

JULY 16, 1990  
MONDAY MORNING, JULY 15, 1990

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT FOR A REGULAR SESSION OF COUNTY COMMISSION AND MEETING IN A REGULAR SESSION ON THIS MONDAY MORNING, JULY 16, 1990, BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK, AND KEITH CARR, 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, ELDTRETH, FERGUSON, FORTUNE, GROSECLOSE, ICENHOUR, JONES, KING, MCCONNELL, MCKAMEY, MILHORN, MORRELL, NEIL, NICHOLS, ROCKETT, RUSSIN AND THOMAS.

## 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  
~~XXXXXXXXXXXX~~ 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 Morrell and seconded by Commissioner Rockett, the Quarterly Reports as marked above, were received and adopted by roll call vote of the Commission and filed in the County Clerks Office as a matter of record.

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

July 16, 1990

Election of Notaries

William H. Cate

Brenda R. Dingus

Linda Lou Eaton

Gregory W. Francisco

Janice Ann Gray

Doris A. Holmes

Robin J. Hopkins

Michael A. Rutherford

Earl W. Simpson, Jr.

Judy A. Stapleton

Ann F. Utt

(Upon motion made by Commissioner Morrell and seconded by Commissioner Thomas, the above names were read before the County Commission, and elected to serve as Notary Public for a four year term by roll call vote of the County Commission.)

## SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

July 16, 1990

Consider the following:

Motion by: (A) File # 5/90-1 A request by Jack R. Wilson to rezone the property described below  
 Comm. Morrell from R-1 to R-2:  
 Seconded by: TO APPROVE PASSED 7/16/90 ROLL CALL  
 Comm. Russin Being a tract of land lying on the north side of Vincent Lane off of Saratoga Road and further described as Parcel 5, Group A, Map 75-L of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-1, Jack R. Wilson Request. Mr. Wilson presented a request to rezone a tract of land located in the Thirteenth Civil District on the north side of Vincent Lane off of Saratoga Road from R-1 to R-2 to permit the location of a mobile home. Staff recommended that the request be denied. Staff stated that there were few mobile homes in the area and that the topo of the property was very restrictive. On a motion by Russin, seconded by Guthrie the commission voted unanimously to approve the rezoning request to R-2 to permit the location of a mobile home.

Motion by: (B) File # 5/90-2 A request by Howard Sanders to rezone the property described below  
 Comm. Russin from R-1 to M-1: A-1 to PMD  
 Seconded by: TO APPROVE / PASSED 7/16/90 ROLL CALL  
 Comm. Jones Being a tract of land lying on the south side of Cash Avenue and further described as Parcels 99 and 99.50, Map 79 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-2, Howard Sanders Request. Mr. Sanders presented a request to rezone a tract of land located in the Eighteenth Civil District on the south side of Cash Avenue Road off of State Route 75 from R-1 to M-1 to permit the location of a wholesale business. Staff recommended that this request be deferred until the completed Airport Land Use Plan can be reviewed by the planning commission. Staff noted that there were six requests for reclassification to M-1 in the airport area on the agenda and stated that the staff recommendation was to defer all six requests until the Airport plan can be reviewed. On a motion by Nichols, seconded by Russin, the commission voted unanimously to address the requests at the May 15 meeting. The commission discussed the requests and Mr. Brumit noted that he had no objection to hearing the request but he would like for the requests to be amended so that the zoning classification would be changed from R-1 to PMD. Commission questioned staff about this recommendation. Staff noted that a PMD classification would give the commission more control of development than an M-1 classification. On a motion by Brumit, seconded by Russin, the commission voted unanimously to approve the rezoning of the Sanders property to PMD (Planned Manufacturing District).

Motion by: (C) File # 5/90-3 A request by Yvonne F. Lyon to rezone the property described below  
 Comm. Russin from A-1 to M-1: A-1 to PMD  
 Seconded by: TO APPROVE / PASSED 7/16/90 ROLL CALL  
 Comm. Jones Being two tracts of land lying on the north side of Fain Drive and the west side of State Route 75 and further described as Parcel 72, Map 94 and Parcel 93, Map 79 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-3, Yvonne F. Lyon Request. Ms. Lyon presented a request to rezone a tract of land located in the Eighteenth Civil District fronting on Fain Drive, State Route 75 and Holston Institute Road from A-1 to M-1 to permit the location of a wholesale business. Staff recommendation was to defer the request pending review of the Airport Land Use Plan. On a motion by Brumit, seconded by Russin, the commission voted unanimously to approve the rezoning of the property to PMD (Planned Manufacturing District).

Motion by: (D) **File # 5/90-4** A request by Frank L. and Judy N. Adams to rezone the property described below from R-1 to B-3:  
 Comm. Jones  
 Seconded by: TO APPROVE PASSED 7/16/90 ROLL CALL  
 Comm. Thomas Being a tract of land lying at 2509 Bloomingdale Pike and further described as Parcel 29.10, Group E, Map 31-B of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-4, Frank L. and Judy N. Adams Request. Mr. Adams made a request to rezone a tract of land located in the Tenth Civil District at 2509 Bloomingdale Pike from R-1 to B-3 to permit the location of automobile sale office and insurance office. Staff recommendation was to deny the request. Staff noted that the businesses already occupied the site and the building was formerly occupied by a church. Staff stated that property was located along the south side of Bloomingdale Pike which was in an extremely nice residential neighborhood and that although there was some existing B-3 on the north side of Bloomingdale Pike that expanding this B-3 zone into the south side would be detrimental to the area at large. On a motion by Russin, seconded by Guthrie, the commission voted unanimously to approve rezoning the property from R-1 to B-3.

Motion by: (E) **File # 5/90-5** A request by Carroll B. Cross to rezone the property described below from A-1 to M-1: (PMD)  
 Comm. Russin  
 Seconded by: TO APPROVE A-1 to PMD PASSED 7/16/90- ROLL CALL  
 Comm. Jones Being a tract of land lying on the west side of State Route 75 and further described as Parcel 26, Map 94 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-5, Carroll B. Cross Request. Mr. Cross presented a request to rezone a tract of land located in the Eighteenth Civil District on State Route 75 south of its intersection with Dunlap Road from A-1 to M-1 to permit the location of future light manufacturing development. Staff noted that this was one of the properties recommended to defer. Staff recommended that the request be deferred pending review of the Airport Land Use Plan. On a motion by Brumit, seconded by Russin, the commission voted unanimously to approve the rezoning of the property to PMD.

Motion by: **File # 5/90-6** A request by Tom Cross to rezone the property described below from A-1 to M-1: (PMD)  
 Comm. Russin (F)  
 Seconded by: TO APPROVE A-1 to PMD PASSED 8/16/90 ROLL CALL  
 Comm. Jones Being a tract of land lying at the intersection of Old Muddy Creek Road and Hawley Road and further described as Parcel 63, Map 94 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-6, Tom Cross Request. Mr. Tom Cross presented a request to rezone a tract of land located in the Eighteenth Civil District on Muddy Creek Road east of its intersection with Holston Institute Road from A-1 to M-1 to permit the location of light manufacturing development. Staff recommendation was to defer the request pending review of the Airport Land Use Plan. On a motion by Russin, seconded by Brumit, the commission voted unanimously to approve the rezoning to PMD.

Motion by: **File # 5/90-7** A request by Ray Johnson to rezone the property described below from R-1 to B-3:  
 Comm. Morrell (G)  
 Seconded by: TO APPROVE PASSED 7/16/90- ROLL CALL  
 Comm. Russin

Being a tract of land lying on the north side of West Carters Valley Road west of its intersection with Shaw Street and further described as Parcel 15, Group A, Map 12-J of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-7, Ray Johnson Request. Mr. Johnson presented a request to rezone a tract of land located in the Twelfth Civil District on the north side of West Carters Valley Road west of its intersection with Shaw Street from R-1 to B-3 to permit the location of an automobile repair shop. Staff recommended that the request be denied. Staff noted that the property is located in a very nice residential area, and that a business use is incompatible with existing land use in the area. No one was present in opposition to the request. Mr. Johnson stated that he would like to build an automobile repair garage for part-time employment by himself and that properties adjacent to his were for the most part owned by family members. On a motion by Nichols, seconded by Russin, the commission voted unanimously to approve rezoning of the property from R-1 to B-3 to permit the location of an automobile repair shop.

Motion by: (H)  
Comm. Morrell  
Seconded by:  
Comm. Russin

File # 5/90-8 A request by Joe F. Barnes to rezone the property described below from A-1 to M-1:

TO APPROVE A-1 to PMD PASSED 7/16/90 ROLL CALL  
Being a tract of land lying at the intersection of State Route 75 and Dunlap Road and further described as Parcel 19, Map 94 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-8, Joe F. Barnes Request. Mr. Barnes presented a request to rezone a tract of land located in the Eighteenth Civil District at the intersection of State Route 75 and Dunlap Road from A-1 to M-1 to permit the location of future light manufacturing development. Staff recommended that the request be deferred pending review of the Airport Land Use Plan. On a motion by Brumit, seconded by Guthrie, the commission voted unanimously to approve rezoning of the property to PMD.

Motion by:  
Comm. Morrell (I)  
Seconded by:  
Comm. Russin

File # 5/90-9 A request by Betty Smith to rezone the property described below from R-1 to R-2:

TO APPROVE PASSED 7/16/90 ROLL CALL  
Being a tract of land lying at 1369 Big Hollow Road and further described as Parcel 68.3, Map 81 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-9, Betty Smith Request. Ms. Smith presented a request to rezone a tract of land located in the Fifth Civil District at 1369 Big Hollow Road from R-1 to R-2 to permit the location of a mobile home. Staff recommended that the request be approved. No one was present in opposition to the request. On a motion by Berger, seconded by Guthrie, the commission voted unanimously to approve the request.

Motion by: (J)  
Comm. Morrell  
Seconded by:  
Comm. Russin

File # 5/90-10 A request by Glenn Wolfe to rezone the property described below from R-1 to R-2:

TO APPROVE PASSED 7/16/90 ROLL CALL  
Being a tract of land lying on the south side of Silver Grove Road and further described as Parcel 5, Group C, Map 97-K of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-10, Glenn Wolfe Request. Mr. Glenn Wolfe presented a request to rezone a tract of land located in the Sixteenth Civil District on the south side of Silver Grove Road east of its intersection with Hemlock Street

from R-1 to R-2 to permit the location of a mobile home. Staff recommended that the request be approved. Staff noted that there were several additional mobile homes in the area and that the rezoning would not be incompatible with existing land use. A letter was presented from Mr. Arthur White in opposition to the request. On a motion by Nichols, seconded by Brumit, the commission voted unanimously to approve the rezoning from R-1 to R-2.

Motion by: (K) File # 5/90-11 A request by Maple View Farms, Inc. to rezone the property described  
Comm. Russin below from A-1 to M-1:  
Seconded by: TO APPROVE A-1 to PMD PASSED 7/16/90 ROLL CALL  
Comm. Jones Being several tracts of land lying on Holston Drive and Holston Institute Road and further described as Parcels 41, 64, 71, 82.01, 83, 84 and 85, Map 94 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-11, Maple View Farms, Inc. Request. A request was presented to the commission to rezone a tract of land located in the Eighteenth Civil District at the intersection of Holston Institute Road and Muddy Creek Road from A-1 to M-1 to permit the location of future light manufacturing development. Staff recommended that the request be deferred pending review of the Airport Land Use Plan. On a motion by Brumit, seconded by Guthrie, the commission voted unanimously to approve the rezoning of the property to PMD.

Motion by: (L) File # 5/90-12 A request by Ralph and Helen Forgety to rezone the property described  
Comm. Morrell below from R-1 to R-2:  
Seconded by: TO APPROVE PASSED 7/16/90 ROLL CALL  
Comm. Russin Being a tract of land lying on the east side of State Route 37 and further described as Parcel 28, Group B, Map 66-B of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-12, Ralph and Helen Forgety Request. Mr. Forgety presented a request to rezone a tract of land located in the Fifth Civil District on the west side of State Route 37 south of its intersection with Greenway Street from R-1 to R-2 to permit the location of a mobile home. Staff recommended that the request be approved. Staff noted that there had been two mobile homes located on the property and that both of these mobile homes had been removed, there were other mobile homes located in the area, and that rezoning the property would not be incompatible with existing land uses. On a motion by Barger, seconded by Guthrie, the commission voted unanimously to approve the rezoning of the property from R-1 to R-2.

Motion by: (M) File # 5/90-13 A request by Frank and Fred Childress to rezone the property described  
Comm. Jones below from R-1 to PBD:  
Seconded by: TO APPROVE PASSED 7/16/90 ROLL CALL  
Comm. Thomas Being a tract of land lying on the west side of Moreland Drive adjacent to South High School and further described as Parcel 68, Map 91 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-13, Frank and Fred Childress Request. Mr. Childress presented a request to rezone a tract of land located in the Thirteenth Civil District on the west side of Moreland Drive opposite its intersection with Pactolus Road from R-1 to PBD to permit the location of commercial development. Staff recommended that the request be approved. Staff noted that the property was adjacent to a tract of land that the commission had previously rezoned to PMD and that business development in this area would not be incompatible with existing land use. Staff also noted that the property was adjacent to South High School. On a motion by Russin, seconded by Guthrie, the commission voted unanimously to approve the request.

Motion by: (N)  
Comm. Jones  
Seconded by:  
Comm. Childress

File # 5/90-14 A request by Sherman Simpson to rezone the property described below from R-1 to R-2:

TO APPROVE PASSED 7/16/90 ROLL CALL  
Being a tract of land lying on the north side of Bear Town Road and further described as Parcels 17 and 18, Group A, Map 29-0 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 5/90-14, Sherman Simpson Request. Mr. Simpson presented a request to rezone a tract of land located in the Twelfth Civil District on the north side of Beartown Road near its intersection of Parker Lane from R-1 to R-2 to permit the location of a mobile home. Staff recommended that the request be approved. Staff noted that there were additional mobile homes in the area and that the property is extremely steep, is secluded and isolated from surrounding property. On a motion by Guthrie, seconded by Russin, the commission voted unanimously to approve the rezoning of the property from R-1 to R-2.

Motion by:  
Comm. Morrell (O)  
Seconded by:  
Comm. Russin

File # 4/90-4 A request by David, Linda, Harold, and Bonnie Smith to rezone the property described below from R-1 to R-2:

TO APPROVE PASSED 7/16/90 ROLL CALL  
Being a tract of land lying on the north side of Ellis Road and further described as Parcel 148.30, Map 65 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

David Smith Property Subdivision. The David Smith Property Subdivision was presented for preliminary and final approval submitted as requested by the planning commission at the April 17, 1990 meeting. The subdivision contains two tracts in 24.67 acres located on Ellis Road, Fifth Civil District, owned by David Smith, surveyed by Billy J. Phillips. The commission also considered in conjunction with this subdivision a request for rezoning carried over from the April 17, 1990 meeting (File No. 4/90-4, a request to rezone the property from R-1 to R-2 to permit the location of a mobile home). Staff recommended that the subdivision be approved subject to health department signature and with a variance to roadway access requirements. Staff noted that the health department approval was contingent upon the site of the dwelling being located upon the property. Because of the size of the property the health department would not approve a septic system until a building site had been selected. On a motion by Brumit, seconded by Barger the commission voted unanimously to grant preliminary and final approval to the subdivision. Messrs. Will Chalmers, Ronald Puller and Cox were present and questioned the number of mobile homes to be allowed upon the property. Commission noted that under the R-2 zoning classification only one mobile home would be allowed to be placed upon each lot. On a motion by Brumit, seconded by Russin, the commission voted unanimously to rezone the property from R-1 to R-2.



## SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

July 16, 1990

Consider the following:

tion by:  
 m. Carroll  
 ed by:  
 Thomas

- (A) File # 6/90-1 A request by Larry Harrison to rezone the property described below from R-1 to PRD:  
 To approve Failed - Roll Call 5Aye, 9 Nay 10 Pass 7/16/90  
 Being a tract of land lying on the northeast side of Chadwell Road and further described as that part of parcel 15.02 map 14 of the Sullivan County Tax Maps lying in the northwestern corner of said tract and bounded as follows:

BEGINNING at a point, said point being the northwestern corner of said tract; thence in a northeasterly direction with the northern property line of said tract for a distance of 170 feet to a point; thence in a southeasterly direction with a line perpendicular to the previous line for a distance of 90 feet; thence in a southwesterly direction to a point, said point being 90 feet, as measured along Chadwell Road, southeast of the northwestern corner of said tract; thence in a northwesterly direction with Chadwell Road to the point of BEGINNING.

The Planning Commission took the following action:

File No. 6/90-1, Larry Harrison Request. Mr. Harrison presented a request to rezone a tract of land located in the Tenth Civil District on the north side of Chadwell Road from R-1 to PRD to permit the location of four apartment units. Mr. Dillow addressed the commission as Mr. Harrison's representative and stated that he wanted the property rezoned in order to allow him to complete a four unit apartment building currently under construction. Mr. Vern Patrick appeared in opposition to the request. He stated that a restraining order was in effect at the time the apartment was being constructed. He addressed traffic problems, incompatible land use and higher density development in the area as major concerns of the residents. Mr. Dillow stated that his client was not in violation of the restraining order. Mr. Patrick presented statements and dated photographs purporting to show that Mr. Harrison was in violation of the restraining order. Mr. Harrison stated that upon receipt of the restraining order the only work that progressed on the building was work that could be applicable to a single family residence. The commission expressed concerns about the density requirements of the development.

Staff noted that this request was made subject to a court order that had invalidated a previous rezoning by the county commission to rezone the tract to R-3A. Staff stated that at the time the previous rezoning was presented, staff had recommended against the request, the planning commission had voted to deny the request, and the county commission had overridden the planning commission's recommendation and approved the request. Subsequently, residents in the area filed suit against Mr. Harrison and the county and were successful in getting the rezoning invalidated. Staff further stated that there had been no subsequent changes that would alter staff's recommendation. Staff noted that Chadwell Road was extremely narrow, the area was overwhelming single family residential, staff further noted that there were severe topographical restraints on the property being developed.

Staff recommended that the request be denied.

Mrs. Paty moved to deny the request. This motion failed due to the lack of a second. Mr. Guthrie moved to accept the request with expansion of the area to an amount needed to meet the density requirements for four units under the PRD regulations. This motion was seconded by Mr. Barger. On the vote by the planning commission Messrs. Guthrie and Barger voted in favor; Mr. Neil voted 'no', Mrs. Paty and Dr. Russin 'passed'. The Chairman declared a lack of a majority vote, the request was denied.

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION THIS THE 25th DAY OF JUNE, 1990.

RESOLUTION AUTHORIZING SOLICIATION WITHIN COUNTY OFFICES

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 \_\_\_\_\_ Session on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

THAT WHEREAS, The County Commission is concerned with maximizing County Employees time, and WHEREAS, The Employee Payroll is at an all time level,

BE IT RESOLVED That Soliciation of any County Employee be forbidden for any reason while said employee is on duty.

BE IT FURTHER RESOLVED, That this Resolution does not preclude vendors from approaching department heads or their representatives when bidding for products or services relating to said departments daily functions.

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

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

Doily passed and approved this 16th day of July, 1990.

TESTESTED: Ray B. Fisher  
County Clerk

Date: 7-16-90

APPROVED: Keith Westmoreland  
County Executive

Date: 7-16-90

INTRODUCED BY COMMISSIONER McCONNELL ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER JONES FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_  
VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
ADMINISTRATIVE	<u>X</u>	_____	<u>6/4/90</u>
BUDGET (Deferred)	_____	_____	<u>6/12/90</u>
COMMENTS: EXE CUTIVE COMM.	<u>X</u>	_____	<u>6/6/90</u>

FIRST READING 6/25/90 PASSED 7/16/90 Voice Vote

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

THIS THE 25th DAY OF June, 19 90.

RESOLUTION AUTHORIZING A FEASIBILITY STUDY BE DONE ON LOCATING THE SULLIVAN COUNTY EMPLOYEES CREDIT UNION IN THE OLD COURTHOUSE ANNEX BUILDING OR OTHER PUBLIC BUILDING IN  
BLOUNTVILLE

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 25th day of June, 19 90,

THAT WHEREAS, the Sullivan County Employees Credit Union is not housed in a facility outside Blountville and does not satisfy the need for a central location;

NOW, therefore be it resolved that a feasibility study be done by the Oversight Committee on locating the Sullivan County Employees Credit Union in the old Courthouse Annex Building in Blountville or some other public building.

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 16th day of July, 19 90.

TESTED:

Gay B. Feathers Date: 7-16-90  
County Clerk

APPROVED:

[Signature] Date: 7-19-90  
County Executive

INTRODUCED BY COMMISSIONER MORRELL ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER BLALOCK FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL

VOICE VOTE X

COMMITTEE ACTION: ADMINISTRATIVE (Deferred) APPROVED DISAPPROVED DATE 7/2/90

COMMENTS: FIRST READING 6/25/90 PASSED 7/16/90 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION THIS THE 25th DAY OF June, 1990.

RESOLUTION AUTHORIZING "NO PARKING" ON FOREGO CT. IN THE 15TH CIVIL DISTRICT

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Adjourned Session on the 25th day of June, 1990,

THAT "NO PARKING" sign be placed on Forego Ct. in the 15th Civil District, Horsecreek Village.

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.

Enly passed and approved this 16th day of July, 1990.

ATTESTED  
Jay B. Fechner  
County Clerk

Date: 7-16-90

APPROVED:  
Keith Westmoreland  
County Executive

Date: 7-16-90

INTRODUCED BY COMMISSIONER \_\_\_\_\_ CHILDRESS ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER \_\_\_\_\_ AMMONS FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE  
ADMINISTRATIVE X \_\_\_\_\_ 7/2/90

COMMENTS: FIRST READING 6/25/90 PASSED 7/16/90 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE  
SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION  
THIS THE 25th DAY OF JUNE, 19 90.  
RESOLUTION AUTHORIZING 25 M. P. H. SPEED LIMIT ON RIDGEWAY ROAD - 13TH CIVIL DISTRICT

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 25th day  
of June, 1990,  
THAT 25 M. P. H. speed limit sign be placed on Ridgeway Road in the 13th Civil District,  
the public welfare requiring it.

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 16th day of July, 19 90.

ATTESTED: Gay B. Feathers Date: 7-16-90 APPROVED: [Signature] Date: 7-16-90  
County Clerk County Executive

INTRODUCED BY COMMISSIONER CHILDRESS ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER AMMONS FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_  
VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE  
ADMINISTRATIVE X \_\_\_\_\_ 7/2/90

COMMENTS: FIRST READING 6/25/90 PASSED 7/16/90 VOICE VOTE

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 25th DAY OF JUNE, 19 90.

RESOLUTION AUTHORIZING CONSTRUCTION OF SEWER LINE ALONG PACKINGHOUSE ROAD TO KETRON AND KINGSLEY SCHOOL

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 25th day of JUNE, 19 90,

THAT WHEREAS, all projects have been completed, or are in the construction stages as was requested in the \$3.6 million appropriation, with additional projects. (See Attachment No. 1) and,

WHEREAS, the most pressing need for sewers, as studied by the Sullivan County Board of Public Utilities, the Sullivan County Board of Education. (See Attachment No. 2), and the State Health Department has recommended a sewer line to serve the Kingsley Elementary School, and the Ketron Middle School in the Bloomingdale Area; and,

WHEREAS, the Board of Public Utilities has requested that the City of Kingsport work with us on this project by doing in-house engineering, inspection, and procuring easements. (See Attachments No. 3 and 4),

THEREFORE BE IT RESOLVED, that the Sullivan County Commission approve the expenditure of up to \$500,000 to complete this project, using existing funds that remain in the \$3.6 million appropriation for sewers.

AMEND: CARROLL 7/16/90

BE IT FURTHER RESOLVED THAT UP TO \$350,000.00 be appropriated out of unappropriated surplus to be placed into a designated Reserve Account in the General Fund for the sewer project to exit 69 and Interstate 81.

NOW, THEREFORE BE IT RESOLVED THAT these monies be used to fund the intent of the SULLIVAN COUNTY BOARD OF COMMISSIONERS as stated in Resolution #9 passed 1/15/90.

All 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.

Do hereby passed and approved this 16th day of July, 19 90.

TESTED: *Ray B. Feathers* Date: 7-16-90  
County Clerk

APPROVED: *[Signature]* Date: 7-16-90  
County Executive

INTRODUCED BY COMMISSIONER RICHARD CARROLL ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER WILLIAM NEIL FUND: \_\_\_\_\_

COMMISSION ACTION: Aye Nay

ROLL CALL 24

VOICE VOIE

COMMITTEE ACTION APPROVED DISAPPROVED DATE  
\*contingent that money not come  
ADMINISTRATIVE \*X from Blountville Sewer money. 7/2/90

BUDGET X 7/10/90

COMMENTS: FIRST READING 6/25/90 PASSED 7/16/90 AS AMENDED ROLL CALL

0635

#28<sup>8</sup>

*Sullivan County*  
*Board of Public Utilities*

P.O. BOX 509  
BLOUNTVILLE, TENNESSEE  
37617

1988 CAPITAL OUTLAY NOTES

\$3,600,000

PROJECT

COST

Buy-in Kingsport STP	\$1,100,000
J. C. Bradford	25,000
Piney Flats Construction	500,000
Piney Flats Engineering	33,000
Piney Flats Engineering for Easements	12,000
Bristol Inspection - Blountville, and Piney Flats	45,000
Blountville Construction	1,040,000
Blountville Engineering	72,000
Blountville Engineering For Easements	15,000
Mary Hughes Construction and Engineering	50,000
Changes at Gov. Center and Franklin Street	55,000
Engineering at Exit 66	25,000
Engineering at Exit 69	14,000
Easements - Blountville and Piney Flats	45,000
	<u>\$3,031,000</u>

\$3,600,000

-3,031,000

\$ 569,000

- 5,000 Projected for 2 Condemnations

- 20,000 Projected for Miscellaneous

\$ 544,000 Left in Account



**Sullivan County Department of Education**

P.O. Box 306

BLOUNTVILLE, TENNESSEE 37617

PHONE 615/323-4181

**SUPERINTENDENT:**  
WALLACE KETRON, JR.

**ASSISTANT SUPERINTENDENTS**  
GLENN ARWOOD  
LEONARD FUGATE

**BOARD OF EDUCATION**  
CHARLES BRIDWELL, CHAIRMAN  
DANA CARRIER, VICE-CHAIRMAN  
EVELYN BALES  
ALVIE BRIGHT  
LARRY D. HARRIS  
JIM KISS  
G. B. PIERCE

April 17, 1989

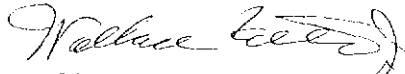
Mr. Joe Yarbrough  
Public Works Director  
Sullivan County  
Blountville, TN 37617

Dear Mr. Yarbrough:

The Sullivan County Department of Education would like to request any assistance you might be able to give us relative to securing sewer service for Ketron Middle School. The situation at the school is at a critical point at this time.

Any consideration you can give this request will be greatly appreciated.

Sincerely yours,



Wallace Ketron, Jr., Superintendent  
Sullivan County Schools

WK:fr

0637

*Sullivan County*  
*Board of Public Utilities*

# 8

P.O. BOX 909  
BLOUNTVILLE, TENNESSEE  
37617

April 10, 1990

Mr. Hunter Wright, Mayor  
City Hall  
225 W. Center Street  
Kingsport, Tn. 37660

Dear Hunter,

For several years we have been considering the need for a sewer trunk line from Stone Drive along Packing House Road to Ketrone Middle School and Kingsley Elementary School. The estimated cost of securing easements and installing the line is \$500,000. After projecting the additional miscellaneous costs on our existing contracts, it appears that we have about that amount left over.

At the April meeting, the Board of Public Utilities suggested the following proposal to the City of Kingsport to make the installation of the Packing House Road Trunk Line possible.

- (1) The City of Kingsport will prepare the plans and specification, "in-house".

The City will provide "in-house" inspection of construction.

The City will prepare easement plats and deeds and negotiate with property owners.

- (2) Sullivan County will pay the property owners for the easements.

The County will pay all construction costs.

The County will deed the line to the City when construction is completed.

The proposal would be conditional on construction costs not exceeding \$500,000.

We hope that your Board will approve our cooperation on this project.

Sincerely,

*James Myers, dh*

James Myers, Chairman

cc: Evans Carr, Jim Zumwalt



CITY OF KINGSPORT  
TENNESSEE

225 WEST CENTER STREET  
KINGSPORT, TENNESSEE 37660  
PHONE (615) 229-9400

#8

June 11, 1990

Mr. James Myers, Jr., Chairman  
Sullivan County Board of Utilities  
416 Montezuma Drive  
Blountville, Tennessee 37669

Dear Mr. Myers:

This will confirm my intentions to recommend to the Board of Mayor and Aldermen that the City of Kingsport furnish the Engineering Services necessary for extending a sewer line at Windridge Estates up Parkinghouse Road to Ketrin Middle School. In return, Sullivan County will appropriate \$500,000.00 for construction of this project.

If you have any questions or if I may be of assistance please contact me at 229-9471.

Sincerely,

Evans Carr  
Director of Community Services

EU:jjf

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

THIS THE 25th DAY OF June, 19 90.

RESOLUTION AUTHORIZING "NO OUTLET" OR DEAD-END SIGN ON ERIC COURT

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 25th day of June, 19 90.

THAT a "NO OUTLET" or DEAD-END sign be placed on Eric Court at its intersection with Courtney Drive in the Fairfield Subdivision on Fall Creek 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 16th day of July, 19 90.

TESTED: Ray B. Feathers Date: 7-16-90  
County Clerk

APPROVED: Keith Westmoreland Date: 7-16-90  
County Executive

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER BLALOCK FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
_____	_____	_____	_____

COMMENTS: First Reading 6/25/90 PASSED 7/16/90 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE  
SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION  
THIS THE 25th DAY OF JUNE, 1990.  
RESOLUTION AUTHORIZING NOT-FOR-PROFIT CORPORATIONS SIGN AN AGREEMENT WITH  
SULLIVAN COUNTY AS A CONDITION PRECEDENT TO RECEIPT OF COUNTY FUNDS

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan  
County, Tennessee, assembled in Adjourned Session on the 25th day  
of June, 1990,

THAT WHEREAS, Concerns have arisen regarding the utilization of monies provided by  
Sullivan County to not-for-profit corporations, and

WHEREAS, Public interest requires a closer monitoring of the use of public funds  
by not-for-profit corporations;

NOW THEREFORE BE IT RESOLVED THAT Not-for-profit corporations receiving funds from  
Sullivan County pursuant to law be required, as a condition precedent to the receipt of  
funds, to execute an agreement with Sullivan County, a copy of which is hereto attached,  
in addition to complying with state and local laws and resolutions.

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 16th day of July, 1990.

ATTESTED: Gay B. Feathers  
County Clerk

APPROVED: [Signature]  
County Executive Date: 7-16-90

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER AMMONS - MCCONNELL FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Administrative	<u>X</u>	_____	<u>7/2/90</u>
Budget	<u>X</u>	_____	<u>7/10/90</u>
Executive	_____	_____	_____

COMMENTS: FIRST READING 6/25/90 PASSED 7/16/90 Voice Vote

THIS AGREEMENT entered into this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by and between Sullivan County, Tennessee, a political subdivision existing pursuant to the laws of the State of Tennessee, and \_\_\_\_\_, a not-for-profit corporation.

**W I T N E S S E T H:**

THAT WHEREAS, Sullivan County, Tennessee, provides certain funding to not-for-profit corporations who provide valuable services to its citizens; and,

WHEREAS, \_\_\_\_\_ has applied to Sullivan County, Tennessee for funding which funding has been duly approved by the Board of Commissioners for Sullivan County pursuant to State law and the laws and resolutions of Sullivan County, Tennessee; and,

WHEREAS, in addition to obligations of the said not-for-profit corporation as provided by State law as a condition precedent to the payment of the aforesaid funds to \_\_\_\_\_ by Sullivan County, Tennessee, the parties mutually agree in consideration of the said funding and other good and valuable consideration, the receipt of which is hereby acknowledged, and it being agreed by the parties that it is in the interest of the public that Sullivan County, Tennessee, upon reasonable notice and at reasonable times, shall have the right to review the said corporation's books or other documents or memorandum and the said not-for-profit corporation's Charter and Minutes which accurately reflect the said corporation's receipts and expenditures for a period not to exceed three years preceding the date of the execution of this Agreement.

IN WITNESS WHEREOF, the parties have set their hands and seals on the date first above written.

SULLIVAN COUNTY, TENNESSEE

BY \_\_\_\_\_  
COUNTY EXECUTIVE

ATTEST:

\_\_\_\_\_  
COUNTY CLERK

\_\_\_\_\_  
BY \_\_\_\_\_  
PRESIDENT

ATTEST:

\_\_\_\_\_  
SECRETARY

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION THIS THE 25th DAY OF JUNE, 1990.

RESOLUTION AUTHORIZING SUPPORT OF AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROHIBIT THE PHYSICAL DESECRATION OF THE FLAG OF THE UNITED STATES

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Adjourned Session on the 25th day of June, 1990,

THAT The Sullivan County Board of Commissioners hereby request the United States Congressional Delegation to support a proposed amendment to the Constitution of the United States authorizing the Congress and the States to prohibit the physical desecration of the flag of the United States.

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 16th day of July, 1990.

ATTESTED: Gay B. Feathers  
County Clerk

APPROVED: [Signature]  
County Executive Date: 7-16-90 Date: 7-16-90

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER ROCKETT FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL 20 4

VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Administrative	_____	X	7/2/90
Budget	_____	_____	_____
Executive	_____	_____	_____

COMMENTS: FIRST READING 6/25/90 PASSED 7/16/90 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16th DAY OF JULY, 1990. RESOLUTION AUTHORIZING RESCINDING OF RESOLUTION #26 PASSED ON MAY 21, 1990, REGARDING HIRING FREEZE

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 16th day of July, 1990,

THAT WHEREAS, Resolution #26, passed on May 21, 1990, regarding a hiring freeze in Sullivan County has created confusion in filling employee positions or creating new positions, and WHEREAS, the hiring freeze is legally questionable;

NOW THEREFORE BE IT RESOLVED THAT The Sullivan County Board of Commissioners rescind Resolution #26, passed on May 21, 1990, and give the authority and responsibility of hiring to elected officials.

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: \_\_\_\_\_ Date: \_\_\_\_\_ APPROVED: \_\_\_\_\_ Date: \_\_\_\_\_ County Clerk County Executive

INTRODUCED BY COMMISSIONER ANDERSON ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER FORTUNE FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE Administrative X \_\_\_\_\_ 7/2/90

Budget \_\_\_\_\_

Executive \_\_\_\_\_

COMMENTS: FAILED 7/16/90 ROLL CALL PUT BACK ON FIRST READING 7/16/90



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

THIS THE 16th DAY OF JULY, 1990.

RESOLUTION AUTHORIZING 15 MILE PER HOUR SPEED LIMIT BE POSTED ON PENNSYLVANIA AVENUE

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 16th day of July, 1990,

THAT A 15 Mile Per Hour speed limit be posted on Pennsylvania Avenue located in the 10th Civil District.

BE IT FURTHER RESOLVED THAT This speed limit be posted on the entire length of Pennsylvania Avenue.

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 16th day of July, 1990.

ATTESTED: Ray B. Feathers  
County Clerk

APPROVED: Keith Westmoreland  
County Executive Date: 7-16-90 Date: 7-16-90

INTRODUCED BY COMMISSIONER CARROLL ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER NEIL FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] \_\_\_\_\_ [nay] \_\_\_\_\_

ROLL CALL \_\_\_\_\_

VOICE VOTE x \_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Administrative	_____	_____	_____
3: get	_____	_____	_____
Executive	_____	_____	_____

COMMENTS: Waiver of Rules = PASSED 7/16/90 2/3 Voice Vote

PETITION FOR Speed Limit  
 SIGNS FOR 100 PENNSYLVANIA AVE  
 DANGEROUS FOR KIDS LIVES  
 FOR IT AGAINST IT

Dallas Hillenwater  
 Norma Hillenwater  
 Dick Hutson  
 Lisa Hutson  
 Billy Hutson  
 Coy Woods  
 Elsie Woods  
 Nettie Connor  
 Dillie Robbins  
 Wally Robbins  
 Bonnie Manis  
 Carl Oaks  
 Joyce A. Oaks  
 Myrtle Bower  
 James R. Ball  
 Jane Bouton  
 Joseph Guy  
 Lois Guy  
 Eva McRutt  
 Judy Swift

Attachment for Res. #13

PETITION FOR Speed Limit  
SIGNS FOR 100 PENNSYLVANIA AVE

FOR IT

AGAINST IT

Earl C. Baskin  
Gay S. Peters  
Barbara Lewis  
Charles Lewis  
Amy Lewis  
Bradley Lewis

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 16th DAY OF July, 1990.

RESOLUTION AUTHORIZING appropriation of training grant to volunteer rescue squads in the sum of \$10,000.00

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in regular Session on the 16th day of July, 1990,

THAT training grant monies from the State of Tennessee, revenue code 46990, be appropriated to volunteer rescue squads as per attached outline, appropriation code 54303.300.

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 16th day of July, 1990.

ATTESTED: Gay B. Feathers Date: 7-16-90 County Clerk APPROVED: Keith Westmoreland Date: 7-16-90 County Executive

INTRODUCED BY COMMISSIONER MCCONNELL ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER RUSSIN FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay] [Bass)  
ROLL CALL 23 \_\_\_\_\_ 1  
VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE  
BUDGET \_\_\_\_\_ X \_\_\_\_\_ 7/2/90

COMMENTS: PASSED 7/16/90 ROLL CALL WAIVER OF RULES

OUTLINE FOR TRAINING APPROPRIATION  
\$10,000 to the County of Sullivan

Section 12, Item 74 - In addition to other funds appropriated by the provision of this Act, there is appropriated the sum of ten thousand dollars to Sullivan County for the sole purpose of providing training for five rescue squads that serve the County.

1) All disbursements for the training money will be handled through the Office of Emergency Management. This will be under the same budget procedure and policies currently in practice. Payments for training will be done by requisition by the above office.

The monies will be appropriated as follows:

a) Hickory Tree Rescue Squad	\$ 2,000
b) Bristol Life Saving Crew	\$ 2,000
c) Kingsport Life Saving Crew	\$ 2,000
d) Bluff City Rescue Squad	\$ 2,000
*e) Sullivan County Rescue Squad	\$ 2,000
	<u>\$10,000</u>

2) The above money will be used for the following types of training:

- 1) Emergency Medical Tech
- 2) I.V. Training
- 3) EMT-Paramedic
- 4) Basic Trauma Life Support
- 5) Advanced Cardiac Life Support
- 6) Extrication Training
- 7) Search & Rescue Training
- 8) Hazardous Materials
- 9) Incident Command
- 10) EMT-Defibrillation
- 11) VCR, Slides, Text Materials
- 12) Training Materials as needed

\* Pending recertification or reorganization of new squad.

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

THIS THE 16th DAY OF JULY, 1990.

RESOLUTION AUTHORIZING STOP SIGNS AT BOTH INTERSECTIONS OF ROBIN COURT AND WAYNE STREET

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 16th day of July, 1990,

THAT Stop signs be posted at both intersections of Robin Court and Wayne Street.

BE IT FURTHER RESOLVED THAT A 15 m.p.h. speed limit be posted on both streets.

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 16th day of July, 1990.

ATTESTED: Gay B. Teague  
County Clerk

APPROVED: Keith Westmoreland  
County Executive

Date: 7-16-90

INTRODUCED BY COMMISSIONER BLALOCK ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER ELDRETH, RUSSIN FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

Administrative \_\_\_\_\_

Budget \_\_\_\_\_

Executive \_\_\_\_\_

COMMENTS: WAIVER OF RULES PASSED 7/16/90 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 16th DAY OF JULY, 1990.

RESOLUTION AUTHORIZING APPROPRIATION OF UNEXPENDED BALANCE FROM FISCAL YEAR 1989-90 TO 52301 REAPPRAISAL BUDGET FOR FY 1990-91

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 16th day of July, 1990,

THAT THE SULLIVAN COUNTY COMMISSION APPROPRIATE THE UNEXPENDED BALANCE FROM THE 1989-90 FISCAL YEAR BUDGET TO THE REAPPRAISAL BUDGET FOR FISCAL YEAR 1990-91. BUDGETS WERE SUBMITTED FOR A FOUR YEAR PERIOD AND APPROVED BY THE STATE OF TENNESSEE, WITH UNEXPENDED BALANCES CARRIED FORWARD UNTIL THE REAPPRAISAL IS COMPLETED.

NOW THEREFORE, BE IT RESOLVED THAT FIFTY (50%) PERCENT OF THE FUNDS ARE TO BE REIMBURSED TO SULLIVAN COUNTY FROM THE STATE OF TENNESSEE.

BALANCES BY CODE:	52301 - 100	Salaries	-----	\$43,298.23
	52301 - 300	Contracted Services	-----	58,913.71
	52301 - 400	Supplies & Materials	-----	4,209.32
	52301 - 700	Capital Outlay	-----	16,266.19
		Total	-----	\$122,687.45

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 16th day of July, 1990.

ATTESTED: Gay B. Feathers Date: 7-16-90  
 County Clerk

APPROVED: [Signature] Date: 7-16-90  
 County Executive

INTRODUCED BY COMMISSIONER BLALOCK ESTIMATED COSTS: \$122,687.45

SECONDED BY COMMISSIONER GROSECLOSE FUND: GENERAL

COMMISSION ACTION: [aye] [nay] [Pass]

ROLL CALL 22 1 1

VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

\_\_\_\_\_

COMMENTS: WAIVER OF RULES PASSED 7/16/90 ROLL CALL

\_\_\_\_\_

\_\_\_\_\_

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

THIS THE 16th DAY OF JULY, 1990.

RESOLUTION AUTHORIZING RE-ADOPTION OF AN AGREEMENT TO ESTABLISH THE EAST TENNESSEE AGRIBUSINESS AUTHORITY

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 16th day of July, 1990,

THAT The attached foregoing Agreement to establish the East Tennessee Agribusiness Authority be approved as presented and that the County Executive be authorized to execute same along with insignificant modifications that might be proposed by the State after having been reviewed by the County Attorney.

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 16th day of July, 1990.

ATTESTED: Day B. Feathers Date: 7-16-90 County Clerk

APPROVED: Keith Westmoreland Date: 7-16-90 County Executive

INTRODUCED BY COMMISSIONER THOMAS ESTIMATED COSTS:

SECONDED BY COMMISSIONER Marshall FUND:

COMMISSION ACTION: [aye] [nay]

ROLL CALL

VOICE VOTE

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

Administrative

Budget

Executive

COMMENTS: WAIVER OF RULES PASSED 7/16/90 2/3 Voice Vote



**Hamblen County**  
**Morristown, Tennessee 37814**



**PAUL BRUCE, County Executive**

Courthouse, Room 202  
 511 West 2nd North Street  
 Phone: (615) 888-1931

Hamblen County Court House

July 9, 1990

County Executive and Members of the County Legislative body

Subject: Re-Adoption of an Agreement to Establish the East Tennessee  
 Agribusiness Authority

Your county is being requested to adopt the attached Agreement relative  
 to the Farmer's Market.

The significant differences from the prior Agreement are as follows:

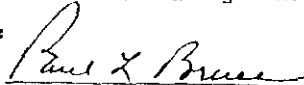
- I. The State has asked that the Department of Finance and  
 Administration be included in the Agreement and have  
 representation as Ex Officio membership on the Board of  
 Authority. (See attached letter from Finance & Administration)
- II. Disposal of Property (Liquidation).  
 In the event the Market property were disposed of in  
 liquidation, the State would share in distribution.
- III. This Agreement includes all twelve (12) counties as original  
 members rather than adding the last four to join through  
 addendums.

The State is now contracting with two architect/engineering firms to  
 finalize a "master plan" for both the Market and Pavilion. The  
 State is paying for the plan work. They have about 30 days to  
 complete the plan after which the property will then be acquired.

Based on the attached letter, the following motion could be made:

"That the foregoing Agreement to Establish the East Tennessee  
 Agribusiness Authority be approved as presented and that  
 the County Executive be authorized to execute same along  
 with insignificant modifications that might be proposed by  
 the State after having been reviewed by the County Attorney."

Submitted by:

  
 Paul L. Bruce  
 Hamblen County Executive



0653

STATE OF TENNESSEE  
DEPARTMENT OF FINANCE AND ADMINISTRATION  
DIVISION OF FACILITIES MANAGEMENT  
JAMES K. POLK STATE OFFICE BUILDING  
606 DEADERICK STREET, SUITE 1700  
NASHVILLE, TENNESSEE 37243-0299

July 6, 1990

Mr. Paul Bruce, County Executive  
Hamblen County  
Courthouse, Room 202  
511 West 2nd North Street  
Morristown, TN 37814

Dear Mr. Bruce:

Attached for your review are the most recent drafts of the proposed contractual agreements pertaining to the East Tennessee Agribusiness Authority and the East Tennessee Agricultural Resource Park. These documents reflect the corrections that you suggested in your letter to me of June 28, 1990. One significant change in the grant contract is that the Department of Finance and Administration will be the grantor of funds to the Authority. This change is being made due to the centralization of capital projects and grants from various agencies of State Government to the Department of Finance and Administration.

We are still awaiting final approval from the Comptroller's Office and the Attorney General's Office of these documents. I have no guarantees, but I believe these documents will essentially remain unchanged. One possible approach in dealing with the County Legislative Bodies' Meetings on July 9th is to receive approval of these documents in concept. I will leave this issue to your discretion.

I will forward the approved contracts to you as soon as I receive them.

Sincerely,

Alvin Payne  
Executive Director

AP:bel

Attachments

## AGREEMENT

## TO ESTABLISH THE EAST TENNESSEE AGRIBUSINESS AUTHORITY

This Agreement is entered into by and between the Department of Agriculture of the State of Tennessee, The University of Tennessee, Walters State Community College, and the following counties: Claiborne, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Sullivan, Washington, and Unicoi. Other counties of the east Tennessee grand division may become parties to this Agreement upon approval of its terms, and by making a contribution according to the terms of Section 12 herein.

WHEREAS, it is desirable to create a regional marketing and distribution center for agricultural products in the east Tennessee region; and

WHEREAS, considerable funding for such a marketing distribution center is available from the State of Tennessee; and

WHEREAS, the Tennessee Department of Agriculture, the Tennessee Department of Finance and Administration, the University of Tennessee, and Walters State Community College are willing to assist the twelve counties of east Tennessee that are parties to this agreement in establishing and operating an agricultural marketing and distribution center for the benefit of the farmers and other citizens of the region; and

WHEREAS, counties have authority under Tennessee Code Annotated, Section 5-9-101(19), to appropriate funds for a public market house; and

WHEREAS, Tennessee Code Annotated, Section 12-9-101, et seq., authorizes counties and other public agencies to enter into interlocal cooperation agreements;

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties agree as follows:

SECTION 1. CREATION AND PURPOSE. The East Tennessee Agribusiness Authority is hereby created. The purpose of the East Tennessee Agribusiness Authority is to establish and operate a market for agricultural products of the region through a food distribution center, to provide farmers of the region with a ready market for agricultural products, and to provide the citizens of the region and other buyers a convenient place to purchase these products.

SECTION 2. DEFINITIONS. Unless the context requires a different meaning, the following terms are defined as follows for purposes of the Agreement:

- a. "Agribusiness" means a business dealing with agricultural products or engaged in providing products or services to farmers.
- b. "Authority" means the East Tennessee Agribusiness Authority.
- c. "Board of Authority" means the Board of Directors of the East Tennessee Agribusiness Authority.
- d. "Chairman" or "Chairman of the Board" means the respective members elected by both the Board of Authority and the Operations Board to serve as the presiding officer of that Board.
- e. "College" means Walters State Community College.
- f. "County or Counties" means one or all of the counties that are parties to this agreement.
- g. "Department" means the Tennessee Department of Agriculture.
- h. "Facility" means the land, fixtures, and equipment of the Regional Food Distribution Center.
- i. "Grand Division" means the counties that are part of the east Tennessee grand division as defined by general law.
- j. "Operations Board" means the board directly supervising the operation of the Regional Food Distribution Center.
- k. "Regional Center" means the Regional Food Distribution Center supervised by an Operations Board.
- l. "University" means the University of Tennessee.
- m. "Upper East Tennessee" means the area consisting of the Tennessee counties of Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jefferson, Johnson, Sevier, Sullivan, Unicoi, Union, and Washington.

### SECTION 3. ORGANIZATION

- a. BOARD OF AUTHORITY. The Authority shall be governed by a Board of Directors consisting of the county executive of each county that is a party to this agreement. The term of each member of the Board that is a county executive shall be coterminous with the member's term as county executive. The Board shall also have four (4) non-voting advisors as follows: an advisor appointed by the President of the University, an

advisor appointed by the Commissioner of the Department, an advisor appointed by the President of Walters State Community College, and an advisor appointed by the Commissioner of Finance and Administration. Each appointed advisor of the Board shall serve a term of two (2) years and until a successor is appointed. The Board of Directors shall elect from its voting (county executive) membership a chairman, a vice-chairman, and a secretary, each to serve terms of one (1) year and until a successor is elected.

- b. OPERATIONS BOARD. The Board of Authority shall establish an Operations Board to supervise the operations of the Regional Food Distribution Center. The Operations Board shall have voting and non-voting members. The voting membership shall consist of the Board Chairman, one (1) farmer or person involved in agribusiness from each upper east Tennessee county that is a member of the Board of Authority appointed by the county executive of that county and approved by the Board of Authority, the chairman of the Marketing Advisory Committee and one (1) person elected from its membership, the chairman of the Agriculture Advisory Committee and two (2) persons elected from its membership. Non-voting members shall consist of all members of the Board of Authority that do not chair any other body under this Agreement: one (1) farmer or person involved in agribusiness from each upper east Tennessee county appointed by the county executive of each respective county that is not a member of the Board of Authority, who is approved by such board. The person appointed or elected to the Operations Board shall serve terms of two (2) years and until their successors are appointed or elected. The terms of all members of the Operations Board shall begin simultaneously at a time to be determined by the Board of Authority. The Operations Board shall be chaired by a member of the Board of Authority selected by the Board of Authority.
- c. AGRICULTURE ADVISORY COMMITTEE. The Board of Authority shall establish an Agriculture Advisory Committee consisting of a representative of the United States Department of Agriculture, a representative of the Agriculture College of the University, a representative of Walters State Community College, a representative of the Department, the county agriculture extension service agent from each county in the grand division, one (1) farmer or person engaged in agribusiness selected by each of the county legislative bodies in the grand division, and the Committee chairman selected by and from the membership of the Board of Authority. Members of the Agriculture Advisory Committee shall

serve terms of two (2) years and until their successors are appointed or elected. The terms of all members of the Agricultural Advisory Committee shall begin simultaneously at a time to be determined by the Operations Board.

- d. **MARKETING ADVISORY COMMITTEE.** The Board of Authority shall establish a Marketing Advisory Committee by appointing a membership to consist of one (1) person who represents an agricultural produce wholesaler, one (1) person who represents an agricultural produce chain store retailer, one (1) person who shall be a consumer representative, the Manager of the Regional Center or one (1) person representing the Manager, one (1) person representing a food processing company and the Committee chairman selected by and from the membership of the Board of Authority.
- e. **MANAGER.** The Operations Board shall employ a Manager for the Regional Center. The Board of Authority shall approve the terms and conditions of the Manager's employment prior to the execution of a contract of employment.

#### SECTION 4. POWERS AND DUTIES.

- a. **BOARD OF AUTHORITY.** In addition to the powers and duties described above, the Board of Authority shall determine policy and provide oversight for the Authority, except as limited by this agreement or law. The Board shall have the following powers and duties which may be delegated to the Operations Board by express written direction of the Board:
1. To contract, receive and expend funds; improve, maintain, equip, manage, lease or rent real or personal property; and perform any act that a county may perform with respect to its property.
  2. To purchase, sell, exchange, and lease real and personal property, or obtain services; except that the Board of Authority must approve all purchases of real estate and any expenditure for a single item of personal property in excess of fifty thousand dollars (\$50,000).
  3. To employ and pay compensation to such employees and agents, including attorneys, as the Board shall deem necessary for the management of the authority's affairs.
  4. To provide for its risks of loss through normal means including the purchase of insurance

coverages that would be necessary to reasonably indemnify all types of losses that are normal to the business of operating an agribusiness authority.

The Board shall have the following powers or duties which it cannot delegate.

1. The Board shall approve an annual budget for the Authority.
2. The Board shall adopt a purchasing policy consistent with appropriate law. The Board shall also adopt a personnel policy consistent with state and federal law.
3. The Board shall adopt policies and procedures for fiscal control and accounting.
4. The Board may borrow funds in the same manner as a county under general law, but shall not pledge as security any right or property of the Authority except revenues.
5. The Board may exercise the power of eminent domain to acquire real property for the use of the Authority.
6. The Board may sue or be sued in its name. The Board shall exercise the power of the Authority to sue. The board may compromise claims and settle disputes involving the activities of the Authority. Any such compromise shall be binding on the member parties to this Agreement.

The Board shall endeavor to acquire (by purchase, gift, or condemnation) the real and personal property necessary to establish and operate a regional food distribution center to carry out the purpose of the Authority. The Board of Authority may delegate to the Operations Board the supervision of the regional center, including the employment of a manager, the operation of a facility, including the setting of hours of operation, the setting of rents or user fees, the rules of operation for users of the facility (including specifically the details concerning sanitation for the facility), and determination of the number, classification, and compensation of employees to be hired, fired, and supervised by the Manager.

The Board may do all other things which are necessary or appropriate for carrying out the purposes of this Agreement that are not prohibited to it by law or this Agreement.

- b. OPERATIONS BOARD. The Operations Board shall exercise those duties which the Board of Authority delegates to it, specifically including, but not limited to, those duties this Agreement requires to be delegated. The Operations Board shall report on its actions to the Board of Authority.
- c. AGRICULTURE ADVISORY COMMITTEE. The Agriculture Advisory Committee shall advise the Operations Board on ways and means to organize, improve operations and product availability, and service of the Regional Center.
- d. MARKETING ADVISORY COMMITTEE. The Marketing Advisory Committee shall advise the Operations Board on ways and means to improve the market for the produce sold at The Regional Center facility.

#### SECTION 5. MEETING AND PROCEDURES.

- a. MEETINGS. The Board of Authority shall establish the time, date, and place for its regular meetings. The Chairman or a majority of the voting members of the Board of Authority, by petition, may call special meetings of the Board.

The Operations Board shall establish the time, date, and place for its regular meetings. The Chairman or a majority of the members of the Operations Board, by petition, may call special meetings of the Board.

- b. QUORUM. A majority of the entire voting membership of the Board of Authority and Operations Board in existence, and not simply a majority of those members present, is necessary to conduct business. Other bodies organized under this agreement, including the Agriculture Advisory Committee and the Marketing Advisory Committee, may conduct business with a majority vote of the voting membership present.
- c. VOTING. Each member described as a voting member here-to-fore shall have an equal vote in the conduct of whatever body the person is a member of, whether Board of Authority, Operations Board, Agriculture Advisory Committee, or Marketing Advisory Committee.
- d. OFFICERS. The Board of Authority, shall annually elect a chairman, vice-chairman, and secretary, but may elect such other officers as the particular body deems



necessary. The Board of Authority shall also annually select from its membership members to serve as chairman of the Operations Board, the Agriculture Advisory Committee and the Marketing Advisory Committee.

- e. COMPENSATION. The members of the Board Authority, Operations Board, Agriculture Advisory committee, and Marketing Advisory Committee, except the Regional Center Manager, shall serve without compensation, but they may be allowed necessary traveling and other expenses while engaged in the business of the Authority in such amount as the Board approved in the annual budget for the Authority.

SECTION 6. MANAGER. The Manager shall be an employee of the Authority with compensation established by the Operations Board and approved by the Board of Authority. The Manager shall be in charge of all activities of the Regional Center, subject to the supervision of the Operations Board. The Manager shall supervise the personnel of the Regional Center and shall exercise custody of the real and personal property assigned by the Board Authority to the Regional Center. The Manager shall report to the Operations Board, and said Board may discipline or dismiss the Manager. The Manager shall follow the budget and policies of the Board of Authority and the Operations Board.

SECTION 7. FUNDING AND CONTRIBUTION OF PARTICIPATING COUNTIES. The counties that are parties to this agreement agree to appropriate for the use of the Authority the following sums:

Claiborne	\$ 4,500.00
Cocke	10,000.00
Grainger	6,500.00
Greene	22,500.00
Hamblen	72,500.00
Hancock	1,500.00
Hawkins	10,000.00
Jefferson	72,500.00
Johnson	1,500.00
Sullivan	27,500.00
Washington	22,500.00
Unicoi	1,500.00

In addition to the foregoing, the Authority may receive grants or other contributions of funds, or real or personal property, from the State of Tennessee, the Federal Government, any other governmental entity, any non-profit organization, individuals, companies, or corporations.

SECTION 8. FINANCIAL MATTERS. The financial affairs of the Authority shall be conducted in accordance with state law and the procedures established by the comptroller of the Treasury. The Board of Authority may establish such bank accounts for the Authority as the Board deems appropriate and consistent with

state law. The Board shall cause an annual budget to be prepared before March 1 of each year, and the Directors shall adopt a budget for the Authority by April 1 of each year. The budget will be for a fiscal year which shall commence on July 1 of each year and end the following June 30. The Authority shall file a quarterly financial report with the county clerk of each county which is a party to this Agreement, the Commissioner of Agriculture, the State Comptroller of the Treasury, and the Commissioner of Finance and Administration. An annual audit shall be made for the purpose of ascertaining errors and/or irregularities. The audit shall be made by the State Comptroller of the Treasury.

**SECTION 9. DISPOSAL OF PROPERTY.** The Board of Authority may direct the disposal of the Authority's obsolete or surplus property. Such disposal shall comply with the general law applicable to counties sound business practices. In the event this Agreement is terminated, the Board shall sell the Authority's property and distribute the proceeds to the general funds of the counties which are parties to this agreement. Notwithstanding the above, however, any property of the Authority that was purchased in whole or in part with State funds shall revert to the State upon termination of this Agreement.

**SECTION 10. LIABILITIES.** In the event that any judgment or claim against the Authority, or the counties that are parties to this Agreement, based on the activities of the Authority, cannot be satisfied by insurance proceeds or any funds earmarked to cover risks of loss, then each county that is a party to this Agreement shall contribute to the satisfaction of any claim or judgment for which the Authority or its constituent counties are legally liable. Each county that is a party to this Agreement shall contribute to the satisfaction of such claim or judgment based on the ratio of the population of the county to the population of all of the counties that are parties to this Agreement, according to the latest federal census of population. A county shall only be liable for contribution under this section if the county is a party to this Agreement at the time that the event occurred which instigated the claim.

**SECTION 11. DURATION AND TERMINATION OF AGREEMENT.** The duration of this Agreement is perpetual. The withdrawal of a county that is a party to this Agreement only terminates this Agreement with respect to the withdrawing county. A county may withdraw at any time, provided it gives written notice of its intent to the Board of Authority at least ninety (90) days in advance. This Agreement shall be completely terminated by the agreement of the counties or when there is only one (1) county which has not withdrawn, unless a plan for its conversion or continued operation is approved by the counties that are parties to this Agreement.

**SECTION 12. ADDITION OF PARTIES.** Any county in the east Tennessee grand division not a party to this Agreement may become

a party to this Agreement by notifying the Board of Authority of its desire to become a party, and by contributing funds in an amount to be determined by the Board, but which amount shall not exceed the highest contribution by any county already a party as adjusted for inflation or deflation by the Consumer Price Index (all cities average) published by the United States Department of Labor. Upon approval of this Agreement by the county legislative body of the county seeking to become a party, the county shall become a party to this Agreement when the Authority receives the necessary contribution. When a county is added as a party to this Agreement, the Board shall cause the attachment of the resolution of the county legislative body providing for addition of the county as a party to this Agreement to the original Agreement as an addendum which shall become a part of this Agreement. New members will be entitled to representation on all Boards and Committees, including voting, as herein provided for the initial members to this Agreement.

SECTION 13. MODIFICATION. Any modification of this Agreement must be in writing and approved by a 2/3 majority of all parties that are then a party to this Agreement.

SECTION 14. SERVERABILITY. If any provision of this Agreement is adjudged invalid, such invalidity shall not impair the remaining provisions of this Agreement which may be given effect.

SECTION 15. EFFECTIVE DATE. This Agreement shall take effect after it is approved by the county legislative bodies of the counties which are parties hereto, and upon execution of this Agreement by appropriate representatives of the parties signing as set forth below.

Claiborne County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Cocke County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Grainger County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Greene County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Hamblen County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Hancock County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Hawkins County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Jefferson County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Johnson County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

Sullivan County:

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET AGAIN  
IN ADJOURNED SESSION, AUGUST 27, 1990.

A handwritten signature in cursive script, appearing to read "Keith Westmoreland", is written over a horizontal line.

KEITH WESTMORELAND, COUNTY EXECUTIVE

