

COUNTY COMMISSION MEETING - JULY 21, 1997

REGULAR SESSION

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, JULY 21, 1997, 9:00 O'CLOCK A.M., IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK AND KEITH CARR, SHERIFF OF SAID BOARD OF COMMISSIONERS OF SULLIVAN COUNTY, TO WIT:

Commissioners present and answering roll call are as follows:

- | | |
|------------------------|--------------------|
| CARL BELCHER | JAMES L. KING, JR. |
| JAMES R. "JIM" BLALOCK | AUBREY KISER, JR. |
| JUNE CARTER | JACK JONES |
| RAYMOND C. CONKIN, JR. | CARL KRELL |
| TOM DANIEL | DWIGHT MASON |
| MIKE GONCE | WAYNE MCCONNELL |
| RALPH P. HARR | PAUL MILHORN |
| EDLEY HICKS | RONALD E. REEDY |
| PAT HUBBARD | MARK A. VANCE |
| MARVIN HYATT | EDDIE WILLIAMS |

22 present 2 absent (GARY MAYES - MICHAEL B. SURGENOR)

Motion was made by Commissioner Ferguson and seconded by Commissioer Hyatt to approve the minutes of the regular session of the Commission held on June 16, 1997, This motion was approved by voice vote of the Commission.

The following pages indicates the action taken by the Commission on approval of Notary Applications, Notary Bonds, re-zoning requests and resolutions.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

JULY 21, 1997

APPROVAL OF NOTARY PUBLIC
SURETY BONDS

Carolyn W. Carico
Santee Clyne
Margaret L. Martin
Margaret W. Milhorn
Virginia S. Peters
John M. Robinette
Diane L. Robinson
Regina L. Slaughter
Rosalie Sue Stallard
Glenda K. Stout
Lowell Swanson
R. Ellen Torbett
Delmer H. Wallen, Sr.
Mark Wells
Sherry Y. Wolff

Upon motion made by Commissioner Harr and seconded by Commissioner Reedy to approve the Notary Bonds of the above named persons, said motion was approved by roll call vote of the Commission.

22 Aye, 2 Absent

STATE OF TENNESSEE
COUNTY OF SULLIVAN

JUNE 16, 1997
APPROVED July 21, 1997

ELECTION OF NOTARIES

Angela K. Bellamy
Jennifer K. Berkley
Daphne Statzer Booher
James C. Church
Debra Coffman
Aimee M. DePriest
Wanda D. Ellingburg
Tina S. Gilbert
Veronica Hammett
Virginia B. Hayes
Martine Haynes
Teresa H. Head
Christina Hester
Katheryn Hodges
Kristinia L. Holbrook
Keith A. Hopson
Richard E. Hopson
Patricia A. Jones
Alda M. Kiser
Michelle Yvonne Light
Cammie N. McDavid
Carolyn B. Miller
Shirley R. Miller
Laura J. Millsap

Saundra P. Potts
Sandra Kay Savaria
Renee' Tallman
Chris Templeton
Dora Ann Thompson
Sandy S. Thomas
John M. Winingler, Jr.

Upon motion made by Commissioner
Harr and seconded by Commissioner
Reedy to approve the Notary
Applicants listed hereon, said
motion was approved by roll call
vote of the Commission.

22 Aye, 2 Absent

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

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

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997.

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

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

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

July 21, 1997

Consider the following:

- (1) **File # 6/97-1** A request by John and Virginia McLain Jr. to rezone the property described below from R-2 to B-3:

ROLL CALL

REQUEST APPROVED 7/21/97 22 Aye, 2 Absent
 "Being a tract of land located in the 14th Civil District on the south side of Fort Henry Drive at its intersection with Jackson Hollow Road and further described as parcel 19.00 group A map 107 l of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 6/97-1, John and Virginia McLain Jr. Request

John and Virginia McLain Jr. requested that a tract of land located in the 14th Civil District on the south side of Fort Henry Drive at its intersection with Jackson Hollow Road be rezoned from R-2 to B-3 to permit the location of future business development.

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

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

- (2) **File # 6/97-2** A request by Arlen Crawford to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 7/21/97 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 15th Civil District on the east side of Stardust Road approximately 2100 feet south of its intersection with Lone Star Road and further described as parcel 34.00 map 104 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 6/97-2, Arlen Crawford Request

Arlen Crawford requested that a tract of land located in the 15th Civil District on the east side of Stardust Road approximately 2100 feet south of its intersection with Lone Star Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

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

Motion Brown, second Goodwin to approve the request. Vote in favor of the motion unanimous.

- (3) **File # 6/97-5** A request by Earnest Whitson to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 7/21/97 ROLL CALL 22 Aye, 2 Absent

"Being a tract of land located in the 5th Civil District on the south side of Almaroad Road approximately 400 feet north of its intersection with Buncombe Road and further described as parcel 43.00 map 66 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 6/97-5, Earnest Whitson Request

Earnest Whitson requested that a tract of land located in the 5th Civil District on the south side of Almaroad Road approximately 400 feet north of its intersection with Buncombe Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

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

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

- (4) File # 6/97-6 A request by Garland Worley to rezone the property described below from R-2A to PBD:

REQUEST APPROVED 7/21/97 ROLL CALL 22 Aye, 2 Absent
 "Being a tract of land located in the 5th Civil District on the south side of State Hwy. 126 approximately 1200 feet west of its intersection with State Hwy. 37 and further described as parcel 21.00 group A map 66A of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 6/97-6, Garland Worley Request

Garland Worley requested that a tract of land located in the 5th Civil District on the south side of State Hwy. 126 approximately 1200 feet west of its intersection with State Hwy. 37 be rezoned from R-2A to B-2 to permit the location of future Business.

The applicant was present and spoke in support of the request. Members of the First Baptist Church of Blountville spoke in opposition to the request and presented petitions with 71 signatures in opposition noting that the adjacent property development would not be harmonious, and would perhaps be detrimental to future church development plans. Staff stated that the request was not compatible with the zoning and land use patterns of the immediate neighborhood and noted that B-2 zoning would require no building setbacks on the small lot adjacent to a very narrow side street. Staff recommended the request be denied.

Motion Hickam second Belcher to deny the request. Vote in favor of the motion: Hickam, Belcher, Childress; vote opposed: Brown, Barnes, Mullins, Kiser, Goodwin, the motion failed 3 to 5.

The applicant requested that he be allowed to amend his application and change the zoning request to PBD. The commission agreed to consider the amended application as proposed by the applicant.

Motion Mullins, second Kiser to approve the request for a PBD. Vote in favor of the motion: Mullins, Kiser, Hickam, Childress, Brown, Goodwin, Barnes; vote opposed: Belcher. The motion carried 7 to 1, zoning to PBD was approved.

- (5) File # 6/97-7 A request by Jerry and Teresa Bailey to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 7/21/97 ROLL CALL 22 Aye, 2 Absent
 "Being a tract of land located in the 13th Civil District on the north side of Pennsylvania Road approximately 400 feet north of its intersection with Princeton Road and further described as parcel 2.00 group B map 90D of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 6/97-7, Jerry and Teresa Bailey Request

Jerry and Teresa Bailey requested that a tract of land located in the 13th Civil District on the north side of Pennsylvania Road approximately 400 feet north of its intersection with Princeton Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present and spoke in support of the request. Mr. Townsend and Mr. Frost spoke in opposition to the request citing potential drainage problems and contamination of water wells. Staff stated the request was compatible with existing zoning and land use patterns, that septic systems, would be designed to be safe and recommended approval.

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

- (6) **File # 6/97-8** A request by Jimmy Trivette to rezone the property described below from R-1 to R-2:
 REQUEST APPROVED 7/21/97 ROLL CALL 22 Aye, 2 Absent
 "Being a tract of land located in the 21st Civil District on the south side of Weaver Pike approximately 1450 feet north of its intersection with Peoples Road and further described as parcel 223.00 map 69 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 6/97-8, Jimmy Trivette Request

Jimmy Trivette requested that a tract of land located in the 21st Civil District on the south side of Weaver Pike approximately 1450 feet north of its intersection with Peoples Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

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

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

- (7) **File # 6/97-9** A request by Helen L. Moore to rezone the property described below from R-1 to R-2:
 REQUEST APPROVED 7/21/97 ROLL CALL 22 Aye 2 Absent

"Being a tract of land located in the 15th Civil District on the north side of Woodlawn Drive approximately 400 feet south of its intersection with Lone Star Road and further described as parcel 27.05 group A map 103E of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No 6/97-9, Helen L. Moore and File No. 6/97-10 Bernie Love Request

The commission agreed to consider these adjacent requests by relatives jointly.

File No. 6/97-9, Helen L. Moore Request

Helen L. Moore requested that a tract of land located in the 15th Civil District on the north side of Woodlawn Drive approximately 400 feet south of its intersection with Lone Star Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

File No. 6/97-10, Bernie Love Request

Bernie Love requested that a tract of land located in the 15th Civil District on the north side of Woodlawn Drive approximately 300 feet south of its intersection with Lone Star Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

Bernie Love was present representing her request as well as that of her daughter Helen L. Moore. No opposition was presented. Staff stated that both requests were compatible with existing zoning and land use patterns and recommended approval of both requests.

Motion Hickam, second Kiser to approve requests No. 6/97-9 and 6/97-10. Vote in favor of the motion unanimous.

- (8) **File # 6/97-10** A request by Bernie Love to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 7/21/97 ROLL CALL 22 Aye, 2 Absent
 "Being a tract of land located in the 15th Civil District on the north side of Woodlawn Drive approximately 300 feet south of its intersection with Lone Star Road and further described as parcel 27.00 group A map 103E of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No 6/97-9, Helen L. Moore and File No. 6/97-10 Bernie Love Request

The commission agreed to consider these adjacent requests by relatives jointly.

File No. 6/97-9, Helen L. Moore Request

Helen L. Moore requested that a tract of land located in the 15th Civil District on the north side of Woodlawn Drive approximately 400 feet south of its intersection with Lone Star Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

File No. 6/97-10, Bernie Love Request

Bernie Love requested that a tract of land located in the 15th Civil District on the north side of Woodlawn Drive approximately 300 feet south of its intersection with Lone Star Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

Bernie Love was present representing her request as well as that of her daughter Helen L. Moore. No opposition was presented. Staff stated that both requests were compatible with existing zoning and land use patterns and recommended approval of both requests.

Motion Hickam, second Kiser to approve requests No. 6/97-9 and 6/97-10. Vote in favor of the motion unanimous.

(9) File # 6/97-11 A request by Susan Demarco Gaston to rezone the property described below from R-1 to R-2:

REQUEST APPROVED 7/21/97 ROLL CALL 7/21/97

"Being a tract of land located in the 14th Civil District on the south side of Horseshoe Drive at its intersection with Jackson Hollow Road and further described as parcel 15.00 group A map 106M of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 6/97-11, Susan Demarco Gaston Request

Susan Demarco Gaston requested that a tract of land located in the 14th Civil District on the south side of Horseshoe Drive at its intersection with Jackson Hollow Road be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

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

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

RESOLUTION NO. 70-42

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF APRIL, 1997.

RESOLUTION AUTHORIZING the adoption of the provisions of Tennessee Code Annotated §40-14-210 [Charges for Defraying Costs of Representing Indigent Defendants]

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 March, 1997:

That the Sullivan County Board of Commissioners hereby adopt the provisions of Tennessee Code Annotated §40-14-210, a copy of which is attached hereto, which provides for a special charge to be assessed against defendants in all misdemeanor and felony cases in the State of Tennessee with the exception of non-moving traffic violations with the funds derived from said charges to be used for providing representation and support services to indigent defendants in criminal proceedings; said provisions to become effective on July 1, 1997.

BE IT FURTHER RESOLVED that all revenues collected pursuant to this Resolution by the Circuit Court Clerk shall be reported to the County Trustee on a monthly basis and deposited into the General Fund whereupon said funds shall then be appropriated to an expenditure account in the name of the Public Defender's Office to be used for providing representation and support services to indigent defendants in criminal proceedings, said account to be established by the Accounts and Budgets Director;

BE IT FURTHER RESOLVED that the passage of this resolution shall require the approval of two-thirds (2/3) vote of the county legislative body pursuant to statute.

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

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

Duly ~~passed and~~ approved this ____ day of _____, 1997.

Affested: _____ Date: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER M. Vance ESTIMATED COST: _____
SECONDED BY COMMISSIONER P. Hubbard FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: Motion: Comm. Harr, 2nd: Comm. Hyatt TO DEFER
DEFERRED 4/21/97 VOICE VOTE DEFERRED 5/19/97
DEFERRED 6/16/97 WITHDRAWN 7/21/97

PROPOSED AMENDMENT

RES. #4 - The Adoption of the Provisions of Tennessee Code Annotated §10-14-210 [Charges for Defraying Costs of Representing Indigent Defendants]

FURTHER BE IT RESOLVED, That all monies collected through the above means are specific in their usage and therefore must be applied for by the Public Defenders office through the budget process in the same way all departments of the County Government apply for their funding.

INTRODUCED BY COMMISSIONER: Vance
SECONDED BY COMMISSIONER: Hubbard/Boyd

COMMENTS: WITHDRAWN 7/21/97 by Sponsors

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF APRIL, 1997.

RESOLUTION AUTHORIZING Recommendation to Sullivan County E-911 Board to Accept Proposals from the City of Kingsport and City of Bristol, Tennessee for Call-Taking and Dispatching of 911 Services in the County

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 21st day of April, 1997;

That the Sullivan County Board of Commissioners hereby recommend that the Sullivan County E-911 Board accept contract proposals submitted by the City of Bristol, Tennessee and City of Kingsport, Tennessee for the call taking and dispatching of 911 services in the county.

BE IT FURTHER RESOLVED that the acceptance of these proposals is based upon a substantial savings to county residents as well as the ability to maintain the quality response to 911 calls which county residents expect.

1996 Sullivan County E-911 Budget	\$445,251.44
1996 Sullivan County Surcharges Collected	-372,000.00
Shortfall	\$73,251.44
Contract Proposals	
1997 - Proposal by City of Kingsport	\$125,715.00
1997 - Proposal by City of Bristol	+173,175.00
Total Contracted Expenses	\$298,890.00

If contract proposals are accepted, the savings would be as follows:

1996 Sullivan County E-911 Budget	\$445,251.44
Contracts with Cities	-298,890.00
Savings from 1996 Budget	\$146,361.44
1996 Surcharges Collected	\$372,000.00
Contracts with Cities	-298,890.00
Surplus from 1996 Surcharges Collected	\$73,110.00

RESOLUTION NO. 1633
Page Two

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

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

Duly passed and approved this ____ day of _____, 1997.

Attested: _____ Date: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER P. Hubbard ESTIMATED COST: _____
SECONDED BY COMMISSIONER M. Vance, G. Mayes FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	8	10	4	2	
Voice Vote					

COMMENTS: FIRST READING 4/21/97 DEFERRED 5/19/97
DEFERRED 6/16/97 FAILED 7/21/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF April 1997.

RESOLUTION AUTHORIZING Notice to All Adjacent Property Owners to be Required by Mail in all Rezoning in Addition to Newspaper Notices and the Posting of a Sign

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of April 1997.

THAT BE IT RESOLVED, That notice to all adjacent property owners be required by mail in all rezoning in addition to newspaper notices and the posting of a sign.

~~AMEND: COMM. GONCE 5/19/97 Notice be published in Kingsport and Bristol Newspaper:-----~~

~~Amend: Comm King - Delete the above amendment~~

Amend: Motion: Comm. Harr
2nd : Comm. Blalock

AND to become effective on or after September 1, 1997.

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

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

Duly passed and approved this 21st day of July, 1997

Attest: B. Fechner Date: 7-21-97 Gil Hodges Date: 7-21-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER King ESTIMATED COST: _____
SECONDED BY COMMISSIONER CARTER/HUBBARD FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget	✓			7/10/97
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total

RESOLUTION NO. 27

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16th DAY OF June, 1997.

RESOLUTION AUTHORIZING Approval of A Private Act to Create Division IV of General Sessions 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 Regular Session on the 16th day of June, 1997 ;

THAT, WHEREAS, House Bill No. 1969, approved by the Tennessee General Assembly on May 7, 1997 provides for the creation of a Division IV General Session Court

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the Private Act providing for the creation of a Division IV General Session Court.

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

State of Tennessee



Department of State

To all to whom these Presents shall come, Greeting:
I, Riley C. Darnell, Secretary of State
of the State of Tennessee, do hereby certify that the annexed is a true
copy of

PRIVATE CHAPTER NO. 34

HOUSE BILL NO. 1969

PRIVATE ACTS OF 1997

the original of which is now on file and a matter of record in this office.

In Testimony Whereof, I have hereunto
subscribed my Official Signature and by order of the Governor affixed
the Great Seal of the State of Tennessee at the Department in the
City of Nashville, this 12th day
of May A.D. 1997





0008
Attachment
Res. # 97

State of Tennessee

PRIVATE CHAPTER NO. 34

HOUSE BILL NO. 1969

By Representative Westmoreland

Substituted for: Senate Bill No. 1980

By Senator Ramsey

AN ACT to amend Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, and any other acts amendatory thereto, relative to the General Sessions Court of Sullivan County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, and any other acts amendatory thereto, is amended in Section 1 by deleting the language "three (3)" and substituting instead the language "four (4)".

SECTION 2. Chapter 349 of the Private Acts of 1947, as amended, is further amended in Section 1 by deleting the language "Division I" and substituting instead the language "Divisions I and IV".

SECTION 3. Chapter 349 of the Private Acts of 1947, as amended, is amended in Section 2 by deleting the first sentence in its entirety and substituting instead the following new language:

The Judges of the Court of General Sessions, Divisions I and IV, shall hold court at Bristol, Tennessee or such other place within the division they deem necessary.

SECTION 4. Chapter 349 of the Private Acts of 1947, as amended, is amended by deleting Section 3 in its entirety and substituting instead the following new language:

That when the defendant in any civil action resides or is served with process in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first, or Twenty-second voting precinct of Sullivan County, the case shall be tried in Division I or IV of the Court. All criminal actions charged in those districts shall be heard in Division I or IV of the Court.

SECTION 5. Chapter 349 of the Private Acts of 1947, as amended, is amended in Section 5 by deleting the language "Division I" and substituting instead the language "Divisions I and IV".

SECTION 6. Chapter 349 of the Private Acts of 1947, as amended, is amended in Section 10 by deleting the first sentence in its entirety and substituting instead the following new language:

HB 1969

SECTION 8. Chapter 349 of the Private Acts of 1947, as amended, is amended in the last paragraph of Section 17 by deleting the language "three (3)" and substituting instead the language "four (4)".

SECTION 9. Chapter 349 of the Private Acts of 1947, as amended, is further amended in the last paragraph of Section 17 by deleting the punctuation "." at the end of the paragraph and adding the following new language:

and "Candidates for Judge of the Court of General Sessions, Division IV."

SECTION 10. Chapter 349 of the Private Acts of 1947, as amended, is amended by adding the following as a new paragraph at the end of Section 18:

The term of office of Judge of the Court of General Sessions, Division IV, shall begin on September 1, 1998, and shall be filled by the voters, as set forth in Section 17, at the regular August election in 1998.

SECTION 11. Chapter 349 of the Private Acts of 1947, as amended, is amended by adding the following as a new paragraph at the end of Section 19:

As to Divisions I and IV of the Court, the Judge with the greater number of years of service as Judge of the Court shall be the Presiding Judge. If they should have the same amount of service, the Judge of Division I shall be the Presiding Judge. The Presiding Judge shall be responsible for the administrative duties of the Court including the assignment of cases and courtrooms and responsibility for division of the workload.

SECTION 12. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Sullivan County. Its approval or nonapproval shall be proclaimed by the Presiding Officer of the County Legislative Body of Sullivan County and certified to the Secretary of State.


SECTION 13. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 12.

Attachment
Res. # 97

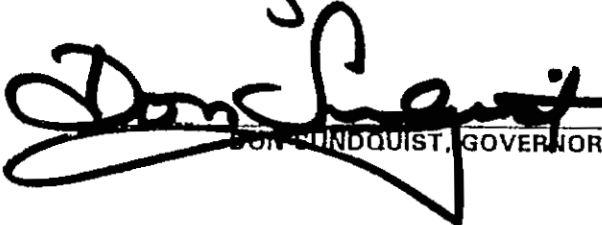
HOUSE BILL NO. 1969

PASSED: APRIL 23, 1997


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 7th day of May 1997


DON SUNDQUIST, GOVERNOR

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16th DAY OF June, 1997.

RESOLUTION AUTHORIZING Approval of Amending Private Act Relative to the Election of General Sessions Judges

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 June, 1997 ;

THAT, WHEREAS, House Bill No. 1970, approved by the Tennessee General Assembly on May 7, 1997 provides for the amending Private Act Relative to the Election of General Sessions Judges, and

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the Amending Private Act Relative to the Election of General Sessions Judges Court.

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

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

Duly passed and approved this 21st day of July, 1997.

Attested: Gay B. Feathers Date: 7-21-97
County Clerk County Executive Date: 7-21-97

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Conkin FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			7/7/97
Budget	✓			7/10/97
Executive	✓			7/2/97

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

COMMENTS: DEFERRED 6/16/97 APPROVED 7/21/97 ROLL CALL

Attachment
Res. #10

State of Tennessee



Department of State



State of Tennessee

PRIVATE CHAPTER NO. 35

HOUSE BILL NO. 1970

By Representative Westmoreland

Substituted for: Senate Bill No. 1981

By Senator Ramsey

AN ACT to amend Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, and any other act amendatory thereto, relative to the General Sessions Court of Sullivan County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 349 of the Private Acts of 1947, as amended by Chapter 40 of the Private Acts of 1973, Chapter 234 of the Private Acts of 1978, and any other acts amendatory thereto, is amended in Section 3 by deleting the language "civil district" wherever it appears and substituting instead the language "voting precinct".

SECTION 2. Chapter 349 of the Private Acts of 1947, as amended, is amended by deleting Section 4 in its entirety and substituting instead the following new language:

That when the defendant in any civil action resides or is served with process in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth voting precinct of Sullivan County, the case shall be tried at Kingsport, Tennessee. All criminal charges preferred in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth voting precinct of Sullivan County shall be heard in Kingsport, Tennessee.

SECTION 3. Chapter 349 of the Private Acts of 1947, as amended, is amended in the first paragraph of Section 17 by deleting all language after the semicolon and substituting instead the following new language:

the Judges of Divisions II and III of such court shall each be elected by a majority of all the qualified voters in the territory embraced in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, and Fifteenth voting precincts of Sullivan County.

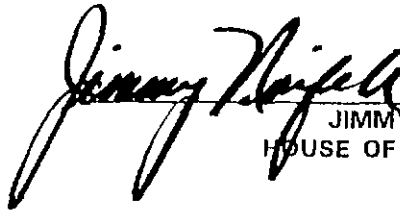
SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Sullivan County. Its approval or nonapproval shall be proclaimed by the Presiding Officer of the County Legislative Body of Sullivan County and certified to the Secretary of State.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.

0224
Attachment
Res. # 10

HOUSE BILL NO. 1970

PASSED: APRIL 23, 1997



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 7th day of May 1997



DON LINDQUIST GOVERNOR

RESOLUTION NO. 139

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16TH DAY OF JUNE, 1997.

RESOLUTION AUTHORIZING Appropriation in the sum of \$6,447.00 to Woodridge Hospital for Mental Health Evaluation of Juvenile

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 June, 1997,

THAT, WHEREAS, Tennessee Code Annotated §37-1-128(e)(1) authorizes Juvenile Courts to order mental health evaluations and treatment for juveniles which the Court believes may be suffering from mental illness and/or mental retardation; and

WHEREAS, Tennessee Code Annotated §37-1-150 provides that unless the child is charged with commission of an offense that would be a felony if committed by an adult, that the cost of such evaluation shall be paid by the county; and

RESOLUTION NO. ~~13~~ 9
 Page Two

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget			✓	7/16/97
Executive				

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

COMMENTS: MOTION BY: Comm. Williams, 2nd by: Comm. Blalock
 TO DEFER Motion approved - Voice vote DEFERRED 6/16/97
 APPROVED 7/21/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 16th DAY OF June 1997.

RESOLUTION AUTHORIZING Appointing the Membership of the Northeast Tennessee Corridor Review Commission

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 June 1997

THAT WHEREAS, Sullivan County and the City of Kingsport joined in passage of a private act known as the "Northeast Tennessee Corridor Overlay District Act", and

WHEREAS, Provisions of this act created a governing body known as the "Northeast Tennessee Corridor Review Commission" composed of seven members, three of whom are appointed by the County Governing Body, three appointed by the Municipal Governing Body and one which is jointly appointed by both governing bodies.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the appointment of the following membership to the Northeast Tennessee Corridor Review Commission:

Commissioner Raymond Conkin - Member of County Government
[Term of office to coincide with term of office as County Commissioner]

Mr. Bill Price - Architect
[Term of office: 4 years, expiring June, 2001]

Mr. James Greene, Jr. - Planner
[Term of office: - 3 years, expiring June, 2000]

Mr. Ed Moore - Member at Large
[Term of office: - 5 years, expiring June, 2002]

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

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

Duly passed and approved this 21st day of July, 1997

Attested: [Signature] Date: 7-21-97 [Signature] Date: 7-21-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Hubbard ESTIMATED COST: _____
SECONDED BY COMMISSIONER Ferguson FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			7/7/97

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF June 19 97.

RESOLUTION AUTHORIZING Applying for State Grant Funds for Waste Tire Recycling for FY 1997-98

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of June 19 96

THAT WHEREAS, The State of Tennessee has funds available to reimburse counties for waste tire recycling.

WHEREAS, Sullivan County qualifies for reimbursement of \$65.00 per ton of recycled waste tires. [or the sum of \$106,359.00 for FY 1997-98].

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Executive is authorized to apply for and execute a contract, with the Tennessee Department of Transportation, Division of Solid Waste Assistance, on behalf of Sullivan County for the Waste Tire Optional Program for FY 1997-98.

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

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

Duly passed and approved this 21st day of July, 19 97

Attest: B. Feather Date: 7/2/97 Gil Hodges Date: 7-21-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Gonce ESTIMATED COST: _____
SECONDED BY COMMISSIONER Kiser FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			7/7/97
Budget				
Executive	✓			7/2/97

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING Sale of Land in the Tri-County Industrial Park to a Corrugation Company

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT WHEREAS, A corrugation company wishes to acquire acreage in the Tri-County Industrial Park and construct a 200,000 sq. ft. building and employ 75 persons initially, and

WHEREAS, A site of approximately 25 acres is available on Mountain View Road, and

WHEREAS, Sullivan County owns a 50% share in the Tri-County Industrial Park,

NOW, THEREFORE BE IT RESOLVED, That Sullivan County Board of Commissioners authorizes the sale of such land, its share being approximately \$125,000.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Truly passed and approved this 19th day of July, 1997

Attested: Gay B. Feather Date: 7-21-97
County Clerk County Executive Gil Hodges Date: 7-21-97

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Hyatt FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			7/1/97
Budget	✓			7/10/97
Executive	✓			7/2/97

RESOLUTION NUMBER 15

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING Purchase of Land in the Tri-County Industrial Park

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT WHEREAS, Sullivan County wishes to open up for industrial use additional lands in the Tri-County Industrial park through the development of a road and installation of utilities, and

WHEREAS, A site of approximately 16.33 acres is available for development and which would allow access to other property owned solely by Sullivan County, and

WHEREAS, Said 16-acre site is currently owned jointly by Sullivan County (50%), the City of Johnson City (25%) City of Elizabethton (12-1/2%), and the City of Bristol, Tennessee (12-1/2%) and it is in the best interest for Sullivan County to acquire the interest of the other owners.

NOW, THEREFORE BE IT RESOLVED, That Sullivan County acquire the interest of the City of Johnson City, the City of Elizabethton, and the City of Bristol, Tennessee in the 16-acre site. The cost of the purchase will be approximately \$34,300.00, and

FURTHER BE IT RESOLVED, That the monies for said purchase be appropriated from Account #35115 which was established for such purposes from monies originating from previous land sales within the Tri-County Industrial Park.

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

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

Duly passed and approved this 21st day of July, 1997

August B. Feathers County Clerk Date: 7-21-97 *Gil Hodges* County Executive Date: 7-21-97

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Hyatt FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			7/7/97
Budget	✓			7/9/97
Executive				

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING Expenditure of Funds for the Planning of an Industrial Subdivision

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT WHEREAS, Sullivan County wishes to expand the Tri-County Industrial Park through the development of a road and installation of utilities into adjoining property, and

WHEREAS, Surveying, planning and engineering are needed prior to the subdivision and development of the approximate 65-acre expansion area.

NOW, THEREFORE BE IT RESOLVED, That Sullivan County authorizes the expenditure of up to \$18,000 for engineering services for planning of the proposed industrial subdivision, and

FURTHER BE IT RESOLVED, That monies for said engineering be appropriated from Account #35115 which was established for such purposes from monies originating from previous land sales with the Tri-County Industrial Park.

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

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

Duly passed and approved this 21st day of July, 1997

Attested: B. Feathers Date: 7/21/97 Gil Hodges Date: 7-21-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Hyatt FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			7/7/97
Budget	✓			7/10/97
Executive	✓			7/21/97

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING transfer of vacant State employee position at Sullivan County Health Department to County employee position.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997.

THAT Whereas a Clerk II position at the Sullivan County Health Department is vacant due to retirement and whereas, since the Health Department is a Regional office by agreement between the State of Tennessee and Sullivan County, any Vacancies occurring in a State funded position becomes a County position. And that funding in the FY 1997 -98 budget for this position be allocated as follows:

55110.300	Contracted Services	(\$21,500.00)
55110.100	Personnel	15,310.00
58600.201	Matching FICA	950.00
58600.204	State Retirement	1,135.00
58600.210	Insurance Expense	3,880.00
58600.212	Matching Medicare	225.00

** Ask for Wavier of Rules.

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

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

Duly passed and approved this 21st day of July, 1997.

Attest: [Signature] Date: 7-21-97
 County Clerk

[Signature] Date: 7-21-97
 County Executive

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Milhorn FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			7/7/97
Budget	✓			7/10/97
Executive		✓		7/2/97

Transfer of Clerical Position From State to County

*Attachment
Res # 17*

55110.300 Transfer From Account

Transfer to Accounts:

		Actual	Rounded
55110.100	Personal Services - 1 Entry Level Class D	\$15,307.85	\$15,310.00
58600.201	Matching FICA (6.2%)	\$949.07	\$950.00
58600.204	State Retirement (7.39%)	\$1,131.24	\$1,135.00
58600.210	Insurance Expense	\$3,878.64	\$3,880.00
58600.212	Matching Medicare (1.45%)	\$221.96	\$225.00
		\$21,488.56	\$21,500.00

Computation of Amounts for Transfer

County Employee-Full Time-Family

Base Salary of \$7.82 per Hour	\$15,307.85
FICA (6.2%)	\$949.07
MEDICARE (1.45%)	\$221.96
RETIREMENT (7.39%)	\$1,131.24
Insurance	
Health @ \$297.89 per month	\$3,574.68
Dental @ \$22.11 per month	\$265.32
Life @ \$3.22 per month	\$38.64
Total Benefits	\$6,180.91
Benefits %	40.38%

RESOLUTION NO. 18

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF JULY, 1997.

RESOLUTION AUTHORIZING Ratification of Private Chapter No. 64 (House Bill No. 2009) of the 100th General Assembly of the State of Tennessee Relative to Making the Office of Sullivan County Attorney Full-Time

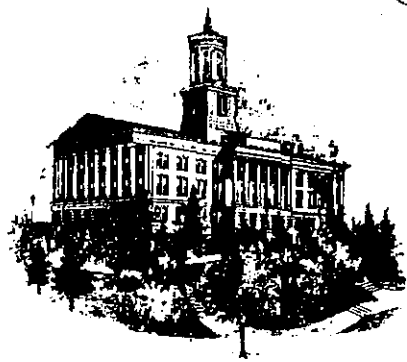
WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____ AUTHORIZES COUNTIES TO _____

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 21st day of July, 1997;

WHEREAS, Private Chapter No. 64 (House Bill No. 2009) of the Private Acts of 1997 has been approved by the 100th General Assembly of the State of Tennessee subject to ratification by the governing body of Sullivan County;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby ratify Private Chapter No. 64 (House Bill No. 2009) of the Private Acts of 1997, a copy of which is attached hereto.

State of Tennessee



*Attachment
Rev # 18*

Department of State

*To all to whom these Presents shall come, Greeting:
I, Riley C. Darnell, Secretary of State
of the State of Tennessee, do hereby certify that the annexed is a true
copy of*

PRIVATE CHAPTER NO. 64
HOUSE BILL NO. 2009
PRIVATE ACTS OF 1997

*the original of which is now on file and a matter of record in this office.
In Testimony Whereof, I have hereunto
subscribed my Official Signature and by order of the Governor affixed
the Great Seal of the State of Tennessee at the Department in the
City of Nashville, this 11th day*





State of Tennessee

PRIVATE CHAPTER NO. 64

HOUSE BILL NO. 2009

By Representative Westmoreland

Substituted for: Senate Bill No. 2020

By Senator Ramsey

AN ACT to amend Chapter 609 of the Private Acts of 1935, as amended by Chapter 27 of the Private Acts of 1935 (First Extraordinary Session); Chapter 524 of the Private Acts of 1937; Chapter 192 of the Private Acts of 1941; Chapter 299 of the Private Acts of 1943; Chapter 231 of the Private Acts of 1959; Chapter 360 of the Private Acts of 1961; Chapter 288 of the Private Acts of 1974; Chapter 35 of the Private Acts of 1977; Chapter 131 of the Private Acts of 1988; Chapter 208 of the Private Acts of 1990, and all other acts amendatory thereto relative to the County Attorney of Sullivan County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 609 of the Private Acts of 1935, as amended by Chapter 27 of the Private Acts of 1935 (First Extraordinary Session); Chapter 524 of the Private Acts of 1937; Chapter 192 of the Private Acts of 1941; Chapter 299 of the Private Acts of 1943; Chapter 231 of the Private Acts of 1959; Chapter 360 of the Private Acts of 1961; Chapter 288 of the Private Acts of 1974; Chapter 35 of the Private Acts of 1977; Chapter 131 of the Private Acts of 1988; Chapter 208 of the Private Acts of 1990, and all other acts amendatory thereto, is amended by deleting Section 3 in its entirety and by substituting instead the following:

The salary of the Sullivan County Attorney shall be established by the Sullivan County Board of Commissioners at least sixty (60) days before the qualifying deadline for primary elections for the Office of the Sullivan County Attorney for 1998 as well as for each term of office thereafter.

SECTION 2. Chapter 609 of the Private Acts of 1935, as amended, is further amended by deleting from Section 2 the following language:

The County Attorney shall be allowed to maintain his private law practice provided it does not interfere with or come into conflict with his official duties as County Attorney.

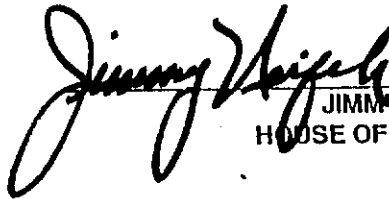
and substituting instead the following language:

The Office of the County Attorney for Sullivan County shall be a full-time position, and the County Attorney shall not be allowed to maintain a private practice of law.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Board of Commissioners of Sullivan County. Its approval or nonapproval shall

HOUSE BILL NO. 2009

PASSED: MAY 21, 1997



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 2nd day of June 1997



DON SUNDQUIST, GOVERNOR

RESOLUTION NUMBER 20

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING STOP Signs and Speed Limits on Various Roads in the 5th Civil District / NO PARKING Signs in the 21st Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED, That STOP signs, speed limits, and NO PARKING signs be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

5th CIVIL DISTRICT:

STOP Sign - on Beckley Drive at Stevenwood Drive

STOP Sign - on Beckley Drive at Kimberly Street

STOP Sign - on Brookshire Dive at Walnut Hill Road

STOP Sign - on Brookshire Drive at Kimberly Street

15 MPH Speed Limit - on Mount Area Drive be changed to 25 MPH

25 MPH Speed Limit - on Rosemont Drive

25 MPH Speed Limit - on Wimberly Way

25 MPH Speed Limit - on Wimberly Circle

21st CIVIL DISTRICT:

NO PARKING Signs - on Vance Tank Road under the State Highway 394 Bridge

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

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

Duly passed and approved this 21st day of July, 1997

Ray B. Feathers
Attested: _____
County Clerk

Date: 7-21-97
Gil Hodges
County Executive

Date: 7-21-97

RESOLUTION NO. 20
Page Two

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 7/21/97 ROLL CALL

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

July 14, 1997

*Attachment
Rev# 30*

COMMISSIONERS: Carol Belcher
Edley Hicks
Paul Millhorn

Dear Commissioners:

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

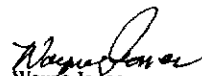
- (1) A STOP sign be placed on Beckley Drive at Stevenwood Drive.
- (2) A STOP sign be placed on Beckley Drive at Kimberly Street.
- (3) A STOP sign be placed on Brookshire Drive at Walnut Hill Road.
- (4) A STOP sign be placed on Brookshire Drive at Kimberly Street.
- (5) The 15 MPH SPEED LIMIT on Mount Area Drive be changed to 25 MPH.
- (6) A 25 MPH SPEED LIMIT be placed on Rosemont Drive.
- (7) A 25 MPH SPEED LIMIT be placed on Wimberly Way.
- (8) A 25 MPH SPEED LIMIT be placed on Wimberly Circle.

These are in the 5th Civil District.

- (1) NO PARKING signs be placed on Vance Tank Road under the State Highway 394 Bridge, in the 21st Civil District.

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

Sincerely,


Wayne Jones
Traffic Coordinator

Wj/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING STOP Sign on Jean Street at Violet Street - 14th C.D.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED, That a STOP sign be placed on Jean Street at Violet Street as recommended in correspondence from the Sullivan County Highway Department.

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

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

Duly passed and approved this 21st day of July, 1997

Attested: Ray B. Feathers Date: 7/21/97 Gil Hodges Date: 7/21/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Carter ESTIMATED COST: _____
SECONDED BY COMMISSIONER Krell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

July 14, 1997

*Attachment
Route 21*

COMMISSIONERS: June Carter
Carl Krell

Dear Commissioners:

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

A STOP sign be placed on Jean Street at Violet Street.

This is in the 14th Civil District.

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

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 19 97.

RESOLUTION AUTHORIZING STOP Signs on Roads in the 11th Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED, That STOP signs be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

11th CIVIL DISTRICT:

STOP Sign - on Salley Street at Bloomingdale Road

STOP Sign - on Sky View Drive on each side of Rogers Avenue

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

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

Duly passed and approved this 21st day of July, 19 97:

Attested: B. Feathers Date: 7-21-97 Gil Hodges Date: 7-21-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Surgenor ESTIMATED COST: _____
SECONDED BY COMMISSIONER Hubbard FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

1390

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

July 14, 1997

*Attachment
Rev # 22*

COMMISSIONERS: Pat Hubbard
Mike Surgenor

Dear Commissioners:

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

- (1) A STOP sign be placed on Salley Street at Bloomingdale Road.
- (2) STOP signs be placed on Sky View Drive on each side of Rogers Avenue.

These are in the 11th Civil District.

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

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

Wl/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING STOP Signs and Speed Limits on Roads in the 13th Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED. That STOP signs and speed limits be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

13th CIVIL DISTRICT:

STOP Sign - on Jayne Road at Cranshaw Drive be REMOVED and installed on Cranshaw Drive at Jayne Road

STOP Sign - on Westfield Place at Cox Hollow Road

25 MPH Speed Limit - on Peppertree Drive

STOP Sign - on Hood Road West at Hood Road

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 21st day of July, 1997

Attested: B. Feathers Date: 7/21/97 Gil Hodges Date: 7-21-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Conkin ESTIMATED COST: _____
SECONDED BY COMMISSIONER Williams FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 7/21/97 ROLL CALL

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

July 14, 1997

*Attachment
Route 23*

COMMISSIONERS: Raymond C. Conkin
Eddie Williams

Dear Commissioners:

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

- (1) The STOP sign on Jayne Road at Cranshaw Drive be removed and installed on Cranshaw Drive at Jayne Road.
- (2) A STOP sign be placed on Westfield Place at Cox Hollow Road.
- (3) A 25 MPH SPEED LIMIT be placed on Peppertree Drive.
- (4) A STOP sign be placed on Hood Road West at Hood Road.

These are in the 13th Civil District.

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

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING Placing Speed Limits on Roads in the 3rd and 20th Civil Districts

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED. That speed limits be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

3rd CIVIL DISTRICT:

15 MPH Speed Limit - on Fritz Hollow Road

20th CIVIL DISTRICT:

25 MPH Speed Limit - on Bradford Road

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

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

Duly passed and approved this 21st day of July, 1997

Attest: B. Feathers Date: 7-21-97 Gil Hodges Date: 7-21-97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: _____
SECONDED BY COMMISSIONER Mason FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 7/21/97 ROLL CALL

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LaSueur, Jr.
Commissioner of Roads

279-2820

July 14, 1997

*Attachment
Res # 24*

COMMISSIONERS: Marvin Hyatt
Dwight Mason


Dear Commissioners:

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

- (1) A 25 MPH SPEED LIMIT be placed on Bradford Road, in the 20th Civil district.
- (2) A 15 MPH SPEED LIMIT be placed on Fritz Hollow Road, in the 3rd Civil District.

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

Sincerely,


Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING STOP Signs and Speed Limits on Various Roads - 10th Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED, That STOP signs and speed limit signs be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

- 10TH CIVIL DISTRICT:
- STOP Sign - on Capri Street at Old Beason Well Road
- 20 MPH Speed Limit - on Fleming Road
- STOP Sign - on Cardinal Street at Katherine Street
- 25 MPH Speed Limit - on Whitehills Road

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

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

Duly passed and approved this 21 day of July, 1997
 Attested: Ray B. Feathers Date: 7-21-97 Gil Hodges Date: 7-21-97
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Jones ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Gonce/Blalock FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

July 14, 1997

*Attachment
Res # 25*

COMMISSIONERS: Jim Blalock
Mike Gonce
Jack Jones

Dear Commissioners:

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

- (1) A STOP sign be placed on Capri Street at Old Beason Well Road.
- (2) A 20 MPH SPEED LIMIT be placed on Fleming Road.
- (3) A STOP sign be placed on Cardinal Street at Katherine Street.
- (4) A 25 MPH SPEED LIMIT be placed on Whitehills Road.

These are in the 10th Civil District.

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

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/b

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING A Proclamation to Designate August 9, 1997 as Keep Bristol Beautiful "South Holston Lake Cleanup Day" in Bristol, TN-VA, Washington County Virginia and Sullivan County

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED. That the Sullivan County Board of Commissioners approves a joint Proclamation by the Governing Bodies of Bristol, TN-VA, Washington County Virginia and Sullivan County, designating August 9, 1997 as Keep Bristol Beautiful "South Holston Lake Cleanup Day". [A draft of the proposed document is attached].

JUN- 9-97 TUE 12:52 PM

P. 3

PROCLAMATION*Attachment
Res. # 26*

A PROCLAMATION to designate August 9, 1997 as Keep Bristol Beautiful "South Holston Lake Cleanup Day" in Bristol Tennessee, Bristol Virginia, County of Washington Virginia and Sullivan County Tennessee to commend area residents for their participation in the past.

WHEREAS, the annual South Holston Lake Cleanup Day demonstrates the desire of the community to add beauty and a natural appearance to the landscape through cleanup efforts; and

WHEREAS, at a time when public lands and waterways are being reduced at an alarming rate, volunteer cleanup activities are some of the most important traditions we can establish to assure America's beauty; and

WHEREAS, a clean environment is a legacy to future generations;

NOW, THEREFORE BE IT PROCLAIMED, by the governing bodies of Bristol Tennessee, Bristol Virginia, County of Washington Virginia, and Sullivan County Tennessee that Saturday, August 9, 1997, is designated as the fifth annual

KEEP BRISTOL BEAUTIFUL SOUTH HOLSTON LAKE CLEANUP DAY

and that we urge our citizens to contribute to the future of our region by participating in this valuable community activity.

Mayor
City of Bristol Tennessee

Mayor Jerry Wolfe
City of Bristol Virginia

RESOLUTION NO. 30

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21ST DAY OF JULY, 1997.

RESOLUTION AUTHORIZING Amendment to Resolution No. 8, As Amended, Approved on April 21, 1997

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 21st day of July, 1997,

THAT, WHEREAS, Resolution No. 8, as amended, was duly passed on April 21, 1997, a copy of which is attached hereto; and

WHEREAS, Resolution No. 24, as amended, was duly passed on June 16, 1997, a copy of which is attached hereto; and

WHEREAS, Resolution No. 8 approved on April 21, 1997 was amended such that the purchase of the business property located at the intersection of Highways 126 and 37 was conditioned upon Seller agreeing to hold Sullivan County harmless from any EPA/Environmental/ Pollution liability; and

WHEREAS, Resolution No. 24 approved on June 16, 1997 further amended Resolution No. 8 of April 21, 1997 such that the purchase of the aforesaid property was conditioned upon Seller agreeing to hold Sullivan County harmless from any EPA/Environmental/ Pollution liability notice of which arises within one year from the date of purchase; and

WHEREAS, the Seller of the subject property has advised that they will only agree to hold Sullivan County harmless for a period of one year from date of purchase with Seller's liability not to exceed the sum of Fifty thousand dollars (\$50,000.00) and the further stipulation that they be allowed to correct any potential liability which might surface during the one year period; and

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 8 as amended and duly passed on April 21, 1997 be further amended to reflect that the purchase of the subject property will be conditioned upon Seller agreeing to hold Sullivan County harmless from any and all EPA, environmental and/or pollution liability notice of which arises within one year from the date of purchase with Seller's liability not to exceed the sum of Fifty thousand dollars (\$50,000.00) and the further stipulation that Seller will be allowed to correct any potential liability.

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

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

Duly passed and approved this 21st day of July, 1997

Attested: B. Feathers Date: 7/21/97 Har Hodges Date: 7/21/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Vance FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	18	4		2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 7/21/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 19 97

RESOLUTION AUTHORIZING Purchase of Business Property at the Intersection of Highways 126 and 37 in Blountville (known as the Wallace Chevrolet Building)

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 March 19 97

THAT WHEREAS, Certain County offices in the Blountville Courthouse are in need of expansion room in order to continue providing adequate service to the tax payers, and

WHEREAS, Business property at the intersection of Highways 126 and 37 in Blountville can be purchased for the sum of \$500,000 for use as office space with ample parking,

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the purchase of Lot 31 and 32 (Wallace Chevrolet Building) located at the intersection of Highways 126 and 37, and further authorizes the appropriation of \$500,000 from Undesignated Fund Balance 39000,000 to purchase said property.

4/21/97 AMEND. COMM KING Amend to make purchase conditioned upon seller agreeing to hold Sullivan County harmless from any EPA/Environmental/Pollution liability.

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

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

Duly passed and approved this 21st day of April 19 97

Attested: _____ Date: _____ County Executive Date: 4-1-97

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____ SECONDED BY COMMISSIONER Vance FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	14	7	1	2	
Voice Vote					

COMMENTS: FIRST READING 3/17/97 APPROVED WITH AMENDMENT 4/21/97 ROLL CALL

Attachment to Resolution No. 30

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16TH DAY OF JUNE, 1997.

RESOLUTION AUTHORIZING Amendment to Resolution No. 8, As Amended,
Approved on April 21, 1997

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 June, 1997,

THAT, WHEREAS, Resolution No. 8, as amended, was duly passed on April 21, 1997,
a copy of which is attached hereto; and

WHEREAS, the aforesaid Resolution was amended such that the purchase of the business property located at the intersection of Highways 126 and 37 was conditioned upon Seller agreeing to hold Sullivan County harmless from any EPA/Environmental/Pollution liability; and

WHEREAS, the Seller of the subject property has advised that they will only agree to hold Sullivan County harmless for a period of one year from date of purchase with Seller's liability not to exceed the sum of Fifty thousand dollars (\$50,000.00) and the further stipulation that they be allowed to correct any violations themselves which might surface during the one year period; and

WHEREAS, the the Tennessee Department of Environment and Conservation has reviewed this property and has issued its report, a copy of which has been provided to the County Executive;

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 8 as amended and duly passed on April 21, 1997 be amended to reflect that the purchase of the subject property will be conditioned upon Seller agreeing to hold Sullivan County harmless from any and all EPA, environmental and/or pollution liability notice of which arises within one year from the date of purchase with Seller's liability not to exceed the sum of Fifty thousand dollars (\$50,000.00) and the further stipulation that Seller will be allowed to correct any violations.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 16 day of June 19 97

Attested: _____ Date: _____
County Clerk County Executive *Gil Hodges* Date: 6-17-97

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Vance FUND: _____

Attachment to Resolution No. 30

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	18	1	2	3	
Voice Vote					

COMMENTS: FAILED - First roll call - 14 Aye, 4 Nay, 3 Pass, 3 absent. AMEND: By Comm. Harr - Delete ; with SELLER'S liability not to exceed (\$50,000.00) and the further stipulation that seller will be allowed to correct any violations.

COMM. CARTER who voted 'No' on the first roll call vote called for another vote as amended.

(WAIVER OF) RESOLUTION APPROVED AS AMENDED 6/16/97 ROLL CALL VOTE AS ABOVE
RULES)

HOLD HARMLESS AGREEMENT

WHEREAS, on the ____ day of _____, 1997, Baker Properties, L.P., a Tennessee Limited Partnership, (hereinafter referred to as "Seller") transferred by Deed to Sullivan County, Tennessee a parcel of property (hereinafter referred to as "Property") at the intersection of Highways 126 and 37 in Blountville, Tennessee previously known as the Wallace Chevrolet Building (a copy of the aforesaid Deed being attached hereto for further description of the Property); and

WHEREAS, the purchase of said property by Sullivan County, Tennessee is conditioned upon Baker Properties, L.P. agreeing to hold Sullivan County, Tennessee harmless, at a cost not to exceed Fifty thousand Dollars (\$50,000.00), from any and all EPA, environmental and/or pollution related liability, notice of which Sullivan County is made aware of within one (1) year from the date of this agreement:

ACCORDINGLY, Baker Properties, L.P. hereby agrees to indemnify, save harmless and defend at a cost not to exceed Fifty thousand Dollars (\$50,000.00) Sullivan County, Tennessee, its governing body, officers and employees from and against any and all claims, liability, loss, damages, costs and expenses, including reasonable attorney's fees and expenses of litigation, which Sullivan County incurs or is exposed to as a result of claims and/or lawsuits associated with or related to Property, notice of which arise within one year from date of this agreement, alleging contamination of or adverse effects on the environment or violation of past, present or future local, state or federal EPA, environmental and/or pollution related laws, regulations or orders; and/or any bodily injury, death, property damage and/or any loss arising out of or related to the same. Baker Properties, L.P. shall have the right to investigate, settle or defend such claim, including without limitation, the right to select counsel and direct a legal defense and shall also have the right to direct

Attachment to Resolution No. 30

the clean-up of said property when appropriate in order to save Sullivan County harmless pursuant to this agreement.

IN TESTIMONY WHEREOF, Baker Properties, L.P. has hereunto executed this instrument for the purposes herein expressed, this the _____ day of June, 1997.

BAKER PROPERTIES, L.P.

BY _____
PAUL M. BAKER, Partner

BY _____
MARGARET ANN BAKER, Partner

STATE OF TENNESSEE:

COUNTY OF _____:

Personally appeared before me, the undersigned, a Notary Public in the State and County aforesaid, the within-named bargainors, Paul M. Baker and Margaret Ann Baker, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged themselves to be the only Partners in Baker Properties, L.P., a Tennessee Limited Partnership, the within named bargainor, a partnership, and that they as such partners, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the partnership by themselves as its only Partners.

WITNESS my hand and official seal this ____ day of June, 1997.

Notary Public

My commission expires: _____

RESOLUTION NO. 31

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF JULY, 1997.

RESOLUTION AUTHORIZING Amendment to Franchise Agreement with Intermedia Partners Southeast, L.P. d/b/a Intermedia (formerly Time-Warner Entertainment Companies, L.P., d/b/a Warner Cable, Inc.)

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 21st day of July, 1997,

THAT, WHEREAS, Sullivan County approved a franchise agreement with Time-Warner Entertainment Company, L.P., dba Warner Cable Communications (now Intermedia Partners Southeast, L.P.) pursuant to Resolution No. 11 approved on January 15, 1996, a copy of which is attached hereto; and

WHEREAS, Intermedia has requested an amendment to said franchise agreement to allow franchise fees to be paid by the 30th day after the end of each quarter as opposed to the 20th day to assist Intermedia's accounting department;

NOW, THEREFORE, BE IT RESOLVED that Section 18 of the franchise agreement with Intermedia be deleted in its entirety and that the following Section 18 be substituted in lieu thereof:

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

BE IT FURTHER RESOLVED that the County Executive is hereby authorized to execute such instrument as may be necessary to acknowledge such amendment.

WAIVER OF RULES REQUESTED

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

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: _____

SECONDED BY COMMISSIONER McConnell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 7/21/97 ROLL CALL

1586

SUBSTITUTE

0281

RESOLUTION NO. 11

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF DECEMBER, 1995.

RESOLUTION AUTHORIZING franchise to Time-Warner Entertainment Companies, L.P., d/b/a Warner Cable, Inc.

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 18th day of December, 1995,

THAT, WHEREAS, Sullivan County desires to grant a franchise to Time-Warner Entertainment Company, L.P., d/b/a Warner Cable Communications, to build, construct, operate and maintain a cable television system in Sullivan County, Tennessee due to the previous franchise having expired, and hereby sets forth conditions accompanying the granting of this franchise:

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

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

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

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

(b) "Grantee" or "Company" is Time-Warner Entertainment Company, L.P., d/ba Warner Cable Communications. It is the grantee of rights under this franchise.

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

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

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

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

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

Attachment to Resolution No. 31

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

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

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

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

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

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

Section 3 -- Grant of Authority.

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

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

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

Section 4 -- Compliance With Applicable Laws.

(a) Grantee, at all times during the life of its franchise, shall be subject to all lawful exercise of the police power by the County. Unless otherwise prohibited by State or Federal law, or where jurisdiction has been or shall be conferred upon a State or Federal commission, board or body, the County reserves a right by resolution to regulate such cable system as to installation fees, if any; rates and charges to be paid by the subscribers for the service; the quality of service to be provided subscribers.

excluding channel line-up or content; and to adopt such other rules and regulations it may now or hereafter lawfully impose in keeping with and not in conflict with applicable State or Federal law, or the lawful rules and regulations heretofore or hereafter adopted by any Federal commission, board or body and/or any lawful State rules and/or regulations lawfully adopted by any State commission, board or body.

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

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

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

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

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

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

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

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

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

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

(a) The Grantee shall provide, but without charge and subject to the rules and regulations of the Federal Communications Commission, public emergency broadcast

capabilities whereby the County can interrupt service on all channels in order to make such public emergency communications as it deems necessary.

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

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

Section 10 -- Construction & Maintenance.

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

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

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

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

advance.

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

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

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

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

Section 13 -- Maps, Plans & Reports.

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

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

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

Section 14 -- Franchise Term & Renewal.

(a) This franchise shall take effect and be in full force upon acceptance by Grantee as provided in Section 19, and the same shall continue in full force and effect for a term of seven (7) years. Renewals shall be accomplished as provided for in Federal law and regulations.

(b) Notwithstanding anything to the contrary in paragraph (a) above, should the County hereafter during the term of this agreement grant a franchise to operate and maintain a Cable System to an operator, other than the Grantee hereunder, for a term greater than seven (7) years, then in such case the Grantee hereunder may, at its election, notify the County in writing of its election to extend the term of this franchise

so that the Grantee hereunder is afforded a term of years equal to that granted the other operator.

(c) Notwithstanding anything to the contrary in paragraph (a) above, should the Grantee upgrade the Cable System to a capacity of 550 Mhz (at an estimated cost of \$10 million) within thirty (30) months from the acceptance of this Resolution by InterMedia Partners of Tennessee, L.P., the term of this franchise shall be fifteen (15) years from the date this franchise takes effect.

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

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

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

acceptance of this Resolution within thirty (30) days of such closing

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

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

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

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: APPROVED 1/19/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 21st DAY OF July 1997.

RESOLUTION AUTHORIZING Interchange Between the General Sessions Judges

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of July 1997

THAT BE IT RESOLVED, That the Judge of Division IV be able to serve one day per week in the Kingsport Session Court Division II or III, be able to serve in time of emergency or sickness in Division II and III, and conduct all arraignments for Division I, II, III or IV that can be set in Blountville at the County Jail.

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

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

Duly passed and approved this 21st day of July, 1997

Attested: [Signature] Date: 7-21-97
County Clerk
[Signature] Date: 7-21-97
County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: _____
SECONDED BY COMMISSIONER Conkin, Hubbard, Kiser FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Ave	Nav	Pass	Absent	Total

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET
AGAIN IN REGULAR SESSION AUGUST 18, 1997.

GIL HODGES, COUNTY EXECUTIVE