimously.

(5) Consider a request by Mrs. Charles Payne to rezone a tract of land located in the 14th civil district on the south side of Jackson Hollow Road from R-1 Residential to R-2 Residential.

Motion by: Comm. Morrell
Sec. by: Comm. Thomas

PASSED 7/17/89 ROLL CALL 24 Aye

To Approve

File No. 5/89-8, Charles Payne Request from R-1 to R-2. Mrs. Charles Payne appeared before the commission and requested that property she owns on the south side of Jackson Hollow Road be rezoned from R-1 (Low Density) Residential to R-2 (Medium Density) Residential to permit the location of a mobile home. Mrs. Payne explained that she had a large lot which was one hundred and eight feet by two hundred feet and that she wanted to temporarily locate a mobile home in the rear of her property for her daughter. She explained that this would not be a permanent arrangement. It was noted that although this was a very nice neighborhood, there were a couple of other mobile homes located in the area and that several of Mrs. Payne's neighbors had signed a petition in favor of the rezoning. Staff recommended that the rezoning be approved. Mr. Russin made a motion seconded by Mr. Guthrie to approve the request. Motion to approve carried unanimously.

(6) Consider a request by Fred and Peggy Harlan to rezone a tract of land located in the 5th civil district at the intersection of the Blountville By-Pass and Masengill Road from R-1 Residential to B-3

Motion by: Business.
Comm. Morrell
Sec. by:
Comm. Nichols

PASSED 7/17/89 ROLL CALL 24 Aye

File No. 5/89-9, Fred and Peggy Harlan Request from R-1 to B-3. Mr. Harlan appeared before the commission and requested that a tract of land that he owns on the south side of the Blountville Bypass be rezoned from R-1 (Low Density) Residential to B-3 (General) Business to permit commercial development. Mr. Harlan explained that he had discussed his request with his neighbors and there were no objections to the rezoning. Staff noted that the house that Mr. Harlan lived in was a very nice home, however, the property adjacent to Mr. Harlan's home was vacant and would be suitable for business. Staff also noted that the Sullivan County governmental complex, owned by the county, was directly across the street from Mr. Harlan and there was a business zone down the street from the request. Staff stated that they had no problem with the rezoning, but felt the Harlan residence should not be rezoned. Mr. Barger made a motion, seconded by Mr. Guthrie to approve the request. Motion to approved carried unanimously, with Mr. Brumit "abstaining".

Approve

(7) Consider a request by Morrison Manis to rezone a tract of land located in the 12th civil district at the intersection of Granby Road and Pace Street from R-1 Residential to R-2 Residential.

Motion by: Comm. Morrell
Sec. by:
Comm. Thomas

PASSED 7/17/89 ROLL CALL 24 Aye

File No. 5/89-10, Morrison Manis Request from R-1 to R-2. Mr. Manis appeared and requested that his property on the south side of Granby Road be rezoned from R-1 (Low Density) Residential to R-2 (Medium Density) Residential to permit the location of a mobile home. Staff noted that there was an R-2 zone adjacent to this property and that there were several mobile homes located throughout the area, and recommended that the property be rezoned. Mr. Russin made a motion, seconded by Mrs. Paty to approve the request. Motion to approve carried unanimously.

To Approve

(8) Consider a request by Claude Zimmerman to rezone a tract of land located in the 14th civil district at the intersection of Circle Drive and Honeysuckle Avenue from R-1 Residential to R-2 Residential.

Motion by: Comm. Morrell
Sec. by:
Comm. Dingus

PASSED 7/17/89 ROLL CALL 24 Aye

File No. 5/89-11, Claude "Jim" Zimmerman Request from R-1 to R-2. Mr. Zimmerman requested that his property on Circle Drive be rezoned from R-1 (Low Density) Residential to R-2 (Medium Density) Residential to permit the location of a mobile home. Staff noted that the property in question overlooked a trucking terminal and warehouse district, and although there were no mobile homes in the immediate area, the warehouse and trucking terminal likely would preclude the property being used for a single-family housing, and recommended the request be approved. Mr. Russin made a motion,

To Approve

seconded by Mr. Barger to approve the request. Motion to approve carried unanimously.

Motion by: (9) Consider a request by Mr. John Legg to rezone a tract of land
Comm. Morrell located in the 5th civil district on the north side of McKellar Drive at
Sec. by: its intersection with Adams Chapel Road from R-1 Residential to B-3
Comm. Thomas Business.

To Approve

PASSED 7/17/89 ROLL CALL 23 Aye 1 Pass
File No. 5/89-12, John Legg Request from R-1 to B-3. Mr. Legg appeared before the commission and requested that his property on the north side of McKellar Drive be rezoned from R-1 (Low Density) Residential to B-3 (General) Business to permit the location of a business. Mr. Legg appeared and spoke in favor of the rezoning. Mr. Jerry Hutsell appeared in opposition to the rezoning. He stated that he lived across the street from the request, that there were serious traffic problems at the intersection, and at present there were problems with a lighted sign located on Mr. Legg's property. Staff noted that there is a heating and air-conditioning business located on the property at present, and recommended the property be rezoned. Mr. Brumit made a motion, seconded by Mr. Russin to approve the request, but requested staff to contact the state highway department concerning a lighted sign on the Legg property that may create hazardous conditions for vehicular traffic. The motion to approve carried unanimously.

Motion by: (10) Consider a request to rezone 3 parcels of property owned by Kenneth
Comm. Morrell Murray and Marie Harless. One tract being located on the east side of
Sec. by: Gibbs Road at its intersection with Leland Drive the other two tracts
Comm. Ammons being located on the west side of Gibbs Road one approximately 300 feet
south of Leland Drive the other approximately 450 south of Leland Drive.
All three parcels from R-1 Residential to R-2 Residential.

to Approve

PASSED 7/17/89 ROLL CALL 24 Aye
File No. 5/89-14, Kenneth Murray and Marie Harless Request from R-1 to R-2. Mr. Murray and Ms. Harless requested that three tracts of land they own on Gibbs Road near Leland Drive be rezoned from R-1 (Low Density) Residential to R-2 (Medium Density) Residential to permit the location of mobile homes on single lots. Ms. Betty Light of Earl Light Real Estate appeared on behalf of the petitioners. She stated there were several mobile homes located in the community. The chairman read two letters from people who were opposed to the rezoning. Staff noted that there were several mobile homes located throughout the area on single lots, and recommended that the request be approved. Mr. Brumit made a motion, seconded by Mr. Russin to approve the rezoning. Motion to approve carried unanimously.

(11) Consider a request by James Paul Darnell to rezone a tract of land lying in the 6th civil district on the north side of U. S. Highway 11-W Comm. Neil approximately 1200 feet east of Bloomingdale Pike from R-1 Residential Second by: to B-3 Business.
Comm. Nichols

To Approve

PASSED 7/17/89 ROLL CALL 24 Ave
File No. 4/89-6, James Paul Darnell Property, R-1 to B-3. Mr. Paul Darnell requested that a tract of land which he owns on Highway 11-W near Bloomingdale Pike be rezoned from R-1 Residential to B-3 Business to permit business development. No one appeared in opposition to the rezoning. Mr. Darnell stated that he wanted to put small offices on a small lot which he intended to rent. Staff noted that the property was adjacent to a four-lane highway, adjacent to an existing M-1 zoning district in back, an apartment complex on the east, that the closest property owner was a home which Mr. Darnell lived in and recommended that the rezoning be approved. However, planning commission members felt that in order to be consistent, the property should be zoned as a planned business development. Mr. Nichols made a motion, seconded by Mr. Barger to approve the rezoning. Voting for the motion were Messrs. Barger and Nichols, all others voted "no". Mr. Brunit, therefore, made a motion, seconded by Mr. Russin to defer the rezoning until the planned business development regulations had gone into effect. Motion carried.

(12) Consider a request to rezone a tract of land owned by Helen Chase Barker and located in the 14th civil district on the east side of Comm. Dingus Hemlock Park Road approximately 600 feet north of the Clinchfield Sec. by: Railroad from R-3A Residential to R-1 Residential.
Comm. Anderson

To Approve

PASSED 7/17/89 ROLL CALL 13 Ave 10 Nav, L Pass
File No. 10/88-3, Helen Chase Barker Property, R-3A to R-1. Helen Chase Barker property on Hemlock Park Road from R-3A (High Density) Residential to R-1 (Low Density) Residential District. Tom Peters, Attorney, appeared and spoke in opposition to the proposed zoning amendment on behalf of Mrs. Barker, noting that zoning was not operative in Sullivan County prior to September 1, 1966, and that Mrs. Barker had expended funds for planning the development of her property based on the original zoning designation. John Mize, Surveyor, exhibited preliminary plans for the Barker property showing a proposed 41 unit condominium development, and stated that existing roadway access to the area was adequate. Jim Randall appeared representing residents of the Hemlock Park area speaking in support of the proposed zoning amendment. Mr. Randall, Dave Eaton, Florence Fields, Bill Haile, and Nancy Randall all spoke in support of the proposed zoning amendment (request No. 10/88-3) citing the negative effects of potential high density residential development that would impact existing problems with poor roadway access and a dangerous railroad crossing, and noted that property in the affected area was restricted by deed to low density residential development. Mr. Randall also stated that the original action of the planning commission creating the R-3A (High Density) Residential District

had not been adequately publicized. Staff outlined the zoning history of the area in question. Motion by Burns, seconded by Pond to approve request No. 10/88-3 (to help reduce potential vehicular traffic hazards and maintain a compatible land use pattern in relation to existing development): aye, Burns, Pond, Russin, Guthrie, Barger; abstaining, Neil and Nichols; the motion carried, request No. 10/88-3 was approved.

Public hearings on the following two items were held prior to the June commission meeting.

(13) Consider a request by TCF Investors Property to rezone a tract of land located in the Sixteenth Civil District at the intersection of State Route 34 and River Road from R-1 (Residential) to B-1 (Business).

Motion by: State
Comm.Morrell
Sec.by:
Comm.Thomas

PASSED 7/17/89, ROLL CALL 24 Ave
File No. 4/8984, TCF Investors Property from R-1 to B-3. Mr. Gregg Caldwell and Jeff Glover, Attorneys, requested that a tract of land located on the Bluff City Bypass adjacent to Riverbend Subdivision be rezoned from R-1 Residential to B-3 Business to permit commercial development. Staff pointed out that this rezoning request was adjacent to a nice, recently developed subdivision and that, in fact this tract was a part of the subdivision but had been excluded. Staff noted that a B-3 zoning would allow several uses that might be harmful to the subdivision development. Staff further noted that if the entire lot were graded, it would leave a high bank that would be an eyesore to the subdivision. Staff recommended against the B-3 zoning but presented two alternatives - (1) that a small area of approximately one to one and one-half acre on the corner be rezoned to B-1 rather than B-3, or (2) that the entire tract be rezoned to a planned residential business development once this is approved by the county commission. Mr. Caldwell stated that he would be agreeable to a small area being rezoned to B-1 since the development across the street matched their proposal. Mr. Russin made a motion, seconded by Nichols to rezone approximately one acre on the corner to a B-1 classification. Motion to approve carried unanimously.

To Approve

(14) Consider text amendments to the Sullivan County Zoning Ordinance
Motion by: deferred from June meeting.

Comm.Childress
Sec. by:
Comm. Morrell

DEFERRED 7/17/89

To Defer

Property. Staff recommended that the request be approved. Mr. Russin made a motion, seconded by Mr. Brunit to approve the rezoning. Motion to approve carried unanimously.

- (8) Consider a request by Ned McGlothlin and Harry Childress to rezone a tract of land located in the Seventeenth Civil District on the south side of Old Jonesboro Road at its intersection with Paperville Road from R-1 (Residential) to B-1 (Business).

File No. 4/89-8, Harry Childress Property, R-1 to B-1. Mr. Ned McGlothlin requested that a tract of land located on Old Jonesboro Road at the intersection of Papermill Road be rezoned from R-1 Residential to B-1 Business to permit the location of a convenience store and a service station. Mr. Rick Carrier, an adjacent property owner, appeared before the commission in opposition to the rezoning. He stated that he lived within fifty yards of the proposed store, that the street which the proposed convenience market was located was narrow with no traffic control devices, and that he felt a convenience store would be detrimental to his property values. Staff noted that although the proposed convenience store was in a predominantly residential area, that they did not think the convenience store would be damaging the area, noting that there were requirements for buffer strips along the rear property line, and that the standards for setbacks would keep the convenience store a distance from the residential area. Staff also noted that it was at the intersection of Jonesboro Road and Papermill Road. Staff recommended for the rezoning request. However, Mr. Brunit stated that he felt the request would be spot zoning and made a motion that the request be denied. The motion was seconded by Mrs. Paty, and the motion to deny carried unanimously.

Motion by:
Rickett
To approve as
staff recom-
mendat.
Seconded by:
Rickett

PASSED 6/26/89 ROFL CALL 24 Ayes

- (9) Consider the following text amendments to the Sullivan County Zoning Ordinance:

DEFERRED
6/26/89

612.3. All shopping center districts established after June 19, 1989 shall submit and receive approval of a site plan pursuant to the requirements as set forth in Sections 615.71 through 615.78 of this ordinance and any amendments subsequent thereto.

DEFERRED
7/17/89

615. Planned Development Districts. The regulations established in this section for planned residential, commercial and industrial districts are intended to provide optional methods of land development which encourage imaginative solutions to environmental design problems. A planned development permits design innovation, Encourages a maximum choice of types of environment, and optional methods of land development which encourage imaginative solutions to environmental design problems. The goal is a development plan in which buildings, land use, transportation facilities, utility systems and open spaces are integrated through overall design. The planned development permits the placement of buildings on land without adherence to conventional lot by

lot approach common to traditional zoning. By planning the total parcel rather than the single lot, flexibility is provided in the building site, thereby permitting a mixture of housing types and uses as well as the grouping of units to create more useable open space for the preservation of significant natural features.

The Sullivan County Board of County Commissioners hereby establishes a planned residential district (PRD), planned business district (PBD), a planned manufacturing district (PMD), and a planned residential-business district (PR-BD). These districts shall be shown on the zoning map of Sullivan County, TN and shall be established as follows:

615.1. A request for a planned development district shall not become effective unless it is first submitted to the Sullivan County Planning Commission for approval or disapproval.

615.2. Following approval or disapproval by the planning commission and a public hearing as provided by law, the Sullivan County Board of County Commissioners may, by a favorable vote of a majority of the entire membership of said Board of Commissioners, create a planned development district as herein provided.

615.3. From and after the approval of any zone for a planned development district, it shall be unlawful to commence the filling or leveling of any land or the excavation for, or the construction of any building including accessory buildings, until such time as the owner or developer of the proposed development has submitted and received approval of a comprehensive development plan by the Sullivan County Planning Commission.

615.4. Uses Permitted:

615.41. Planned residential development (PRD). Any use permitted in the R-3A (High Density) Residential District.

615.42. Planned business district (PBD). Any use permitted in the B-1, B-2 and B-4 Business Districts.

615.43. Planned manufacturing district (PMD). Any use permitted in any manufacturing district except automobile wrecking, salvage and junkyards; hazardous and non hazardous waste disposal.

615.44. Planned residential-business district (PR-BD). Any use permitted in the R-3A residential district and any use permitted in the B-1, B-2 and B-4 business districts provided, however, that the total area of the development parcel for residential purposes including streets, parking and open space shall not be less than 50 percent of the total development, area excluding open spaces between the

boundaries of the tract as outlined in Section 615.51 of this Ordinance.

615.5. Area Regulations:

615.51. The open spaces between the boundaries of the tract and proposed buildings or structures shall not be less than twenty-five (25) feet in depth, shall not be used for any purpose whatsoever except as an open area in which walks and driveways may be permitted for ingress and egress directly to the premises, and for rights-of-way for utilities and drainage channels, and shall be developed and maintained as landscaped area.

615.52. Residential uses shall meet the density standards as provided in the R-3A (High Density) Residential District.

615.53. In order to allow flexibility in design there shall be no requirement for a front, rear, or side yard except as provided in Section 615.51. however, the planning commission may require the comprehensive development plan to show additional front, rear and side yards in order to protect the health, safety and welfare of the residents of Sullivan County.

615.6. General Requirements:

615.61. The comprehensive development plan shall be prepared by an architect, engineer, surveyor or contractor licensed by the State of Tennessee.

615.62. A planned development applicant may elect to develop the site in successive stages. The stages and expected development periods shall be shown on the comprehensive development plan.

615.63. Any changes to the approved comprehensive development plan shall be resubmitted to and approved by the planning commission.

615.64. Building, grading permits. These permits shall not be issued until after approval of the comprehensive development plan by the planning commission. The building official, however, shall revoke any permit issued in reliance on said plans at such time as it becomes obvious that the project is not in compliance with the approved plan.

615.65. Following the completion of any stage of development as shown on the comprehensive development plan, the builder or developer may make application to the zoning

administrator for a certificate of occupancy; however, no building or structure or use for which a zoning compliance permit has been issued shall be used or occupied until the zoning administrator, after final inspection, issues a certificate of occupancy indicating his opinion that all provisions of the comprehensive development have been complied with. A certificate of occupancy shall not be issued until all conditions of the staged comprehensive development plan are met.

615.66. Time limitations. Any approved comprehensive development plan or any building permit issued in reliance thereon shall expire after a period of twelve months from and after its approval, if it is not in compliance with the development plan. The development plan or permit may be extended for a period of one year by the zoning administrator for good cause shown.

615.67. Compliance with subdivision regulations. Any planned development where buildings or lots may be offered for immediate or future sale, shall meet the requirements of the Sullivan County Subdivision Regulations.

615.68. Signs. The use of signs or similar devices for the purpose of advertisement or identification within the planned development area, exclusive of governmental signs, intended to:

615.681. Residence "For Sale Signs." One sign not exceeding four (4) square feet in area may be erected and maintained on each lot or parcel of real property located in any (PRD) to advertise the leasing, rental or sale of said lot or parcel of real property. Residential signs identifying the development may be permitted at or near the entrance to the development provided the design, scale, material and location are in harmony with and complimentary to the overall development.

615.682. Construction signs - nonresidential. A sign not more than thirty-six (36) square feet in area and not illuminated will be permitted on premises and must be removed immediately upon completion of the building or project.

615.683. Identification signs - no residential. Signs in the PBD and PMD districts will be permitted provided that the design, scale, material, and location thereof is in harmony with and complimentary to the overall development; such signs may also be illuminated provided that they shall be properly

shaded so that the source of light will not be visible.

615.69. Off-Street Automobile Parking. Off-street parking for any planned development district shall meet the requirements as specified in Section 502 of this Ordinance.

615.7. Comprehensive Development Plan. In accordance with Section 615.3 a comprehensive development plan shall be submitted to and approved by the planning commission for any PRD district, PBD district, PMD district, and PR-BD district prior to the issuance of any building permit by the zoning administrator. The comprehensive development plan shall comply with the following requirements.

615.71. A survey and description of the planned district and proof of ownership of the land included in the district.

615.72. A site plan showing existing significant features, including trees, buildings, streets, utility lines, easements, rights-of-way, existing land use and contours at vertical intervals of not more than five feet.

615.73. Proposed traffic circulation and access plans, parking areas and pedestrian walks.

615.74. Landscaping plan, including site grading landscaping design, types of plantings and height. The landscaping plan shall provide for a buffer zone on each property line not abutting a street, planted with at least a double row of conifer trees at least four feet high on six foot centers; provided, however, the planning commission may require additional plantings and/or fencing. Plantings shall be properly banded when planted, maintained and fertilized to assure long life and growth. All trees, fencing and plantings, together with green areas, shall thereafter be continually maintained by the recorded owner(s) of the premises. Dead plantings shall be replaced.

615.75. Proposed construction sequence for buildings, landscaping and other uses.

615.76. Proposed building elevations, materials and dimensions.

615.77. Plans for sewers, water, fire hydrants and drainage facilities.

615.78. Such other information as may be required by the planning commission.

00014b

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET AGAIN IN
REGULAR SESSION, AUGUST 21, 1989.

A handwritten signature in cursive script, appearing to read "Keith Westmoreland", written in dark ink.

KEITH WESTMORELAND, COUNTY EXECUTIVE