

# COUNTY COMMISSION- REGULAR SESSION

**JULY 21, 2003**

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, 2003, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE F. GAMMON, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Richard S. Venable. County Mayor Richard S. Venable opened the commission and Comm. James King, Jr. gave the invocation. Pledge to the flag was led by County Attorney Dan Street.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

<b>GARTH BLACKBURN</b>	<b>LINDA K. BRITTENHAM</b>
<b>JAMES "MOE" BROTHERTON</b>	
<b>JOHN CRAWFORD</b>	<b>O. W. FERGUSON</b>
<b>CLYDE GROSECLOSE, JR.</b>	<b>LARRY HALL</b>
<b>RALPH P. HARR</b>	<b>JOE HERRON</b>
<b>DENNIS HOUSER</b>	<b>MARVIN L. HYATT</b>
<b>SAMUEL C. JONES</b>	<b>ELLIOTT KILGORE</b>
	<b>JAMES L. KING, JR.</b>
<b>R. WAYNE MCCONNELL</b>	<b>JOHN MCKAMEY</b>
<b>RANDY MORRELL</b>	<b>HOWARD PATRICK</b>
<b>JACK SITGREAVES</b>	<b>MICHAEL SURGENOR</b>
<b>MARK A. VANCE</b>	<b>EDDIE WILLIAMS</b>

**22 PRESENT 2 ABSENT (Conkin , Buddy King Absent)**

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

Motion was made by Comm. Harr and seconded by Comm. Morrell to approve the minutes of the June 16, 2003 Regular Session of County Commission. Said motion was approved by voice vote.

**PUBLIC COMMENTS: JULY 21, 2003**

**THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS  
FOLLOWS:**

**NONE**

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**The appointment of Commissioners Jack Sitgreaves and Joe Herron to the  
Education Committee was made and announced to the Commission by County  
Mayor Richard Venable.**

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**Quarterly Reports received and on file in the County Clerk's Office for April 2003-  
June 2003 were:**

- 1. Highway Commissioner**
- 2. Purchasing Dept.**

ELECTION OF NOTARY'S

JUNE 16, 2003

Jane L. Adams	Tony L. Huff	Karena Milligan
Melinda B. Akard	Tina Hurd	
Steven Lynn Alison	Daryl G. Hyder	
Blenda L. Anderson	Tommy R. Kerns	
William E. Andersen	Michael E. Large	
Susan C. Arnold	Linda C. McClellan	
Toby Beach	Sara McDaniel	
Judi Bellamy	Edward E. McKee	
Tammy Y. Blanton	Debra Y. Miller	
Judy Pippin Boothe	Lori Miller	
Theresa A. Bright	Linda Minton	
Connie Burleson	Julie Morrell	
Marilyn M. Caldwell	Larry D. Mullins	
Patsy S. Carroll	Cynthia M. Mutter	
Mike W. Cash	Ada B. Newman	
Shirley A. Churchwell	Archer B. Parsons	
Janet F. Cox	Rachel Rhodes	UPON MOTION MADE BY COMM. HARR
Bernice M. Crawford	Susan Robinson	AND SECONDED BY COMM. HYATT TO
Mallory M. Cross	Linda K. Rutter	APPROVE THE NOTARY APPLICATIONS
R. Wayne Culbertson	Wendy Simpson	HEREON, SAID MOTION WAS APPROVED
Becky Davis	Arthur J. Spurgeon, Jr.	BY ROLL CALL VOTE OF THE
Markalene F. Earles	Connie L. Strouth	COMMISSION. 21 AYE, 3 ABSENT.
Gigi R. Epps	Patricia J. Sturgill	
Robin Lynn Ferguson	Christie Swinney	
Jennifer D. B. Fleenor	Iva Dell Whiteman	
Robin Goode	Cindy L. Whitten	
Donna Jean Gouge	Nancy K. Wilson	

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

JULY 21, 2003

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

James E Bisceglia

Monty Bisceglia

Tammie Jean Burgess

Angela R. Campbell

Angie Carr

J. Richard Carroll

Delilah S. Collins

Becky F. Cross

Gay K. Hillman

R. Grant Hyatt

Sherry K. Hyatt

Nadine A. Johnson

B. C. McInturff

Evelyn Minton

Gerry Murdock

E. A. Osborne

Phyllis A. Palmer

Sandra Phillips

Rebecca A. Spangler

Gary W. Spriggs

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. HYATT TO APPROVE THE  
NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLL  
CALL VOTE OF THE COMMISSION. 21 AYE, 3 ABSENT.

## REZONING OVERVIEW

### SULLIVAN COUNTY COMMISSION MEETING

July 21 2003

[illegible]

# Agenda

Sullivan County Board of County Commission  
July 21, 2003

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, July 21, 2003 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 05/03/01 Ralph Combs  
Reclassify A-1 property at 790 Walnut Grove Road to R-3 for the purpose of allowing for the expansion of Comb's Mobile Home Park. Property ID. No. Tax map 126. Parcel 22.00 located in the 16<sup>th</sup> Civil District. **Sullivan County Planning**
- (2) File No. 05/03/02 Jackie Clark  
Reclassify R-1 property at 657 Rock Springs Road to P.R.D. (Planned Residential Development) to allow multi-family dwellings. Property ID. No. Tax map 91, Parcel 128.00 located in the 7<sup>th</sup> Civil District. **Kingsport Planning**
- (3) File No. 05/03/03 Joe Edward Morris  
Reclassify R-1 property at 449 Bunker Hill Road to A-1 for the purpose of allowing a singlewide mobile home to be moved in on the property. Property ID. No. Tax map 136-D, Group A, Parcel 21.00 located in the 16<sup>th</sup> Civil District. **Sullivan County Planning**

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

Property Owner Ralph R. Combs  
 Address 764 WALNUT GROVE RD.  
BLUFF CITY TN 37618  
 Phone 538-4567 Date of Request 4-17-03  
 Property Located in 16<sup>th</sup> Civil District  
X Ralph R. Combs  
 Signature of Applicant

OFFICE USE ONLY

Meeting Date 6-17-03 Time 7:00 P.M.  
 Place Blountville Courthouse  
2<sup>nd</sup> Floor  
 Planning Commission Approved \_\_\_\_\_  
 Denied \_\_\_\_\_  
 County Commission Approved \_\_\_\_\_  
 Denied X  
 Other Roll Call Vote 10 Aye, 11 Nay  
 1 Pass, 1 Absent  
 Final Action Date 07-21-03

PROPERTY IDENTIFICATION

Tax Map 126 Group \_\_\_\_\_ Parcel 22.00  
 Zoning Map 27 Zoning District A-1 Proposed District R-3  
 Property Location Comb's Mobile Home Park 790 Walnut Ave

Purpose of Rezoning FOR EXPANSION OF MOBILE HOME PARK

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

X Ralph R. Combs

Sworn to and subscribed before me this 17<sup>th</sup> day of April, 2003.

Jack Morrison  
 Notary Public

My Commission Expires: 12-20-03

4.

**Sullivan County  
Board of County Commissioners  
Staff Comments – July 21, 2003**

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**REZONING REQUEST File 05/03 #1**

<b>Property Owner:</b>	<b>Ralph Combs</b>
<b>Rezoning Request</b>	<b>A-1 to R-3</b>
<b>Purpose:</b>	<b>To allow for the expansion of a mobile home park</b>
<b>Parcel ID:</b>	<b>Tax Map 126, Parcel 22.00</b>
<b>Location:</b>	<b>790 Walnut Grove Road, Bluff City area</b>
<b>Civil District:</b>	<b>16<sup>th</sup></b>
<b>Surrounding Zoning:</b>	<b>A-1</b>
<b>PC 1101 Growth Plan:</b>	<b>Sullivan County Rural Area</b>

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**Staff Field Notes:**

- This property is approximately 9.57 acres and has an existing legal but non-conforming mobile home park on site.
- While there are other mobile homes in the area, the predominate land uses are single-family homes on large tracts with open space/ agricultural uses. There is one spot-zone of B-3 for an existing cabinetry shop up the road.
- There is no public sewer for this area and it is within the rural area as designated on the Growth Plan map.
- Conflicts with the PC policy on rezonings in the Rural Area and the purposes of the PC 1001 Growth Plan

**Discussion at Planning Commission Meeting:**

- Staff recommends against this rezoning request as the R-3 zoning change would be considered a spot zone, not compatible with the surrounding area, there is no public sewer to support this density, the Planning Commission has a policy adopted to not recommend approval of high-density residential within the designated rural area; and there are other land options for this large tract and still maintain those mobile home pads as "grandfathered in;" this tract could be subdivided for example.
- Ralph and Michael Combs were present.
- Mr. Settle stated he would not like the Planning Commission to vote against their own policies.
- Discussion followed on the likelihood of the full density, considering this property is wooded, somewhat rocky and not served by public sewer.

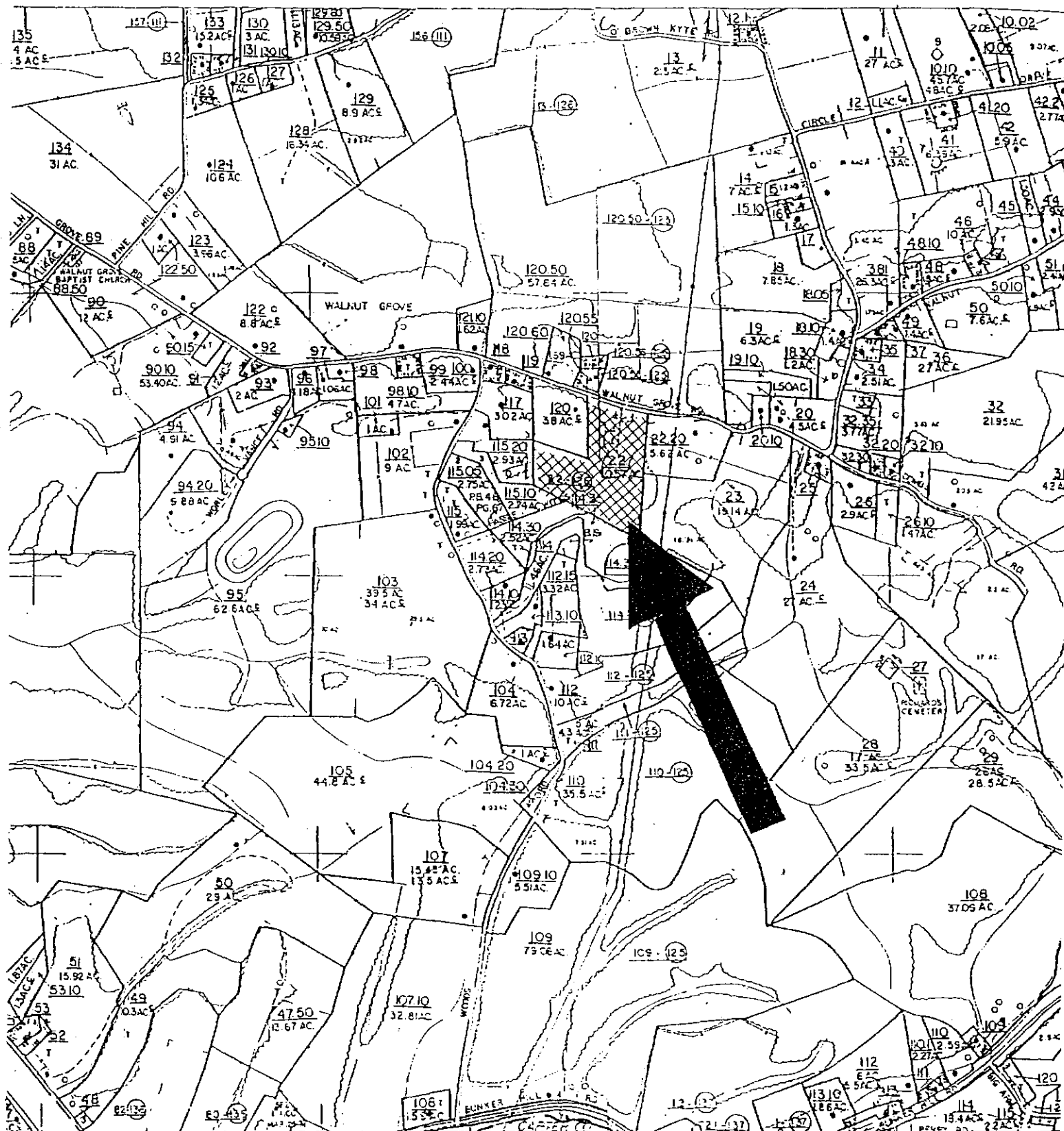
**Neighborhood Opposition:**

Mr. Chad Clark spoke in opposition to the request stating he was concerned over the potential noise, traffic, congestion, trash and peace if this was rezoned to R-3.

<b>Sullivan County Regional Planning Commission Action: - June 17, 2003 – 8 of the 9 members present</b>
<b>Approval: King, Peterson (5 yes (King, Peterson, Dutton, Boggs, Settle), 3 opposed – (Mullins, Selby, Bronner)</b>
<b>Denial:</b> Reason for denial:
<b>Defer:</b> Reason for denial:

<b>Sullivan County Board of County Commissioners Action: - July 21, 2003</b>
<b>Approval:</b>
<b>Denial: 07-21-03</b> Reason for denial:
<b>Defer:</b> Reason for denial:





1998

REVISIONS	
NO. 1	DATE
NO. 2	DATE
NO. 3	DATE
NO. 4	DATE
NO. 5	DATE

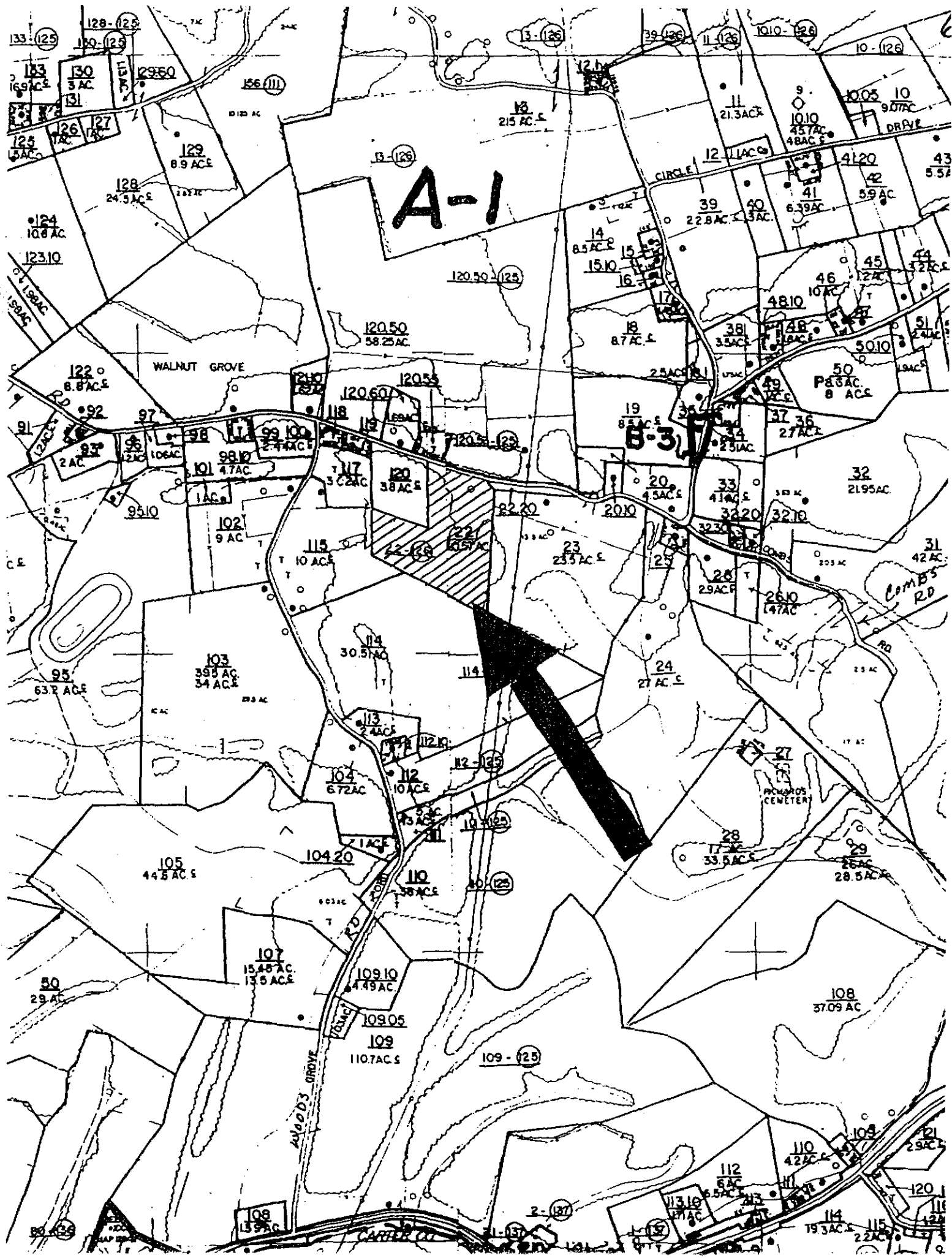
SULLIVAN CO., TENN	
SCALE 1" = 40'	DATE OF MAP
DATE OF FILING MAY 1998	DATE OF MAP
DATE COMPILED JUNE 1997	DATE OF MAP

UNITED AERIAL MAPPING  
MILFORD, TEXAS

126

A-1

B-3



PETITION TO SULLIVAN COUNTY FOR REZONING # 05/03/02

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

Property Owner JACKIE C. Clark

Address 4012 SKYLINE AVE

KINGSPOAT, TN 37664

Phone 423 246-5448 Date of Request 5-6-03

Property Located in 07 Civil District

Jackie C. Clark (ADMINISTRATOR)  
Signature of Applicant

OFFICE USE ONLY

Meeting Date 6-19-03 Time 7:00 PM

Place CITY HALL  
2<sup>nd</sup> FLOOR

Planning Commission Approved \_\_\_\_\_  
Denied \_\_\_\_\_

County Commission Approved x  
Denied \_\_\_\_\_

Other Roll Call Vote 22 Aye, 2 Absent

Final Action Date 07-21-03

PROPERTY IDENTIFICATION

Tax Map 91 Group \_\_\_\_\_ Parcel 128.00

Zoning Map 15 Zoning District R-1 Proposed District PRD

Property Location 657 Rock Springs RD.

Purpose of Rezoning Multi-Unit Housing

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

x Jackie C. Clark (ADMINISTRATOR)

Sworn to and subscribed before me this 6 day of May, 2003.

Nancy Dinger Henon  
Notary Public

My Commission Expires: 1-18-2005



## CITY OF KINGSPORT, TENNESSEE

Amber Torbett  
Sullivan County Planner  
Fax: 279-2886

Dear Mrs. Torbett:

On June 19, 2003, the Kingsport Regional Planning Commission made the following recommendations concerning a county case.

**06-03 657 Rock Springs Rd County Rezoning (03-101-00004)**

The Commission considered the county rezoning request of 1.4 acres of property from R-1, Residential District to PRD, Planned Residential Development district. The property was located at 657 Rock Springs Road outside the Kingsport City limits within the Urban Growth Boundary in the 7<sup>th</sup> Civil District of Sullivan County. The proposed use was an apartment. The Kingsport Planning Division recommended the rezoning as requested for the following reasons:

1. The rezoning was consistent with the Kingsport Land Use Plan.
2. It was an extension of the western zoning district. There was a similar-zoned PRD district 200-feet to the north. The eastern R-3A zoning district permitted the same land uses as PRD. It was compatible with the B-3 zoned property located approximately 100-feet to the south.
3. It would allow land uses compatible with the western Remington House Assisted Living Community. It would permit land uses that buffer the northern businesses and professional offices at the intersection of Moreland Drive and Rock Springs Road, and the southern single-family, and agricultural land uses adjacent to Rock Springs Road.
4. It would not excessively burden city public services and facilities. The surrounding street network of Rock Springs Road and Moreland Drive could support the land uses permitted in the rezoning neither creating a traffic hazard due to the adequate sight distance adjacent to the site, nor excessively congesting vehicle flow, which had not significantly increased over time according to the state traffic stations. City water and sewer were available to the property.
5. The surrounding property would be protected from the rezoning with the PRD requirement for a 25-foot landscaped open space buffer. The PRD also required that the Sullivan County Planning Commission approve a comprehensive site plan, and allows the Commission may further require a double row of trees for additional buffering.

Charlie Hasbrook, southern property owner, expressed a desire for a high-quality development like condominiums. Staff stated that density of units would be limited by the size of the lot, and other county regulations such as parking driving aisles, parking spaces, and the 25-foot PRD buffers. On a motion by Doug Releford, seconded by Mark Selby, the Commission voted unanimously, 9-0, to recommend the rezoning as requested based upon the rationale provided by Staff.

A colored hardcopy of the Staff report will be mailed to you. If you have any questions, please call me at 224-2482.

Sincerely,

Robert Nemerl

A handwritten signature in dark ink, appearing to read "Robert Nemerl", is written over the typed name.

City Hall

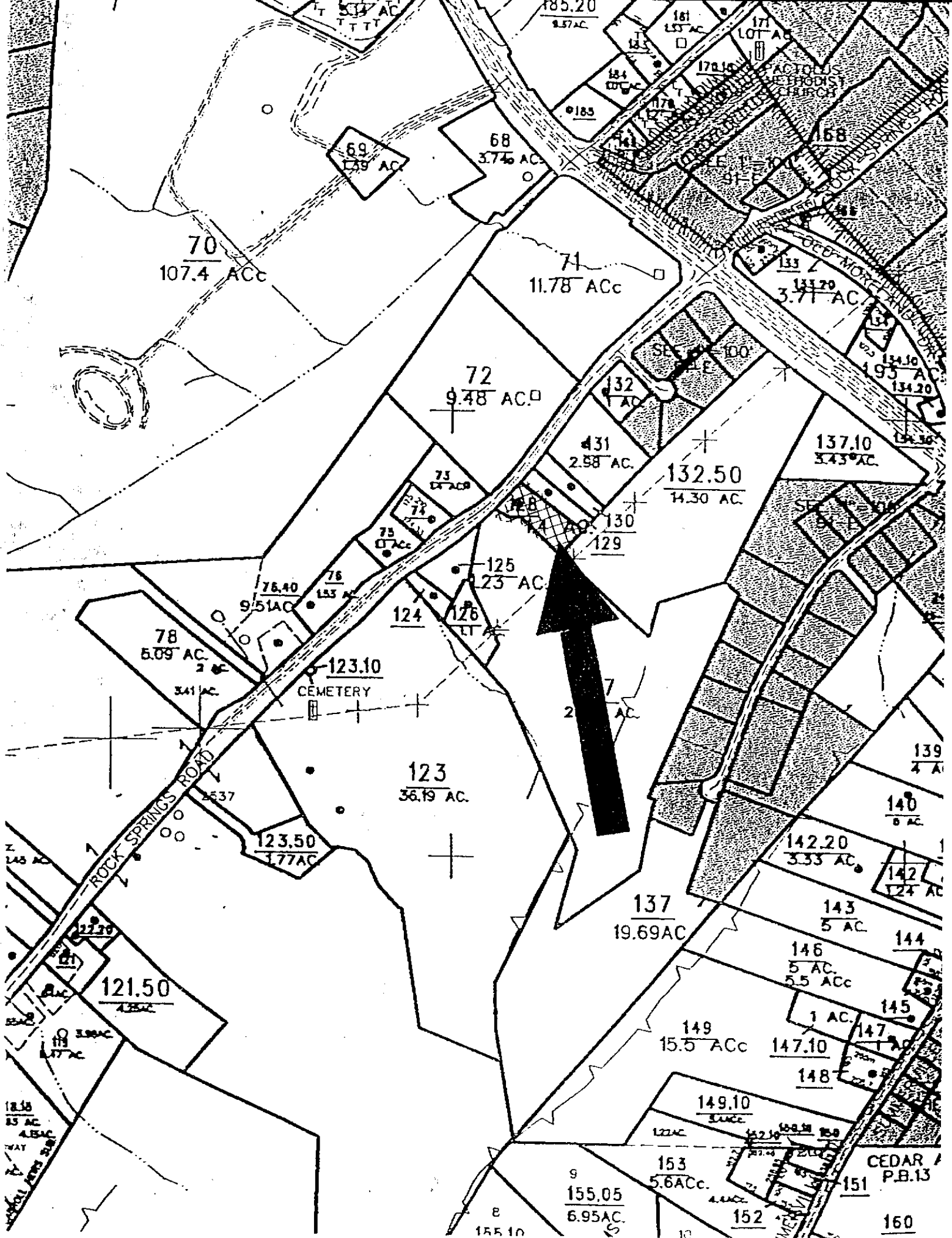
225 West Center Street

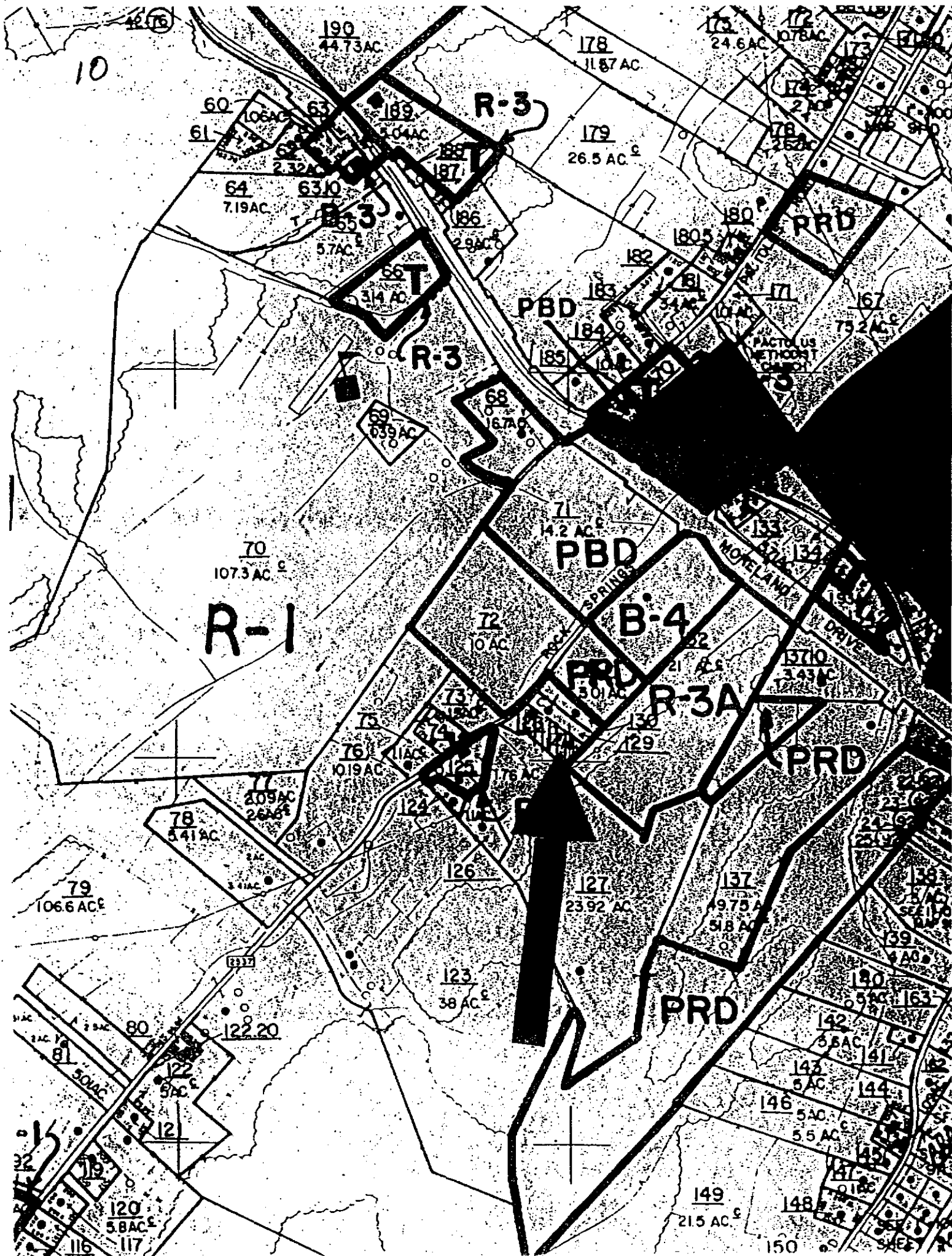
Kingsport, TN

37660-4237

(423) 229-9400

Kingsport — The Best Place To Be





PETITION TO SULLIVAN COUNTY FOR REZONING #05/03/03 11

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

OFFICE USE ONLY

Property Owner Joe Edward Morris  
Address 449 Bunker Hill Rd  
Bluff City, In 37618  
Phone 967-2921 Date of Request 5-14-03  
967-0222  
Property Located in 16th Civil District

\* Joe Morris  
Signature of Applicant

Meeting Date 6-17-03 Time 7:00 p.m  
Place 2nd Floor Courthouse  
Cham St

Planning Commission Approved \_\_\_\_\_  
Denied \_\_\_\_\_

County Commission Approved X  
Denied \_\_\_\_\_

Other Roll Call Vote 22 Aye, 2 Absent

Final Action Date 07-21-03

PROPERTY IDENTIFICATION

Tax Map 1360 Group A Parcel 21-00  
Zoning Map 27 Zoning District R-1 Proposed District A-1  
Property Location Bunker Hill Rd

Purpose of Rezoning To allow a single wide to  
remain on property

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

Sworn to and subscribed before me this 14th day of May, 2003.

Debbie K. House  
Notary Public

My Commission Expires: 12-20-03

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**Sullivan County  
Board of County Commissioners  
Staff Comments – July 21, 2003**

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**REZONING REQUEST File 05/03 #3**

<b>Property Owner:</b>	Joe Edward Morris
<b>Rezoning Request</b>	R-1 to A-1
<b>Purpose:</b>	to allow a singlewide mobile home to remain on property
<b>Parcel ID:</b>	Tax Map 130, Group A, Parcel 021.00
<b>Location:</b>	Bunker Hill Road, Bluff City area
<b>Civil District:</b>	16 <sup>th</sup>
<b>Surrounding Zoning:</b>	R-1, A-1 with B-1 and A-1 across the road
<b>PC 1101 Growth Plan:</b>	Rural Area

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**Staff Field Notes:**

- This property is approximately .20 of an acre or 8,740 square feet (92 x 190 triangle).
- The parcel is irregularly shaped and smaller than the others in the area.
- There has been a mobile home on the property before.
- The predominate land uses in the area are single-family homes, a church, a gas station/convenience store and a few lots with singlewide mobile homes in the area. The existing R-1 zone consists of partitioned lots with the existing A-1 zone consisting of large tracts.

**Discussion at Planning Commission Meeting:**

- Staff recommends approval of this rezoning classification, as it would not be out of character with the neighborhood, the lot is small and narrow and could not support a larger home, there is A-1 across the road and behind, and the rezoning would be supportive of the policies and plans of the Planning Commission.
- Mr. Morris and his neighbor were present.
- Letter from adjoining property owners was submitted by Mr. Morris illustrating neighborhood support.

**Neighborhood Opposition:**

<b>Sullivan County Regional Planning Commission Action: - June 17, 2003 – 8 of the 9 members were present</b>	
<b>Approval: King, Peterson – passed unanimously, 7 yes</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for denial:</b>

<b>Sullivan County Board of County Commissioners Action: - July 21, 2003</b>	
<b>Approval: 07-21-03</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for denial:</b>





105  
448 AC. 2

50  
29 AC

51  
15.79 AC  
53.10

49  
10.3 AC

80  
AC

82436

80436

25  
=100  
MAP 10-4

47- (125)

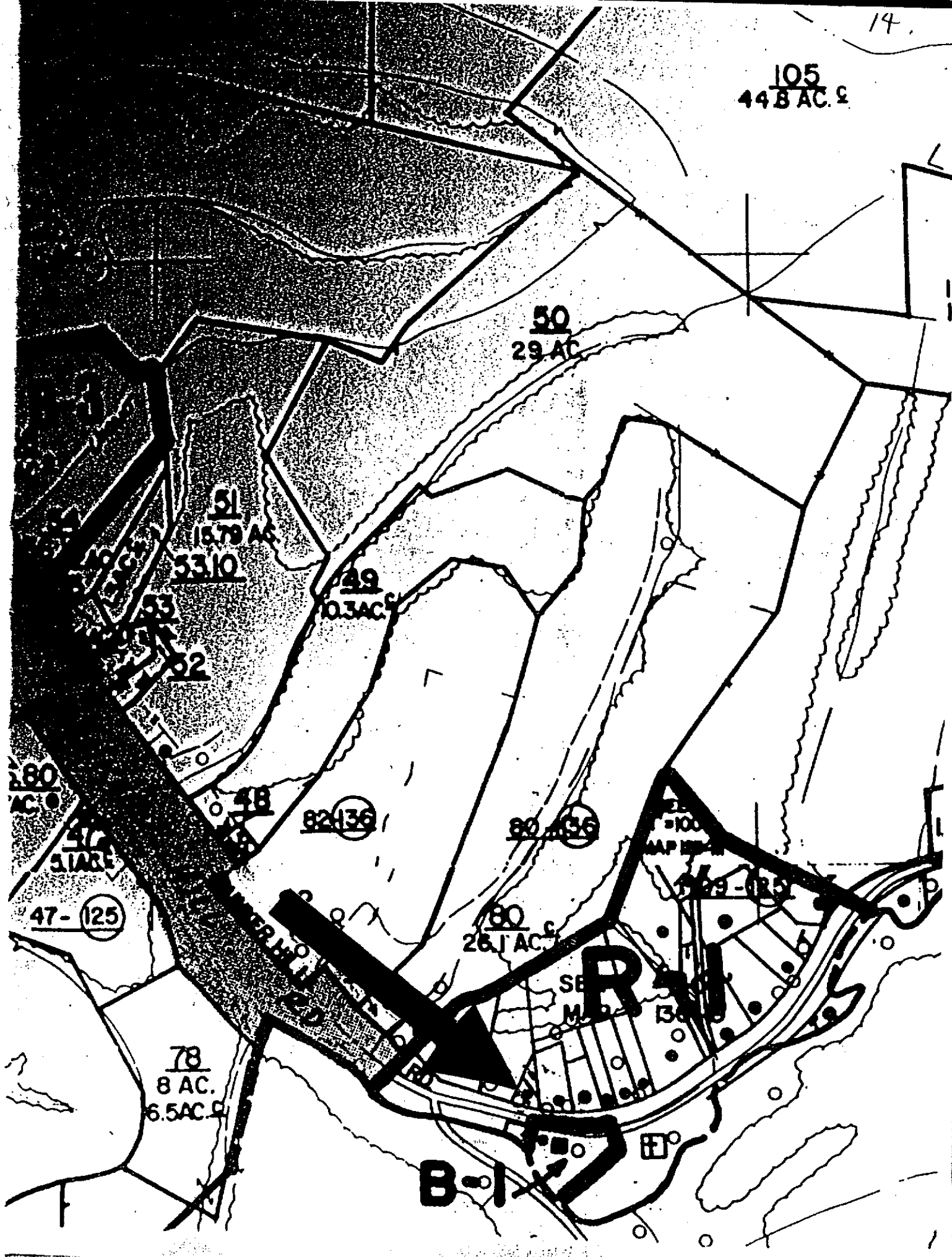
80  
26.1 AC

129-135

78  
8 AC.  
6.5 AC. 2

SE  
M. 2  
136

B-1



Subject:

This is a petition signed by the adjacent property owners to allow for rezoning of 449 Bunker Hill Rd from zoning District R1 to proposed district A1. The purpose of rezoning is to allow an existing single wide trailer to remain on said property.

① Gladys Paylas  
461 Bunker Hill Rd  
Bluff City, TN 37618

I have no problems with the area to be rezoned at all

② Moore Quinn & Leona Quinn  
445 Bunker Hill Rd  
Bluff City, TN 37618

we have no problem with the rezoning proposed.

3. E. Don and Georgia Hickman  
437 Bunker Hill Road  
Bluff City, TN 37618

no objections to rezoning.

④ L. D and Nancy Campbell 467  
Bunker Hill Rd  
Bluff City, TN  
37618

I think this trailer should stay on this property, for Joe & Dai

5. Ed Wolfe 485 Bunker Hill Rd  
I have no problem with the rezoning of  
said property.

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**Sullivan County  
Board of County Commissioners  
Staff Comments – July 21, 2003**

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**Background Report -**

Commissioners O.W. Ferguson and Wayne McConnell presented a text amendment to the zoning code at the May County Commission meeting. It passed on first reading. Dan Street recommended that the resolution be deferred until he and staff could review it, changes could be made so that it does not conflict with the TCA and he also reminded members that this needed the recommendations from all three regional planning commissions. One small amendment was made to the resolution to include the overhang of existing structures within the area allowed for expansions of non-conforming structures. The State law (TCA section 13-7-208) allows for the expansion, replacement and continuance of any legal but non-conforming commercial and manufacturing facilities (such as billboards and stores), but does not make any provisions for any expansions of residential structures. The purpose of allowing the expansion of legal but non-conforming ("grandfathered" in) commercial and manufacturing facilities is for economic growth and stability. The TCA allows for the continuation of legal but non-conforming residential uses and structures, but has not established any requirements for expansions.

The Planning Commission has been requested to review the text amendment. The most logical placement of this text amendment, if the format were to be revised would be in Article V, Section 501. Codification needs to be done.

Please review the existing zoning code and the proposed change.

Staff recommends against this text change as it would open the door for numerous cases not in character with the community, it would negate pending cases the county is defending, it is not consistent with the policies of the cities and other communities, is not a standard zoning policy or it would be a requirement in the TCA, and most importantly a text amendment should not be created to relieve one applicant in particular, rather it should be created to meet the needs and planning objectives of the entire county. The text amendment was not prepared to be incorporated into the existing text of the zoning code as it lacks the article and section numbers, it conflicts with the existing 501 section and other sections.

<b>Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 of the 9 members present</b>
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<b>Approval:</b>
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<b>Denial:</b> Mullins, Bronner – motion to strongly forward an unfavorable recommendation to the CC	<b>Reason for denial:</b> conflicts with proposed zoning code
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<b>Defer:</b>	<b>Reason for denial:</b>
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<b>Kingsport Regional Planning Commission Action – , 2003</b>
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<b>Approval:</b>
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<b>Denial:</b>	<b>Reason for denial:</b>
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<b>Defer:</b>	<b>Reason for denial:</b>
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<b>Bristol Regional Planning Commission Action – July 21, 2003</b>
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<b>Approval:</b>
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<b>Denial:</b>	<b>Reason for denial:</b>
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<b>Defer:</b>	<b>Reason for denial:</b>
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<b>Board of County Commissioners Action – May 19, 2003 first reading /// June 16, 2003</b>
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<b>Approval:</b> approved 18 yes, 4 pass, 1 no
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<b>Denial:</b>	<b>Reason for denial:</b>
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<b>Defer:</b>	<b>Reason for denial:</b>
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**Sullivan County  
Board of County Commissioners  
Staff Comments – July 21, 2003**

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The proposed Zoning Resolution Plan (Text and Map). The Planning Commission has been requested to make the final review and recommendation of the Zoning Plan. The updated draft reflects 2 ¼ years of study and changes as recommended by the Planning Commissions, BZA, Commissioners, staff, other committees and citizens' input. The map will be an on-going effort as any current and future rezonings, as approved to form, shall be updated monthly.

After considerable discussion and review of the maps, the following suggestions were agreed upon by the commission members and staff:

- Mullins – send press release to all media in Sullivan County for the joint-meeting
- Boggs – coordinate a Joint Meeting with the Planning Commission and County Commission to be held at the next meeting on July 15, 2003
- Settle – offer a 60-day grace period from the time of adoption to the time of effectiveness of the code.

<b>Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 of the 9 members present</b>			
Approval: Mullins, Bronner – motion withdrawn			
Denial:	Reason for denial:		
Defer: Mullins, Dutton	Reason for denial: per instructions above		

<b>Kingsport Regional Planning Commission Action – ?, 2003</b>			
Approval:			
Denial:	Reason for denial:		
Defer:	Reason for denial:		

<b>Bristol Regional Planning Commission Action – July 21, 2003</b>			
Approval:			
Denial:	Reason for denial:		
Defer:	Reason for denial:		

<b>Board of County Commissioners Action –</b>			
Approval:			
Denial:	Reason for denial:		
Defer:	Reason for denial:		

~~It is hereby approved and signed at the next scheduled meeting of the Planning Commission~~  
**MINUTES**  
**OF THE**  
**SULLIVAN COUNTY REGIONAL PLANNING COMMISSION**

*The regular meeting of the Sullivan County Regional Planning Commission was held  
On June 17, 2003 at 7:00PM, within the Courthouse in Blountville, Tennessee.*

- A. The chairman called the meeting to order at 7:00 PM, as a quorum was present.

**Members Present:**

Harry Boggs, *Chairman*  
Mark Selby, *Vice Chairman (Kpt. Rep)*  
James "Buddy" King, *Commissioner*  
Roy Settle  
Jack Dutton  
Cathy Mullins (*Bris. Rep*)  
Ken Bronner  
Gordon Peterson

**Members absent:**

Gil Hodges

**DRAFT**

**Staff Representatives:**

Ambre Torbett, Sullivan County Planning Director  
Tim Earles, Sullivan County Building Commissioner  
David Moore, State Community Planner

- B. **Recognition of Visitors** – Led by chairman. Mr. Archie Pierce was present and will begin Planning Commission appointment at the next regularly scheduled meeting to replace Mr. Gil Hodges.
- C. **Approval of May 20, 2003 Minutes**  
The minutes from the May 20, 2003 meeting were reviewed. A motion was made by Bronner to accept the minutes as presented and seconded by Settle. Motion to accept the minutes, passed unanimously.
- D. **Announcements** – This will be the last meeting of the Vice-Chair, Mark Selby and Gil Hodges.
- E. **Rezoning Requests -**

**REZONING REQUEST File 05/03 #1**

<b>Property Owner:</b>	<b>Ralph Combs</b>
<b>Rezoning Request</b>	<b>A-1 to R-3</b>
<b>Purpose:</b>	<b>To allow for the expansion of a mobile home park</b>
<b>Parcel ID:</b>	<b>Tax Map 126, Parcel 22.00</b>
<b>Location:</b>	<b>790 Walnut Grove Road, Bluff City area</b>
<b>Civil District:</b>	<b>16<sup>th</sup></b>
<b>Surrounding Zoning:</b>	<b>A-1</b>
<b>PC 1101 Growth Plan:</b>	<b>Sullivan County Rural Area</b>

**Staff Field Notes:**

- This property is approximately 9.57 acres and has an existing legal but non-conforming mobile home park on site.
- While there are other mobile homes in the area, the predominate land uses are single-family homes on large tracts with open space/ agricultural uses. There is one spot-zone of B-3 for an existing cabinetry shop up the road.
- There is no public sewer for this area and it is within the rural area as designated on the Growth Plan map.
- Conflicts with the PC policy on rezonings in the Rural Area and the purposes of the PC 1001 Growth Plan.

- Less than 3 months ago the County Commission voted to deny a very similar request on Droke and Latture Lane. This site is now on this agenda for subdivision plat approval.

**Discussion at Planning Commission Meeting:**

- Staff recommends against this rezoning request as the R-3 zoning change would be considered a spot zone, not compatible with the surrounding area, there is no public sewer to support this density, the Planning Commission has a policy adopted to not recommend approval of high-density residential within the designated rural area; and there are other land options for this large tract and still maintain those mobile home pads as "grandfathered in;" this tract could be subdivided for example. Staff recommends against this rezoning request to be consistent with previous request with very similar situations.
- Ralph and Michael Combs were present.
- Mr. Settle stated he would not like the Planning Commission to vote against their own policies.
- Discussion followed on the likelihood of the full density, considering this property is wooded, somewhat rocky and not served by public sewer.

**Neighborhood Opposition:**

Mr. Chad Clark spoke in opposition to the request stating he was concerned over the potential noise, traffic, congestion, trash and peace if this was rezoned to R-3.

<b>Sullivan County Regional Planning Commission Action: - June 17, 2003 – 8 of the 9 members present</b>	
<b>Approval: King, Peterson motioned - 5 yes - King, Peterson, Dutton, Boggs, Settle, and 3 opposed – Mullins, Selby, Bronner</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for denial:</b>

**REZONING REQUEST File 05/03 #3**

**Property Owner:** Joe Edward Morris  
**Rezoning Request** R-1 to A-1  
**Purpose:** to allow a singlewide mobile home to remain on property  
**Parcel ID:** Tax Map 130, Group A, Parcel 021.00  
**Location:** Bunker Hill Road, Bluff City area  
**Civil District:** 16<sup>th</sup>  
**Surrounding Zoning:** R-1, A-1 with B-1 and A-1 across the road  
**PC 1101 Growth Plan:** Rural Area

**Staff Field Notes:**

- This property is approximately .20 of an acre or 8,740 square feet (92 x 190 triangle).
- The parcel is irregularly shaped and smaller than the others in the area.
- There has been a mobile home on the property before.
- The predominate land uses in the area are single-family homes, a church, a gas station/convenience store and a few lots with singlewide mobile homes in the area. The existing R-1 zone consists of partitioned lots with the existing A-1 zone consisting of large tracts.

**Discussion at Planning Commission Meeting:**

- Staff recommends approval of this rezoning classification, as it would not be out of character with the neighborhood, the lot is small and narrow and could not support a larger home, there is A-1 across the road and behind, and the rezoning would be supportive of the policies and plans of the Planning Commission.
- Mr. Morris and his neighbor were present. They presented a letter from adjoining property owners was submitted by Mr. Morris illustrating neighborhood support.

<b>Sullivan County Regional Planning Commission Action: - June 17, 2003 – 8 of the 9 members were present</b>	
<b>Approval: King, Peterson made the motion – passed unanimously, 7 yes</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for denial:</b>



21 3

## F. Subdivision Plats and Plans -

Property Owner: Virginia Barr  
Subdivision Plat - Final: 4 Lot Minor Subdivision sold at auction  
Parcel ID: Tax Map 65, Parcel 172.00  
Zoning: R-1  
Location: Hwy 126 and Florence Drive, Blountville  
Surveyor: Alan Pope, RLS  
PC 1101 Growth Plan: Sullivan County Planned Growth Area

Staff Field Notes:

- This is a parcel is approximately 18.39 acres.
- The preliminary plat was approved at the May 20<sup>th</sup>, Planning Commission meeting.
- All signatures certify code compliance.

Mr. Alan Pope, RLS was present to represent the plat and applicant.

<b>Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 of the 9 members were present</b>	
<b>Approval: Dutton, King – motion passed unanimously</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for denial:</b>

Property Owner: Richard Bridwell property  
Subdivision Plat - Final:  
Parcel ID: Tax Map  
Zoning: A-1  
Location: Droke Road and Latture Lane, Blountville  
Surveyor: Rick Davies, RLS  
PC 1101 Growth Plan: Sullivan County Rural Area

Staff Field Notes:

This is a parcel is approximately Staff is waiting on a revised plat per staff's comments. Please ensure the following conditions of approval are satisfied and illustrated on the plat:

- The existing mobile home park (phase 1) has a minimum of 3 acres to remain with its parcel;
- The buffering (double row of conifer trees pursuant zoning code) is maintained and the buffer strip is along all new property lines of the mobile home park;
- The SSDS for the mobile home park and its required duplicate areas are contained within the 3 acre tract for the mobile home park;
- The 30-foot setback for the mobile home park is along the property lines for the 3 acre minimum tract;
- All other zoning and subdivision regulations are satisfied for the proposed lots, the mobile home park and the remaining tract.
- Mr. Rick Davies, RLS was present to represent the case.

<b>Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 of the 9 members were present</b>	
<b>Approval: Bronner, King – passed unanimously, 7 yes</b>	
<b>Denial:</b>	<b>Reason for denial:</b>
<b>Defer:</b>	<b>Reason for denial:</b>

CONFIRMATION OF MINOR SUBDIVISION PLATS FOR THE MONTH OF May 2003

Property Owner	ZONE	ROAD	T.M. #/parcel	MAX LOT	MIN LOT	REPLAT	SEWER	SEPTIC
Conner	B-4/PBD	Hwy 11-E	135/ 003.00	Large tract	1.334	*	*	*
Robert/Ihrke	A-1	Spangler Road	095/ 047.35	7.7	1.21			*
Johnson	A-1	South Road	029/047.00	Large tract	1.82			*
Cline	A-1	Knob Park Road	023/049.15	.87	.80			*
Brown	R-1	Cherry Court	035/8 and 9	8.77	2.14	*		*
Depiro	A-1	Painter Creek Road	24A/120.00	.42	.42			*
Painter	R-2A	Packinghouse Road	31E/A/2.80	Large tract	2.80		*	
Rice	A-1	Jenkins Hollow Road	112/077.00	21.47	1.28			*
Whitlock	R-1	Allison Road	123/012.00		2.894	*		*

**Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 out of 9 members present**

**Approval:** Dutton, Selby – motion passed unanimously – 7 yes

**Denial:** Reason for denial:

**Defer:** Reason for denial:

## G. Site Plans

**Property Owner:** Howard David Harr (Dave's Family Campground)  
**Applicant:** Triton PCS  
**Site Plan - Final:** Temporary Cell Tower on Wheels (COW) for race weekend  
**Parcel ID:** Tax Map 082, Parcel 108  
**Zoning:** A-1  
**Location:** 663 White Top Road, Bluff City area  
**Surveyor:** sketch  
**Surrounding Zoning:** A-1, city zoning, R-1  
**PC 1101 Growth Plan:** Bristol Urban Growth Boundary

**Staff Field Notes:**

This is a parcel is used as a campground typically to support the temporary housing need for the BMS events. Triton PCS is requesting approval for a temporary cell tower (portable) to be placed on site for the BMS upcoming events. This is the 3<sup>rd</sup> request. Previous approvals have been granted by the PC. The existing zoning code does not distinguish between permanent and temporary telecommunication facilities and therefore, the applicant must obtain approval each time. Staff is working with cellular companies in drafting a change to the zoning code so that such request in the future could be approved administratively.

- Mr. Byron Scyzgial with Triton/Suncom PCS was present to represent the case. He requested this COW to be up for 8 days.

**Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 out of 9 members present**

**Approval:** Peterson, King – motion passed with 6 votes (Dutton had to abstain due to his job)

**Denial:** Reason for denial:

**Defer:** Reason for denial:

Property Owner: Harold McCroskey, etux & Wayne O'Neal etux  
Applicant: Crown Castle Communications (for Alltel)  
Contact: Ed Justice, Sites Unlimited, Inc.  
Site Plan - Final: Cell Tower Expansion ( Daniel Boone Trail (Cell # 283)  
Parcel ID: Tax Map 38, Parcel 66.30  
Zoning: M-1  
Location: US 421 near the 421 Mini-Storage Buildings  
Surveyor: Bill Huffman, RLS  
Engineer: James Pierce  
Civil District: 2<sup>nd</sup>  
Surrounding Zoning: R-1, B-3 and city zoning  
PC 1101 Growth Plan: Bristol Urban Growth Boundary

Staff Field Notes:

This request is to extend the height of the cell tower from 180 feet up to 195 total. This is an existing lattice tower behind the mini-storage buildings. Horizon PCS, Triton PCS and an unoccupied equipment pad already exist in the compound. Alltel proposes an additional equipment pad area and the 15' tower expansion.

- Substantial improvements require a landscaping plan/buffering plan.
- All other technical requirements appear to have been met.
- Ed Justice, with Sites Unlimited was present to represent the case.

Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 of the 9 members were present	
Approval: Mullins, King – motion passed with 6 yes and Dutton abstaining	
Denial:	Reason for denial:
Defer:	Reason for denial:

## H. New Business – Proposed Text Amendment

The Planning Commission has been requested to review the text amendment. The most logical placement of this text amendment, if the format were to be revised would be in Article V, Section 501.

### PROPOSED AMENDMENT

Item 6 – June 2003  
No. 2003-05-51  
Amendment # 2

#### AMEND AS FOLLOWS:

WHEREAS, throughout the years, various residential structures in Sullivan County have been “grandfathered” into compliance within their particular zoning classifications when new and updated zoning rules and regulations effecting the county have been enacted; and,

WHEREAS, with all residential structures over a period of years it becomes necessary for property owners to replace, repair, update, and/or make improvements to these structures to ensure proper maintenance;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amend the Sullivan County Zoning Resolution in an effort to ensure equitability and fairness to property owners of “grandfathered” properties.

BE IT FURTHER RESOLVED that any residential property owner possessing a “grandfathered” structure may replace, repair, update, and/or make improvements to that structure under the condition that said replacements, repairs, updates, and/or improvements do not *exceed* the original “grandfathered” ~~foundation~~ horizontal dimensions; and thereby shall remain in compliance continuing the structure’s “grandfathered” status.

BE IT FURTHER RESOLVED that this amendment shall be retroactive covering all “grandfathered” residential structures presently existing within the County and shall also apply to any future structures deemed as “grandfathered” when zoning regulations are updated.

Sponsor: Ferguson  
Co-Sponsor: McConnell  
Commission Action:

Amendment approved with Resolution 06-16-03.

- Staff recommends against this text change as it would open the door for numerous cases not in character with the community, it would negate pending cases the county is defending, it is not consistent with the policies of the cities and other communities, is not a standard zoning policy or it would be a requirement in the TCA, and most importantly a text amendment should not be created to relieve one applicant in particular, rather it should be created to meet the needs and planning objectives of the entire county. The text amendment was not prepared to be incorporated into the existing text of the zoning code as it lacks the article and section numbers, it conflicts with the existing 501 section and other sections.

<b>Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 of the 9 members present</b>	
<b>Approval:</b>	
<b>Denial: Mullins, Bronner – motion to strongly forward an unfavorable recommendation to the CC</b>	
<b>Reason for denial: conflicts with proposed zoning code</b>	
<b>Defer:</b>	<b>Reason for deferral:</b>

**I. Old Business – Proposed Zoning Plan**

The proposed Zoning Resolution Plan (Text and Map). The Planning Commission has been requested to make the final review and recommendation of the Zoning Plan. The updated draft reflects 2 ½ years of study and changes as recommended by the Planning Commissions, BZA, Commissioners, staff, other committees and citizens' input. The map will be an on-going effort as any current and future rezonings, as approved to form, shall be updated monthly.

After considerable discussion and review of the maps, the following suggestions were agreed upon by the commission members and staff:

- Mullins – send press release to all media in Sullivan County for the joint-meeting
- Boggs – coordinate a Joint Meeting with the Planning Commission and County Commission to be held at the next meeting on July 15, 2003
- Settle – offer a 60-day grace period from the time of adoption to the time of effectiveness of the code.

<b>Sullivan County Regional Planning Commission Action – June 17, 2003 – 8 of the 9 members present</b>		
<b>Approval: Mullins, Bronner – motion withdrawn</b>		
<b>Denial:</b>	<b>Reason for denial:</b>	
<b>Defer: Mullins, Dutton</b>	<b>Reason for deferral:</b>	<b>per instructions above</b>

**J. PC 862** – staff distributed copies of a Zoning Bulletin Article and the EMA Guide

**K. Annual Program Report** – David Moore presented the annual program design. Mr. Dutton motioned to adopt the proposed program. Mr. Bronner seconded the motion and the vote in favor was unanimously approved.

**L. Public Comments** - none

**M. Adjournment**

With no further business, a motion was made by Peterson and a second by Selby to adjourn the meeting at 8:59PM. Open discussion followed.

**DRAFT**

\_\_\_\_\_  
Secretary for the Sullivan County Regional Planning Commission

\_\_\_\_\_  
Date

**RESOLUTIONS ON DOCKET FOR JULY 21, 2003**

<b>RESOLUTIONS</b>	<b>ACTION</b>
#1 THE SULL. CO. BOARD OF COMM. TO CONSIDER AMENDMENTS TO THE SULL. CO. ZONING RESOLUTIONS AS AMENDED	APPROVED 07-21-03
#2 AUTHORIZING SHIFT DIFFERENTIAL PAY INCREASE FOR SULLIVAN COUNTY SHERIFF'S OFFICE	DEFERRED 07-21-03
#3 ESTABLISH AN INCENTIVE PROGRAM THROUGH THE INDUSTRIAL DEVELOPMENT BOARD OF SULLIVAN COUNTY FOR THE PURPOSE OF INCREASING EMPLOYMENT OPPORTUNITIES IN SULLIVAN COUNTY	APPROVED 07-21-03
#4 ADOPTING PROVISIONS OF TENNESSEE CODE ANNOTATED 40-14-210 AND LEVYING \$12.50 COST IN MISDEMEANOR AND FELONY CASES	DEFERRED 07-21-03
#5 COUNTY'S CONTRIBUTION TO DISABLED SULLIVAN COUNTY EMPLOYEES RECEIVING TENN. RETIREMENT SYSTEM BENEFITS DUE TO THEIR DISABILITY	APPROVED 07-21-03
#6 TO CALL A REFERENDUM ON THE QUESTION OF WHETHER A COUNTY-WIDE MOTOR VEHICLE TAX SHOULD BE LEVIED FOR SULLIVAN COUNTY	DEFERRED 07-21-03
#7 AMENDING POLICY RELATIVE TO TRANSFER OF SICK LEAVE	DEFERRED 07-21-03
#8 AUTHORIZING LIBRARY BOARD REAPPOINTMENTS	1 <sup>ST</sup> READING 07-21-03
#9 AUTHORIZING ACCEPTANCE OF HOMELAND SECURITY GRANT	APPROVED 07-21-03
#10 ACCEPTING GRANT FOR COMMUNITY EMERGENCY RESONSE INSTRUCTION TEAM	APPROVED 07-21-03
#11 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 18 <sup>TH</sup> CIVIL DISTRICT	APPROVED 07-21-03
#12 TO APPROVE RECOMMENDATIONS FROM MAINTENANCE STUDY COMMITTEE	1 <sup>ST</sup> READING 07-21-03
#13 AMENDING THE SULLIVAN COUNTY ZONING RESOLUTION-FEE SCHEDULE	1 <sup>ST</sup> READING 07-21-03
#14 TO REQUEST RECONSIDERATION OF METROPOLITAN STATISTICAL AREA SPLIT	APPROVED 07-21-03
#15 REQUEST QUITCLAIM DEED TO DANNY SURGENOR FOR RIGHT-OF-WAY AND LANDSCAPE STRIP	APPROVED 07-21-03
#16 AMEND CONTRACT FOR WASTE TIRE GRANT FY 2003-2004	APPROVED 07-21-03

[illegible]

Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2003-07-00

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION Authorizing the Board of County Commissioners to Consider Amendments to the Sullivan County Zoning Resolution**

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

WHEREAS, such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution.

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

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

Duly passed and approved this 21<sup>st</sup> day of July 2003.

Attested *Jeanie Gammon* 7/21/03      Approved *Richard S. Venable* 7/21/03  
Jeanie Gammon, County Clerk      Date      Richard S. Venable, County Executive      Date

**Introduced By: Commissioner: King (Buddy)**

**Seconded By: Commissioner(s): Ferguson**

2003-07-00	County Commission
ACTION	APPROVED 07-21-03 21 Aye, 3 Absent.

Comments: Motion made by Comm. Harr and seconded by Comm. Hyatt to approve.

Sullivan County, Tennessee  
Board of County Commissioners

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Item 11

Budget  
No. 2003-05-47

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19<sup>th</sup> day of May 2003.

**RESOLUTION Authorizing Shift Differential Pay Increase For Sullivan County Sheriff's Office**

WHEREAS, the Deputy Sheriffs of Sullivan County work alternating shifts in order to accomplish the legal requirements mandated to the Sheriff of Sullivan County; and,

WHEREAS, alternating shifts creates a hardship and stress that is not experienced by day shift workers; and,

WHEREAS, in the past the County Commissioners voted to compensate the officers that worked the evening shift twenty-five cents (.25¢) more per hour than they were paid on day shift and thirty-five cents (.35¢) more on night shift than paid on day shift; and,

WHEREAS, the cost of living has increased considerably since the shift differential pay was decided; and,

WHEREAS, the officers working shift work have not received a pay increase over the past three years and are due some increase in their income;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves an increase in the shift differential pay for shift workers of the Sheriff's Office by ten cents (.10¢) per hour, so that the new shift differential pay will equal thirty-five cents (.35¢) per hour on evening shift and forty-five cents (.45¢) per hour on night shift.**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

Attested: \_\_\_\_\_  
Jeanie F. Gammon, County Clerk Date

Approved: \_\_\_\_\_  
Richard S. Venable, County Executive Date

**Introduced By Commissioner: Herron**  
**Seconded By Commissioner(s): Crawford**

2003-05-47	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03; Deferred 06-16-03; Deferred 07-21-03;



Sullivan County, Tennessee  
Board of County Commissioners

3  
Item ~~14~~  
Executive  
No. 2003-06-61

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of June 2003.

**RESOLUTION To Establish an Incentive Program Through the Industrial Development Board of Sullivan County for the Purpose of Increasing Employment Opportunities in Sullivan County**

WHEREAS, in the course of promoting economic development of Sullivan County, the Industrial Development Board of the County of Sullivan earns fees and revenues from services it provides to industry to include financing charges and rents; and,

WHEREAS, the Board operates as a non-profit organization and when it determines that there are sufficient earnings not required to meet expenses and obligations of the organization, then such funds should be transferred to the County; and,

WHEREAS, the Board of Directors of the IDB is, however, proposing to use such funds to establish an incentive program which will assist and reward new and expanding industries for each new job created; and,

WHEREAS, the creation of such an incentive program through the IDB would utilize the powers of the Board to aid private enterprise in their efforts to acquire, improve, maintain, equip, lease, sell or to lend funds toward projects; and,

WHEREAS, the County Commission wishes to have said funds of the IDB used to establish an incentive program for the creation of new jobs.

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the Industrial Development Board of Sullivan County to use "net earnings" of the organization to establish and operate an incentive program aimed at assisting in the creation of new jobs.**

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

Duly passed and approved this 21<sup>st</sup> day of July 2003.

Attested: *Jeanie F. Gammon* 7/21/03  
Jeanie F. Gammon, County Clerk Date

Approved: *Richard S. Venable* 7/21/03  
Richard S. Venable, County Executive Date

Introduced By Commissioner: **R. Harr**

Seconded By Commissioner(s): **E. Williams**

2003-06-61	Administrative	Budget	Executive	County Commission
ACTION	No Action 6-2-03		Defer 6-4-03	Approved 07-21-03

20 Aye, 2 Nay, 2 Absent

Comments: 1st Reading 06-16-03;

Sullivan County, Tennessee  
Board of County Commissioners

4  
Item 17

Budget Committee  
P-No. 2003-06-64

To the Honorable Richard S. Venable, Sullivan County Executive, and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of June, 2003.

**RESOLUTION Adopting Provisions of Tennessee Code Annotated §40-14-210 and Levying \$12.50 Cost in Misdemeanor and Felony Cases**

WHEREAS, in 1997 the Sullivan County Board of Commissioners approved a \$6.00 increase to the litigation tax to be used to offset the county funded portion of the Sullivan County Public Defender's Office's budget, which increase currently generates an annual revenue of approximately \$80,000.00; and

WHEREAS, Sullivan County currently appropriates approximately \$100,000.00 per year to the Sullivan County Public Defender's Office; and

WHEREAS, Tennessee Code Annotated §40-14-210 authorizes counties, by two-thirds vote of the county legislative body, to levy additional cost in the amount of \$12.50 in every misdemeanor and felony prosecution case, except for nonmoving traffic violations, with the revenue generated therefrom to be "used for providing representation and support services to indigent defendants in criminal proceedings"; and

WHEREAS, it is estimated that by levying the additional \$12.50 cost as authorized in Tennessee Code Annotated §40-14-210, Sullivan County would generate approximately \$175,000.00 per year; and

WHEREAS, by implementing the provisions of Tennessee Code Annotated §40-14-210, sufficient revenue would be generated to fully fund the county's portion of the Sullivan County Public Defender's Office and, accordingly, would make revenue previously set aside for such purpose available for other purposes;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 4<sup>th</sup> day of June, 2003 hereby adopt the provisions of Tennessee Code Annotated §40-14-210 and levy an additional cost in the amount of \$12.50 in every misdemeanor and felony prosecution case in Sullivan County, except for non-moving traffic violations, with the revenue generated therefrom to be used for providing representation and support services to indigent defendants in criminal proceedings.

**[WAIVER OF RULES REQUESTED]**

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk      Date

Approved: \_\_\_\_\_  
Richard S. Venable, County Executive      Date

**Introduced By: Commissioner: Conkin**  
**Seconded By: Commissioner(s): Vance**

trl

2003-06-64	Administrative	Budget	Executive	County Commission
ACTION		Approve 6-5-03		

Comments: Waiver of Rules Requested

1st Reading 06-16-03; Deferred 07-21-03;

Sullivan County, Tennessee  
Board of County Commissioners

5  
Item 24  
Administrative  
No. 2003-06-71

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of June 2003.

**RESOLUTION To Provide for the County's Contribution to Disabled Sullivan County Employees Receiving Tennessee Consolidated Retirement System Benefits due to Their Disability**

WHEREAS, A number of dedicated employees of Sullivan County have become disabled while being an active employee of the County, and;

WHEREAS, Those employees have applied for and qualified for early disability retirement benefits pursuant to the guidelines set forth by the TCRS regulations, and;

WHEREAS, Currently, Sullivan County does not have any provisions for a financial contribution to the health insurance coverage for those employees, and;

WHEREAS, While due to their disability, these former employees are in most need of insurance coverage, the cost of insurance continues to escalate creating a hardship on these individuals who need to maintain health insurance coverage, and;

WHEREAS, As with all Elected Officials and Department Heads of Sullivan County, the County Executive is concerned for the welfare of these individuals.

**THEREFORE BE IT RESOLVED that the County Executive of Sullivan County is to develop and present to the Insurance Committee for their approval a policy to provide for measured, but reasonable financial assistance in providing contribution toward disabled employee's health insurance coverage. The County's contribution should be graduated based upon years of actual service to Sullivan County and not to exceed the cost share for currently active employees.**

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

Duly passed and approved this 21st day of July 2003.

Attested: Jeanie F. Gammon 7/21/03  
Jeanie F. Gammon, County Clerk Date

Approved: Richard S. Venable 7/21/03  
Richard S. Venable, County Executive Date

**Introduced By Commissioner: Harr**

**Seconded By Commissioner(s): Williams**

2003-06-62	Administrative	Budget	Executive	County Commission
ACTION				Approved 07-21-03

22 Aye, 2 Absent

Comments: 1st Reading 06-16-03;

**Sullivan County, Tennessee  
Board of County Commissioners**

6  
Item ~~23~~  
Budget  
No. 2003-06-72

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of June 2003.

**RESOLUTION TO CALL A REFERENDUM ON THE QUESTION OF WHETHER A COUNTY-WIDE MOTOR VEHICLE TAX SHOULD BE LEVIED FOR SULLIVAN COUNTY**

**WHEREAS**, *Tennessee Code Annotated*, Section 5-8-102, authorizes counties to levy and have approved by a majority of the number of qualified voters of the county voting in an election on the question of whether or not the tax should be levied, a motor vehicle privilege tax as a condition precedent to the operation of a motor vehicle within a county; and,

**WHEREAS**, the need for new revenue sources is great in Sullivan County;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves:

**SECTION 1.** For the privilege of using the public roads and highways, in Sullivan County, Tennessee, there is levied upon motor-driven vehicles, and upon the privilege of the operation thereof, except motorcycles, motor-driven bicycles and scooters, farm tractors, self-propelled farm machines not usually used for operation upon public highways or roads, and motor-driven vehicles owned by any governmental agency or governmental instrumentality and except for other exemptions provided by general law, a special privilege tax for the benefit of such county, which tax shall be in the amount of \$26.00 for each such motor-driven vehicle, the owner of which resides within said county.

**SECTION 2.** The tax herein levied shall be paid to and collected by the County Clerk of Sullivan County, who is authorized by *Tennessee Code Annotated*, Section 67-4-103, to collect such privilege taxes. The County Clerk shall collect this tax at the same time he or she collects the state privilege tax levied upon the operation of a motor-driven vehicle over the public highways of this State. The County Clerk shall deduct a fee of five percent (5%) as authorized in *Tennessee Code Annotated*, Section 8-21-701(55), from the amount of taxes collected and paid over to the Trustee.

**SECTION 3.** Payment of the privilege tax imposed hereunder shall be evidenced by a receipt, issued in duplicate by the County Clerk, the original of which shall be kept by the owner of the motor-driven vehicle, and by a decal also issued by the County Clerk, which shall be displayed by affixing the decal on and to the lower right corner of the license plate in the space provided for such decal. The design of the decal shall be determined by the County Clerk being one inch (1") in height and have a width of one-half inch (1/2"), the same size as the present state renewal decal. The expense incident to the purchase of such decals herein required, as well as the expense of obtaining proper receipts and other records necessary for the performance of the duties herein incumbent upon the County Clerk shall be paid from the General Fund of the County.

**SECTION 4.** The privilege tax or wheel tax herein levied, when paid together with full, complete and explicit performance of and compliance with all provisions of the Resolutions, by the owner, shall entitle the owner of the motor-driven vehicle for which said tax was paid on and which the decal has been affixed as herein provided, to operate or allow to be operated his vehicle over the streets, roads, and highways of the county for a period of one year, which will run concurrently with the period established for the state registration fees by *Tennessee Code Annotated*, Section 55-4-104.

In the event the wheel tax decal is sold by the County Clerk for a period of more or less than a calendar year, the tax imposed shall be proportionate to the annual tax fixed for the vehicle and modified in no other manner, except that the proportional tax shall be rounded off to the nearest quarter of a dollar.

**SECTION 5.** In the event any motor-driven vehicle for which the wheel tax has been paid and the emblem or decal issued and placed thereon, becomes unusable, obliterated, erased or defaced, or is destroyed or damaged to the extent that it can no longer be operated over the public roads, streets or highways of said county; or in the event that the owner transfers the title to the vehicle, and completely removes there from and destroys the decal or emblem issued for and placed thereon, and the owner makes proper application to the County Clerk for the issuance of a duplicate decal to be used by the owner for the unexpired term for which the original decal was issued, and the County Clerk is satisfied that the applicant is entitled to the issuance of such a duplicate decal and the owner pays the County Clerk the sum of \$3.00, the County will then issue to such owner a duplicate receipt, canceling the original receipt delivered to the owner by the County Clerk, and a duplicate decal shall be provided to be affixed as outlined above.

**SECTION 6.** The proceeds of this tax shall be deposited in the Highway Fund of Sullivan County, and to the incorporated Cities within Sullivan County a prorata share of the monthly collections based upon the certified road miles of each jurisdiction within Sullivan County.

**SECTION 7.** This Resolution shall have no effect unless it is approved by a majority of the number of qualified voters of Sullivan County, Tennessee, voting in an election on the question of whether or not the tax should be approved. The county election commission, upon passage of this Resolution, shall call an election on the question of whether or not the wheel tax should be levied to be held in the a special election after this request has been certified by the County Clerk to the Sullivan County Election Commission, with the ballots having printed on them the substance of this Resolution. The voters shall vote for or against the approval of this Resolution and the result of such referendum certified by the county election commission to the county legislative body. The cost of the election shall be paid by Sullivan County.

**SECTION 8.** For the purpose of approving or rejecting the provisions of this Resolution, it shall be effective upon being approved by a majority of the members of the Sullivan County Legislative Body, the public welfare requiring it. For all other purposes, this Resolution shall take effect upon approval as provided in Section 7.

### ***WAIVER OF THE RULES REQUESTED***

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

Attested: \_\_\_\_\_  
Jeanie F. Gammon, County Clerk      Date

Approved: \_\_\_\_\_  
Richard S. Venable, County Executive      Date

**Introduced By Commissioner: McConnell**

**Seconded By Commissioner(s): Surgenor**  
at

2003-06-72	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				

Comments: Motion made to defer by Harr, seconded by Hyatt. Motion to defer approved by voice vote of the commission 06-16-03; Deferred 06-16-03; Deferred 07-21-03;

Sullivan County, Tennessee  
Board of County Commissioners

7  
Item 26  
Budget Committee  
No. 2003-06-73

To the Honorable Richard S. Venable, Sullivan County Executive, and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of June, 2003.

**RESOLUTION Amending Policy Relative to Transfer of Sick Leave**

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2 on November 20, 2000 authorizing active county employees, with the exception of school department employees, to transfer up to eighty (80) hours of accrued sick leave to another county employee subject to approval by the appropriate department heads; and

WHEREAS, the current policy specifically excludes school department employees from participating in the transfer of sick leave from other county employees; and

WHEREAS, requests have been made from county employees to transfer accrued sick leave to employees of the school department which is prohibited under the current policy;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 16<sup>th</sup> day of June, 2003 hereby amend the current policy to include school department employees subject to approval by the Sullivan County Board of Education.**

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk      Date

Approved: \_\_\_\_\_  
Richard S. Venable, County Executive      Date

**Introduced By: Commissioner: Houser**  
**Seconded By: Commissioner(s): Brittenham**

trl

2003-06-73	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 06-16-03; Deferred 07-21-03;

Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Executive  
No. 2003-07-75

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION Authorizing Library Board Reappointments**

WHEREAS, Mr. Larry McKenzie of 5508 Comanche Drive, Kingsport, Tennessee has accepted a reappointment to the Sullivan County Library Board for an additional three years (September 2003 through September 2006); his present term expiring September 2003; and

WHEREAS, Mr. Rob Montgomery of 2001 Hermitage Drive, Kingsport Tennessee has accepted a reappointment as representative to the Watauga Regional Library Board (September 2003 through September 2006); his present term expiring September 2003.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of County Commissioners reappoint Mr. Larry McKenzie to the Sullivan County Library Board and reappoint Mr. Rob Montgomery as representative to the Watauga Regional Library Board. Terms to expire September 2006.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.  
Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

Attested: \_\_\_\_\_  
Jeanie F. Gammon, County Clerk                      Date

Approved: \_\_\_\_\_  
Richard S. Venable, Mayor                      Date

**Introduced By Commissioner: Jones**  
**Seconded By Commissioner(s): Houser**

**RESUMES ATTACHED**

2003-07-75	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Approve 7-7-03	---	Approve 7-2-03	

Comments:     1st Reading 07-21-03;



## Information Sheet

June 30, 2003

Larry W. McKenzie

5508 Commanche Drive

Kingsport, Tennessee 37664

Home Phone: (423) 323-7251

Business Phone: (423) 229-5593

E-mail: novamck@chartertn.net

### Family:

- Judy Weaver McKenzie, wife (married in 1968)
- Bradley McKenzie, son, 21 years old - ETSU student
- Leigh-Ann McKenzie, daughter, 15 years old - 10<sup>th</sup> grade, Dobyys-Bennett High School

### Educational Background:

- 1965 - Blountville High School
- 1969 - University of Tennessee, BS Industrial Management
- 1977 - University of Tennessee, Masters in Business Administration (MBA)
- 1999 - Eastman Business Management Curriculum

### Career History:

1969-1972: Colgate Palmolive Co., Jeffersonville, Indiana

- Industrial Engineer/Manufacturing Supervisor

1972 - Present: Eastman Chemical Company

- Various Materials Planning and Supervisory roles (1972-90)
- Special assignment at Kodak, Rochester, NY (1985)
- Business Market Manager, Food Ingredients (1991)
- Manager, North American Customer Service Center (1996)
- Chemicals Supply Chain Manager (2000->current assignment)

### Community/Professional Activities:

- Past President, Indian Springs Optimist Club (mid-1970s) ... Optimist of the Year, 1978-79
- University of Tennessee, National Alumni Board of Governors (1982-85)
- Past Board member, Indian Springs Community Chest
- Organization Committee for chartering the Sullivan County Friends of the Library.... serving as the first President (1987)
- Past President, Appalachian Chapter of the American Production and Inventory Control Society (1990)
- Fund-raising Committee for building current Sullivan County Library facility
- Colonial Heights Presbyterian Church
- Current Sullivan County Library Board Member 2000-2003

Resolution No. 2003- 07-75  
Page 1 of 2

# Robert H. Montgomery, Jr.

**Home**  
2001 Hermitage Drive  
Kingsport, Tennessee 37664  
(423) 247-2001

**Work**  
P.O. Box 526  
Blountville, Tennessee 37617  
(423) 279-3278

## Professional Experience

Assistant District Attorney General  
Second Judicial District  
Sullivan County, Tennessee  
1987 to Present

## Professional Service

Member, Board of Governors  
Tennessee Bar Association  
1995 to Present

Instructor Trainer  
National Highway Traffic Safety Administration  
1993 to Present

Trial Advocacy Instructor  
American Prosecutors Research Institute  
1993 to Present

## Public Service

Board Member and Vice Chair  
Watauga Regional Library  
1994 to Present

Board Member  
Sullivan County Library Board  
1994 to Present

Board Member  
Tennessee State Library Advisory Council  
1992 to 1999

Former Member and Past Chair  
Kingsport Public Library Commission  
1984 to 1993

Charter Member and Past President  
Tri-Cities Rotary Club  
1989 to Present

Former Board Member and Past President  
Kingsport Jaycees, Inc.  
1981 to 1994

## Recognition and Honors

Fellow  
Tennessee Bar Foundation  
2000

Paul Harris Fellow  
Tri-Cities Rotary Club  
1999

Trustee of the Year  
Tennessee Library Association  
1994

Life Member  
Kingsport Jaycees, Inc.  
1994

Charter Fellow  
Young Lawyers Division  
Tennessee Bar Association  
1991

Recipient  
Kingsport's Outstanding Young Man Award  
1985

Graduate  
Leadership Kingsport  
1983

## Education

J.D., College of Law  
University of Tennessee  
1979

B.A., College of Arts and Science  
Vanderbilt University  
1975

Sullivan County, Tennessee  
Board of County Commissioners

Item 9  
Budget  
No. 2003-07-76

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION Authorizing Acceptance of Homeland Security Grant**

WHEREAS, the Sullivan County Emergency Management Office has received a grant for \$459,144.00 through the State of Tennessee, Office of Homeland Security; and,

WHEREAS, this grant will help cover costs related to the purchase of specialized equipment to enhance homeland security; and,

WHEREAS, the funding for this grant is 100% state monies and there is no local match.

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session authorizes the Mayor of Sullivan County to enter a contract with the State of Tennessee, Office of Homeland Security to secure funding in the amount of \$459,144.00 to be used for costs associated with properly equipping local first responders for homeland security.

**BE IT FURTHER RESOLVED** that these funds shall be expended as needed and required by the terms and conditions of this grant and that any personnel positions created by this grant shall cease upon the termination of this grant. Account Codes to be assigned by the Director of Accounts and Budgets.

***WAIVER OF THE RULES REQUESTED***

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

Duly passed and approved this 21<sup>st</sup> day of July 2003.

Attested: *Jeanie F. Gammon* 7/21/03      Approved: *Richard S. Venable* 7/21/03  
Jeanie F. Gammon, County Clerk      Date      Richard S. Venable, Mayor      Date

**Introduced By Commissioner: Crawford**

**Seconded By Commissioner(s): Conkin, King (Buddy)**

2003-07-76	Administrative	Budget	Executive	County Commission
ACTION	Approve 7-7-03	Approve 7-10-03	Approve 7-2-03	Approved 07-21-03 22 Aye, 2 Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Budget  
No. 2003-07-77

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION Accepting Grant for Community Emergency Response Instruction Team**

WHEREAS, the Sullivan County Emergency Management Office has received a grant for \$10,425.00 to develop a Community Emergency Response Instruction Team (CERT); funding provided through the State of Tennessee, Tennessee Emergency Management Agency; and,

WHEREAS, this grant is made available to counties to provide assistance to increase the citizen's ability to prepare for, survive and assist others during and immediately following an emergency or disaster; and,

WHEREAS, the funding for this grant is 100% state monies and there is no local match.

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session authorizes the Mayor of Sullivan County to enter into Grant Contract Z-03-15516-00 for grant funds in the amount of \$10,425.00 with the State of Tennessee, Tennessee Emergency Management Agency to be used for the development of a Community Emergency Response Instruction Team (CERT).

**BE IT FURTHER RESOLVED** that these funds shall be expended as needed and required by the terms and conditions of this grant and that any personnel positions created by this grant shall cease upon the termination of this grant. Account Codes to be assigned by the Director of Accounts and Budgets.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed and approved this 21st day of July 2003.

Attested: *Jeanie F. Gammon* 7/21/03 Approved: *Richard S. Venable* 7/21/03  
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

**Introduced By Commissioner: Herron**

**Seconded By Commissioner(s): Brittenham, Conkin**

2003-07-77	Administrative	Budget	Executive	County Commission
ACTION	Approve 7-7-03	Approve 7-10-03	Approve 7-2-03	Approved 07-21-03

22 Aye, 2 Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Executive  
No. 2003-07-78

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION Authorizing Traffic Sign Changes in the 18<sup>th</sup> Civil District**

WHEREAS, the Sullivan County Highway Department has recommended the following traffic sign changes be made in the 18<sup>th</sup> Civil District (7<sup>th</sup> Commission District).

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following changes to traffic signs in Sullivan County:

18<sup>th</sup> Civil District (7<sup>th</sup> Commission District)

**To place a 25 MPH Speed Limit on Brown Circle**

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

Duly passed and approved this 21<sup>st</sup> day of July 2003.

Attested: *Jeanie F. Gammon* 7/21/03 Approved: *Richard S. Venable* 7/21/03  
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

**Introduced By Commissioner: Jones**

**Seconded By Commissioner(s): Brotherton**

2003-07-78	Administrative	Budget	Executive	County Commission
ACTION	No Action 7-7-03	Approve 7-10-03	Approve 7-2-03	Approved 07-21-03

22 Aye, 2 Absent

Comments:

**SULLIVAN COUNTY  
HIGHWAY DEPARTMENT**

P.O. BOX 590  
BLOUNTVILLE, TENNESSEE 37617

**John R. LeSueur, Jr.**  
Commissioner of Highways

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

July 2, 2003

COMMISSIONERS: Sam Jones  
James Brotherton

Dear Commissioners:

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

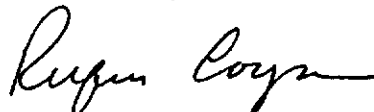
To place a 25 MPH SPEED LIMIT on Brown Circle.

Request made by Commissioner Sam Jones.

This is in the 18<sup>th</sup> Civil District and 7<sup>th</sup> Commissioner District.

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

Sincerely,



Rufus Cooper  
Traffic Coordinator

RC/jb

c: ~~Angela Taylor~~

Resolution No. 2003- 07-78

No. of Pages 1

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Budget  
2003-07-79

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION To Approve Recommendations From Maintenance Study Committee**

WHEREAS, in February 2003 the Sullivan County Commission approved Resolution No. 2003-01-04 requesting the County Executive to appoint a study committee to review and inventory the various resources presently provided for in the different maintenance programs over county vehicles, equipment, and buildings; and

WHEREAS, the Maintenance Study Committee consisting of Joe Herron, John Crawford, James "Buddy" King, Howard Patrick, Mark Vance, and Eddie Williams has met with the various departments and reviewed the various operations within these departments;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby endorses the following recommendations made by the Maintenance Study Committee:

- (1) Recommend that the Purchasing Agent solicit bids from vendors in the Bristol, Blountville and Kingsport areas to perform preventative maintenance on county vehicles; upon receiving bids, the Purchasing Agent would select one vendor from each area to contract with the county to provide services for departments in that area;
- (2) Recommend that any department purchasing a new vehicle trade-in or sell at public auction within ninety days an older vehicle within the same department; disposition of department's used vehicle depending on the condition and market value;
- (3) Recommend that when new vehicles are requisitioned that bids be solicited from local dealerships in addition to state contract and the number of accessories be reduced to a minimum with the exception of "packaged accessory upgrades" costing less than a vehicle made to order;
- (4) Recommend that all department heads or their designees organize a quarterly meeting of county departments in order to share ideas and suggestions to benefit the county as a whole;
- (5) Recommend that each maintenance department submit a list to share among all county departments listing qualifications of employees, ie., electrical, air conditioning, plumbers, carpenters, etc. Each department should review the list and utilize the maintenance departments within the county prior to outsourcing work;

when a department utilizes employees from one of the maintenance departments, there can be a paperwork trail for budgeting purposes;

- (6) Recommend that a centralized vehicle maintenance department be set up to service all county vehicles; existing man power should be used to operate day and evening shifts to help alleviate down time of vehicles; an existing county facility should be utilized.

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

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2003.

Attested: \_\_\_\_\_  
Jeanie F. Gammon, County Clerk Date

Approved: \_\_\_\_\_  
Richard S. Venable, Mayor Date

Introduced By Commissioner: Herron

Seconded By Commissioner(s): Crawford, King (Buddy), Patrick, Vance, Williams

2003-07-79	Administrative	Budget	Executive	County Commission
ACTION	No Action 7-7-03	Approve 7-10-03		

Comments: 1st Reading 07-21-03;



Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Budget  
No. 2003-07-80

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July, 2003.

**RESOLUTION Amending the Sullivan County Zoning Resolution – Fee Schedule**

WHEREAS, the fee schedule has not been increased since 1993;

WHEREAS, Sullivan County Land Use Office fee schedule is considerably lower in some areas than neighboring counties and cities with similar land use control regulations; and

WHEREAS, the public notification process and plans review procedures have experienced increased administrative costs from public notices, postage, copy paper, plat and plans duplication, and court costs.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amend the Sullivan County Zoning Resolution, Fee Schedule to include that proposed in the attached table.

**BE IT FURTHER RESOLVED** that any request for rezoning, variance, building permit, published document or plat duplication after the passage of this resolution follow the attached fee schedule.

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

Attested: \_\_\_\_\_  
Jeanie F. Gammon, County Clerk Date

Approved: \_\_\_\_\_  
Richard S. Venable, County Executive Date

**Introduced By Commissioner: Jones**

**Seconded By Commissioner(s): Crawford; Houser;**

**ATTACHMENTS (4)**

2003-07-80	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	No Action 7-7-03	Approve 7-10-03		

Comments: 1st Reading 07-21-03;

**(PROPOSED)FEES** - Standardized fee schedules may be established to partially defray the processing and administrative costs associated with each type of application associated with this resolution. All fees are to be paid at the time of filing. Fees shall be waived for the following: (1) Applications initiated by any Federal, State or municipal agency; and (2) Any re-zonings initiated by the Planning Commission and County Commissioners to implement the general plan. All building permit and zoning fees shall be required as follows:

<b>Singlewide Mobile Home (Manufactured Housing)</b>	<b>\$50.00</b>	<b>Board of Zoning Appeals:</b>	
<b>One Room Addition - based on value of construction costs*</b>		<b>Administrative Review</b>	<b>\$50.00</b>
<b>Residential Accessory Structure</b>	<b>\$20.00</b>	<b>Variance Request</b>	<b>\$50.00</b>
<b>Single Family Residential New Construction and Additions:*</b>		<b>Special Exception/Conditional Use</b>	<b>\$50.00</b>
House - \$1 to \$50,000	\$50.00		
House - \$50,001 to \$100,00	\$100.00		
House - \$100,001 to 150,000	\$150.00		
House - \$150,001 to 200,000	\$200.00		
House - \$200,001 to 250,000	\$250.00		
House - \$250,001 to 300,000	\$300.00		
House - \$300,001 to 350,000	\$350.00		
House - 350,001 to 400,000	\$400.00	<b>Rezoning Petition:</b>	
House - \$400,001 to 450,000	\$450.00	<b>Agricultural/Residential</b>	<b>\$100.00</b>
House - 450,001 to 500,000	\$500.00	<b>Commercial/Manufacturing</b>	<b>\$250.00</b>
House - 500,001 and up	\$550.00	<b>Request for Deferral</b>	<b>\$40.00</b>
<b>Commercial and Industrial New Construction and Additions:</b>			
\$1 to \$50,000	\$100.00	<b>Plans, Reports, Codes, Plats, Plans - Copies</b>	
\$50,001 to \$200,000	\$200.00	<b>\$5.00 for each to cover duplication costs</b>	
\$200,001 to \$300,000	\$400.00		
\$300,001 to \$500,000	\$600.00		
\$500,001 and up	\$1000.00		
<b>Multi-Family Residential - Each Unit</b>	<b>\$50.00</b>		
<b>Temporary Permits</b>	<b>\$50.00</b>		
<b>Sign Permit (permanent and freestanding)</b>	<b>\$25.00</b>		

EXISTING) 907. Schedule of Permit Fees. On all new residential buildings, including mobile homes, the building permit fee shall be as follows:

Single Family Residential:

Single Wide Mobile Home .....	\$ 30.00
One Room Addition to a House and Accessory Buildings .....	\$ 20.00
House - \$1 to \$50,000.....	\$ 50.00
House - \$50,001 to \$100,000.....	\$ 100.00
House - \$100,001 and \$150,000 .....	\$ 150.00
House - \$150,001 and up .....	\$ 200.00

Commercial and Industrial:

\$1 to \$50,000 .....	\$ 100.00
\$50,001 to \$200,000 .....	\$ 200.00
\$200,001 to \$300,000 .....	\$ 400.00
\$300,001 to \$500,000 .....	\$ 600.00
\$500,001 and up .....	\$1000.00

Apartments:

Each unit .....	\$ 30.00
-----------------	----------

Temporary permits	\$ 10.00
-------------------	----------

Requests for variances shall be accompanied by a filing fee of twenty-five dollars (\$ 25.00).

Any petition or request for rezoning shall be accompanied with a filing fee of fifty dollars (\$50.00) for Agricultural or Residential and one hundred dollars (\$100.00) for Commercial or Industrial zones.

## **MEMORADUM PZ 2003.57 – FEE SCHEDULES**

**TO:** Larry Bailey, Accounts & Budgets Director

**FROM:** Ambre M. Torbett, AICP  
Sullivan County Director of Planning

**COPY:** Richard Venable, County Executive

**DATE:** January 27, 2003

**RE:** Fee Schedule – Local Assessment

---

Attached are the responses from our neighboring communities regarding assessment of fees from their respective planning and building departments. The last time the County Commission amended Sullivan County's planning and zoning fees was June 19, 1993. For ease of comparison, attached is a summary spreadsheet. Unfortunately it is difficult to compare zoning compliance fees with the cities due to the fact that the cities have adopted building codes, which requires additional inspections; thus higher fees.

Most of the communities charge a subdivision plat review fee and recording fee. In my opinion, I would recommend that Sullivan County begin collecting the recording fee up front, at a minimum, to ensure that the plat gets recorded once approved. This would be a service my department would perform for the applicant. The plat-recording fee should be at the minimum the same amount as what is charged in the County Register's Office – currently at seventeen (17) dollars per sheet. I would also recommend a Planning Commission review fee for all plats and plans, as considerable costs are incurred by the county from extra staff time, staff inspection of the site, and copying of the plans. Furthermore, I would highly recommend increasing our building permit fees for residential costs on larger homes, as compared to Washington County, TN. Finally, I would suggest increasing the rezoning fee to be the same amount, regardless of zoning district request, as the same amount of costs are incurred by the county through public notices, staff time, and copying. Please note, several of the communities have expressed that they too are considering adjusting fees, as many have not increased fees in quite some time.

I hope the following information proves beneficial for your review and consideration of the above recommendations. If you need any additional information or clarification, please feel free to contact me directly.

## 2003 Tri-Cities/County Planning & Zoning Fee Assessment

### Counties

#### Sullivan County

Type of Fee	Amount
<b>RESIDENTIAL:</b>	
Accessory Structure	\$ 20.00
One Room Addition	\$ 20.00
Singlewide Mobile Home	\$ 30.00
House \$1.00 to \$50,000	\$ 50.00
House \$50,001 to 100,000	\$ 100.00
House \$100,001 to 150,000	\$ 150.00
House \$150,001 and up	\$ 200.00
<b>COMMERCIAL:</b>	
\$1.00 to \$50,000	\$ 100.00
\$50,001 to 200,000	\$ 200.00
\$200,001 to 300,001	\$ 400.00
\$300,001 to 500,000	\$ 600.00
\$500,001 and up	\$ 1,000.00
<b>Apartment</b>	
Each unit	\$ 30.00
<b>Temporary Permits:</b>	
Sign Permits	\$ 25.00
Rezoning (Residential/Agricultural)	\$ 50.00
Rezoning (Commercial/Industrial)	\$ 100.00
Variance Request to BZA	\$ 25.00
Copies of Ordinances	\$ 3.00
Copies of Maps (GIS or old maps)	\$ -
Plat review fee per lot	\$ -

#### Washington County

Type of Fee	Amount \$
<b>RESIDENTIAL:</b>	
All types of residential bldg: subject to below values	
\$1.00 to \$50,000	\$ 50.00
\$50,001 to 100,000	\$ 100.00
\$100,001 to 150,000	\$ 150.00
\$150,001 to 200,000	\$ 200.00
200,001 to 250,000	\$ 250.00
250,001 to 300,000	\$ 300.00
300,001 to 350,000	\$ 350.00
350,001 and up	\$ 400.00
<b>COMMERCIAL:</b>	
\$1.00 to \$50,000	\$ 100.00
\$50,001 to 200,000	\$ 200.00
\$200,001 to 300,000	\$ 300.00
\$300,001 to 500,000	\$ 600.00
\$500,001 and up	\$ 1,000.00
<b>Apartment</b>	
Each unit	as valued above
<b>Temporary Permits:</b>	
Sign Permits	1 per Sq. ft.
Rezoning - all types	\$ 250.00
county clerk fee	\$ 1.00
Variance Request to BZA	\$ -
GIS - not available	\$ -
Copies of Maps, Documents	\$ -
Subdivision Plat Review per lot	\$ 25.00

#### Greene County

Type of Fee	Amount \$
<b>RESIDENTIAL:</b>	
Accessory Structure	\$ 20.00
One Room Addition	\$ 20.00
Singlewide Mobile Home	\$ 100.00
House \$1.00 to \$50,000	\$ 100.00
House \$50,001 to 100,000	\$ 150.00
House \$100,001 to 150,000	\$ 200.00
House \$150,001 and up	\$ 250.00
Doublewide mobile homes	\$ 100.00
<b>COMMERCIAL:</b>	
\$1.00 to \$50,000	\$ 100.00
\$50,001 to 200,000	\$ 200.00
\$200,001 to 400,001	\$ 400.00
\$400,001 to 500,000	\$ 600.00
\$500,001 and up	\$ 1,000.00
<b>Apartment</b>	
Each unit	\$ 50.00
<b>Temporary Permits:</b>	
Sign Permits	?
Rezoning - all types	\$ 100.00
text amendment to zoning	\$ 100.00
Variance Request to BZA	\$ 100.00
Copies of Maps, Documents	?
Plat review fee per lot	?

### Cities

The Cities have building Codes adopted and therefore the building permit fees are assessed based upon the type of inspection (initial, rough-in, plumbing, hvac, final, pool, etc.)

#### Johnson City

Sign Permit	
Rezoning residential under 5 acres	
Rezoning residential over 5 acres	\$ 200.00
All other commercial/indr rezonings	\$ 450.00
all rezonings over 20 acres	\$ 450.00
Zoning Text Change	\$ 500.00
R-O-W Abandonment	\$ 150.00
Street Renaming	\$ 130.00
Variance	\$ 335.00
Special Exception	\$ 105.00
Administrative Appeal	\$ 115.00
Called Meeting of BZA	\$ 120.00
Standard Subdivision	\$ 145.00
Minor Subd/condo location plat	40 per lot
Multi-building or PUD	\$ 25.00
Mobile Home Park	20 per unit
Grading Permit fee	25 per unit
<b>Site Plan Review Fee:</b>	
less than 10,000 sq. ft. of GFA	?
10k to 100k sq. ft. of Gross Floor Area	\$ 55.00
100k and over sq. ft. of GFA	\$ 155.00
	\$ 250.00

#### Kingsport

Sign Permit	.50 per sq. ft.
Rezoning - all types	150
zoning text change	150
R-O-W Vacating	75
Variance/BZA	50
Special Exception/BZA	50
Administrative Appeal to BZA	50
Preliminary Plat Review fee	25
Final Plat Review Fee	25
Plat Recording per sheet	15
Bond Recording per sheet	4
Final Site Plan Review fee	50
Final Mobile Home Park Plan	50
Final Planned Developments	50
Case before Historic Commls	20
Case before Gateway Review	50
copies of maps	5 to 20 per sheet
GIS mapping	varies/hr/sheet

#### Bristol

Sign Permit	?
Rezoning - all	100
Variances	25
Special Exception	100
Administrative Appeal	25
Large Project Variances	50
Subdivision Plats	20
Subdivisions per lot plus \$20	3 per lot
Plat Recording Fee	subject to change
Grading less than 500cu. yds	20
Grading over 500 cu. Yd.	40
copies of plats or plans	1sq.ft.

Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Administrative  
No. 2003-07-81

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this day of 2003.

**RESOLUTION To Request Reconsideration of Metropolitan Statistical Area Split**

WHEREAS, for many years the City of Bristol, Tennessee has been in the Tri-Cities (TN/VA) Metropolitan Statistical Area having a population in excess of 480,000 persons; and,

WHEREAS, recently the United States Office of Management and Budget split the Tri-Cities (TN/VA) Metropolitan Statistical Area into three separate metropolitan statistical areas (MSA's); and

WHEREAS, the City of Bristol, Tennessee is now in a smaller MSA consisting of Sullivan County, Tennessee, Hawkins County, Tennessee and Scott County, Virginia; and,

WHEREAS, the City of Bristol, Virginia and Washington County, Virginia have been designated in a separate MSA; and,

WHEREAS, the newly designated MSA's fail to recognize the regionalism of the Tri-Cities metropolitan area; and,

WHEREAS, Sullivan County finds that the newly designated MSA's will be disadvantageous to the entire Tri-Cities metropolitan area.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby urges the United States Office of Management and Budget to reconsider its decision to split the Tri-Cities (TN/VA) Metropolitan Statistical Area into three separate metropolitan statistical areas. Upon passage, this resolution shall be forwarded to the appropriate federal officials.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed and approved this 21st day of July 2003.

Attested: Jeanie F. Gammon 7/21/03  
Jeanie F. Gammon, County Clerk Date

Approved: Richard S. Venable 7/21/03  
Richard S. Venable, Mayor Date

**Introduced By Commissioner: Harr**

**Seconded By Commissioner(s): Williams**

2003-07-81	Administrative	Budget	Executive	County Commission
ACTION	Approve 7-7-03	Approve 7-10-03		Approved 07-21-03

22 Aye, 2 Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

Item 15  
Executive  
No. 2003-07-82

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION requesting the granting of a Quitclaim Deed from Sullivan County Government to Mr. Danny Surgenor for the said rights-of-way and landscape strip as described and illustrated in the attached survey re-plat, as prepared by Carter Carr & Associates**

WHEREAS, the Evergreen Ledge Subdivision (Block 10, lots 15-21), was approved by the Sullivan County Regional Planning Commission in 1957. Such plat dedicated a forty (40) foot right-of-way and a ten (10) foot landscape strip running parallel to the proposed Highway 11-W; however such land was not developed as the intended marginal access road and therefore not accepted as a public street by the county.

WHEREAS, such described rights-of-way has been considered a "paper street" but is not assigned a tax map and parcel number. This area appears to not be owned by any other party, according to county records;

WHEREAS, such land would be crucial to the development of the adjacent parcels if combined as one tract, as the property owned by Mr. Surgenor is mostly within a designated 100-year floodplain and floodway;

WHEREAS, Mr. Surgenor obtained a Quitclaim Deed from the county in 1990 for lots 9-14 of this same subdivision for this same purpose and was later developed and sold;

WHEREAS, the Sullivan County Regional Planning Commission has considered this petition for right-of-way abandonment through a proposed re-plat subdivision map at the July 15, 2003 meeting and unanimously voted to approve such re-plat subject to free and clear title to the rights-of-way; and

WHEREAS, the applicant shall be responsible for any deed preparation at no cost to the county.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session does hereby assist the applicant in search for free and clear title by granting a Quitclaim Deed for the undeveloped rights-of-way running parallel to Tax Map 33H, Group A, Parcels 10-17 (lots 15-21) of the Evergreen Ledge Subdivision, as further described and illustrated in the plat.

**WAIVER OF RULES REQUESTED**

All resolutions in conflict herewith are and the same rescinded insofar as such conflict exists.  
Duly passed and approved this July 21, 2003.

Attested:

*Jeanie F. Gammon*  
Jeanie F. Gammon, County Clerk

Date

Approved:

*Richard S. Venable*  
Richard S. Venable, County Executive

Date

**Introduced By Commissioner: L. Hall**

**Seconded By Commissioner(s): H. Patrick**

and ATTACHMENTS (4)

2003-07-82	Administrative	Budget	Executive	County Commission
ACTION			Approve 7-2-03	Approved as amended 07-21-03

Comments: AMEND TO ADD:

21 Aye, 1 Nay, 2 Absent

WHEREAS, Sullivan County, TN claims and alleges no interest whatsoever in this property.

BE IT ADDITIONALLY RESOLVED, that Mr. Danny Surgenor sign an affidavit acknowledging that Sullivan County has and claims no interest whatsoever in this property.

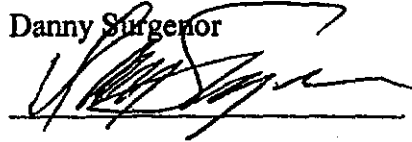
Monday, June 30, 2003

Danny & Patricia Surgenor are petitioning the County of Sullivan to regain the Abandoned road frontage beginning at Lot 15, and consisting of lots 15, 16-17, 17-18, 19, 20, & 21 adjacent to Highway 11-W in the area known as Block 10 of Evergreen Ledge.

Lots and frontage above mentioned are found on the Planning Plat prepared by Carter, Carr Associates prepared August 15, 2001.

Owners:

Danny Surgenor



Patricia Surgenor



RECEIVED  
JUN 26 2003  
SULLIVAN COUNTY, TN  
LAND USE OFFICE

Resolution No. 2003- 07-82

No. of Pages 4  
D. M. H.



Sullivan County  
Regional Planning Commission  
Staff Comments – July 15, 2003

AGENDA ITEM F1

Property Owner:	Danny Surgenor
Applicant:	same
Replat/Abandon R-O-W:	Evergreen Ledge Subdivision
Parcel ID:	Tax Map 33H, Group A, Parcels 10- 17 (lots 15-21)
Zoning:	PBD
Location:	US Hwy 11-W/SR 1
Surveyor:	Carter Carr & Associates
PC 1101 Growth Plan:	Sullivan County Rural Area

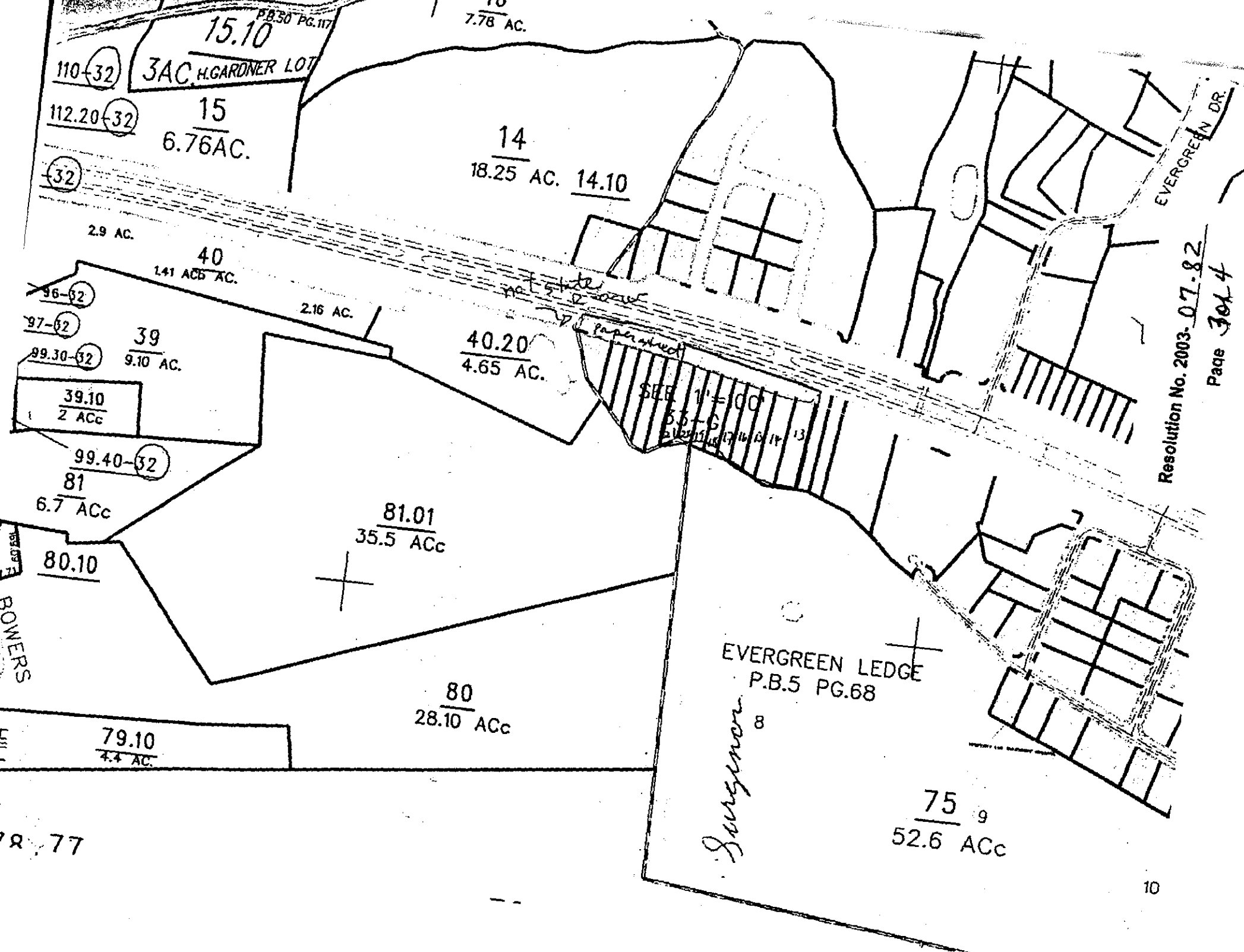
**Staff Field Notes:**

This request is for the Planning Commission to consider approval of a replat of the original Evergreen Ledge Subdivision, Block 10, lots 13-21. These lots do not meet the requirements, individually, to the zoning and subdivision regulations; however they are considered legal but non-conforming. The property owner is seeking a quitclaim deed from the county to him for the three areas, described on the plat, that had been originally dedicated as a right-of-way for a future marginal access road running parallel to, at the time proposed, highway 11-W. Unfortunately the access road was not constructed but the planning commission of the early 1950's signed the plat and it was recorded. Mr. Surgenor has obtained a quitclaim deed for lots 9-14 by the county about a decade ago. However after consulting with the county attorney, Dan Street, the county has no legal basis for quitclaiming land they do not own or maintain. Should the planning commission approve the replat, the replat could be recorded and Mr. Surgenor could adversely possess the "paper street" rights-of-way as he has done in the past. The problem with these lots is that about ½ more or less is contained in the floodway along Reedy Creek with an additional floodway fringe to that. This would make it difficult to develop the site without the 50' rights-of-way combined with the parcels. On July 2, 2003 the Executive Committee recommended for the approval of a quitclaim deed to Mr. Surgenor.

**Staff Recommendation:**

After discussing this with the county attorney, county highway commissioner, and others, it appears that the planning commission should not approve a replat of this subdivision because all property owners (which would include the heirs of the original developer who dedicated the right-of-way) must sign the plat under the owners certificate block. The county does not own this right-of-way and therefore cannot act as the other party. This plat would also need to remove the old lot lines and all other interior easements in order for these parcels to be developable.

Sullivan County Regional Planning Commission Action – July 15, 2003	
Approval:	
Denial:	Reason for denial:
Defer:	Reason for denial:



Resolution No. 2003-07-82

Page 3 of 4

ROW - STATE RIGHT-OF-WAY

PROPERTY IS SHOWN ON SULLIVAN COUNTY  
TAX MAP 33H, PARCELS 5,6, 10-17, GROUP A

THIS PROPERTY IS LOCATED IN FLOOD ZONES A6 & B  
AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR  
SULLIVAN COUNTY, TENNESSEE.  
COMMUNITY PANEL NO. 470181 0030 B

THE FLOODWAY FOR LOTS 13-15 WAS PREVIOUSLY  
DETERMINED BY THE SULLIVAN COUNTY ZONING  
ADMINISTRATOR, DECEMBER 13, 1990.

FLOODWAY FOR LOTS 16-21 & 25-26  
TAKEN FROM FLOOD BOUNDARY AND  
FLOODWAY MAP OF SULLIVAN COUNTY, TN.  
COMMUNITY SHEET NO. 4701810 005  
SHEET 5 OF 21  
PANEL 30 OF 175

LOT 22  
BLOCK 10  
EVERGREEN LEDGE

BLEDSON  
TM 33H  
PARCELS  
7-9  
DB 1198C/PG 562

STATE ROW  
10' LANDSCAPE STRIP

STONE DRIVE

(STATE ROUTE N

40' FRONTAGE ROAD  
PB 5/PG 68

0.172 AC±

0.172 AC±

0.057 AC±

POB  
IP(O)  
PARCEL 1

POB  
IP(O)  
PARCEL 2

POB  
IP(O)  
PARCEL 3

21

20

Resolution No. 2003-07-82

Page: 4 of 4

Sullivan County, Tennessee  
Board of County Commissioners

Item 16  
Budget  
No. 2003-07-83

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION To Amend Contract for the Waste Tire Grant**

WHEREAS, the State of Tennessee, Department of Environment and Conservation, Division of Community Assistance is proposing to amend last year's grant to provide an additional year's funding to collect tires and process them to a beneficial end use; and,

WHEREAS, amending the existing grant will only expedite the preparation of the grants for the FY 2003-2004 without undergoing substantial paper work.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the Mayor of Sullivan County to enter into an Amended Grant Contract for the FY 2003-2004 in an amount up to \$116,990.00 with the State of Tennessee, Department of Environment and Conservation, Division of Community Assistance to continue with the Waste Tire Grant.

***WAIVER OF THE RULES REQUESTED***

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

Duly passed and approved this 21st day of July 2003.

Attested: Jeannie F. Gammon 7/21/03  
Jeannie F. Gammon, County Clerk Date

Approved: Richard S. Venable 7/21/03  
Richard S. Venable, Mayor Date

**Introduced By Commissioner: Harr**

**Seconded By Commissioner(s): Williams**

2003-07-83	Administrative	Budget	Executive	County Commission
ACTION				Approved 07-21-03

22 Aye, 2 Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

Item 17  
Administrative  
No. 2003-07-84

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION To Recognize the Sullivan East Varsity Baseball Team**

WHEREAS, the Sullivan East High Varsity Baseball team has distinguished itself among other teams in the Northeast Tennessee region and across the State of Tennessee during the 2002-2003 season; and,

WHEREAS, for the first time in the school's history the Sullivan East Varsity Baseball team held a record of 30 wins and 12 losses; their record for the year being 35 home runs with a 330 team batting average; and,

WHEREAS, the team participated in the State Tournament; and held the titles of District One Champions and Region One Champions; and,

WHEREAS, five of the team's players received scholarships: Nick Hill – West Point Academy; Ben Huff – Milligan College; Brett Morton – Milligan College; Chase Watkins – Virginia Intermont College; and Timmy Taylor – Alice Lloyd College.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby commend the Sullivan East High Varsity Baseball Team on their exceptional performance in 2002-2003 baseball season and hereby request the Mayor of Sullivan County to issue a Proclamation to acknowledge their achievements.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed and approved this 21st day of July 2003.

Attested: Jeannie F. Gammon 7/21/03      Approved: Richard S. Venable 7/21/03  
Jeannie F. Gammon, County Clerk      Date      Richard S. Venable, Mayor      Date

**Introduced By Commissioner: McKamey**

**Seconded By Commissioner(s): Blackburn, Brittenham, Houser, Hyatt, Morrell**

2003-07-84	Administrative	Budget	Executive	County Commission
ACTION				Approved 07-21-03 21 Aye, 3 Absent

Comments: Request made 07-21-03 by Comm. Crawford for all Commissioners to be added as Co-Sponsors. Request accepted by Sponsor McKamey.

Sullivan County, Tennessee  
Board of County Commissioners

Item 18  
Administrative  
No. 2003-07-85

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION To Recognize the Sullivan East Naval Junior Reserve Officer Training Corps**

WHEREAS, the Sullivan East High School Naval Junior Reserve Officer Training Corps was commissioned in August 1995 and has an average enrollment of 130 cadets each school year and has distinguished itself as an outstanding unit in several areas during the 2002-2003 school year; and,

WHEREAS, the Sullivan East NJROTC was the only unit from Northeast Tennessee and Southwest Virginia in over fifteen years to qualify and participate in the Area 12 Regional Drill Championship in Atlanta, Georgia wherein they received the following awards:

- Selected as a Distinguished Honor Unit for NJROTC Area 12, an area consisting of 75 units from Georgia, Tennessee, Alabama, and Virginia;
- Selected as "Most Improved" Unit in Area 12;
- Selected by the Chief of Naval Education and Training as the "Most Improved" Unit in the nation; and,

WHEREAS, the Sullivan East NJROTC scored above average in both the academic program and cadet performance during the Annual Area Managers Inspection; and

WHEREAS, the Sullivan East NJROTC accumulated almost 1600 hours of community service participating in such activities as Fantasy in Lights, Sharing Christ's Mission, March of Dimes WalkAmerica, Kid's Day America and many other civic activities.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby commend the Sullivan East High School Naval Junior Reserve Officer Training Corps on their exceptional performance throughout the 2002-2003 school year and hereby request the Mayor of Sullivan County to issue a Proclamation to acknowledge their achievements.

**WAIVER OF THE RULES REQUESTED**

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

Duly passed and approved this 21<sup>st</sup> day of July 2003.

Attested: Janice F. Gammon 7/21/03 Approved: Richard S. Venable 7/21/03  
Janice F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

**Introduced By Commissioner: Morrell**

**Seconded By Commissioner(s): Blackburn, Brittenham, Houser, Hyatt, McKamey**

at

2003-07-85	Administrative	Budget	Executive	County Commission
<b>ACTION</b>				Approved 07-21-03

Comments:

22 Aye, 2 Absent

Amended by Comm. Morrell 07-21-03 to add all Commissioners as  
Co-Sponsors.

Sullivan County, Tennessee  
Board of County Commissioners

Item 19  
Administrative  
No. 2003-07-86

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 21<sup>st</sup> day of July 2003.

**RESOLUTION To Recognize And Honor David Bowery For His Bravery And Heroism**

WHEREAS, on Saturday the 5<sup>th</sup> day of July 2003, David Bowery and friends were dining on the deck of the Riverfront Seafood Co. in Kingsport, Tennessee when he and others spotted two-year-old Juliann Farmer floating past the restaurant in the Holston River; and,

WHEREAS, upon spotting the little girl, Mr. Bowery lept from the deck, ran down the river bank, and dove into the water to attempt to rescue young Juliann Farmer; and,

WHEREAS, his compassion and concern for another life yielded to saving the child's life as he pulled her from the river's currents;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby commend David Bowery for his compassion and concern that led to saving the life of another and hereby request the Mayor of Sullivan County to issue a Proclamation to acknowledge his bravery and heroism.

***WAIVER OF THE RULES REQUESTED***

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

Duly passed and approved this 21st day of July 2003.

Attested: *Jeanie F. Gammon* 7/21/03 Approved: *Richard S. Venable* 7/21/03  
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

**Introduced By Commissioner: Patrick**  
**Seconded By Commissioner(s): Brotherton**

2003-07-86	Administrative	Budget	Executive	County Commission
ACTION				Approved 07-21-03

22 Aye, 2 Absent

Comments: Amended by Comm. Patrick 07-21-03 to add all Commissioners as  
Co-Sponsors.

PROPOSED AMENDMENT TO

RES. # \_\_\_\_\_ - \_\_\_\_\_

Amend as Follows:

MOTION WAS MADE BY MCCONNELL REQUESTING MAYOR RICHARD VENABLE TO  
WRITE A LETTER TO BILL JENKINS ON THE DESIGNATION OF I-26 FROM NORTH  
CAROLINA TO THE VIRGINIA LINE.

MOTION ADDITIONALLY REQUESTED MAYOR RICHARD VENABLE WRITE A LETTER  
TO REPRESENTATIVES AND BILL JENKINS PROTESTING THE CLOSING OF THE  
LYNN GARDEN BRANCH OF THE U.S. POST OFFICE.

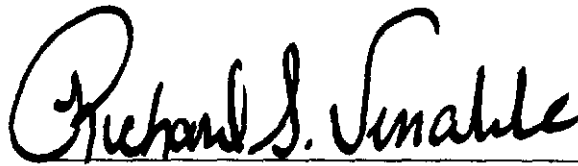
Introduced by: \_\_\_\_\_ MCCONNELL  
Seconded by: \_\_\_\_\_ FERGUSON

COMMENTS: \_\_\_\_\_ MOTION APPROVED BY VOICE VOTE 07-21-03

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR  
SESSION AUGUST 18, 2003.

A handwritten signature in black ink, reading "Richard J. Venable". The signature is written in a cursive style with a large initial "R".

---

RICHARD VENABLE

COMMISSION CHAIRMAN

