

COUNTY COMMISSION- REGULAR SESSION

OCTOBER 20, 2003

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, OCTOBER 20, 2003, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE F. GAMMON, COUNTY CLERK AND WAYNE ANDERSON, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Richard S. Venable. Sheriff Wayne Anderson opened the commission and Comm. James L. King, Jr. gave the invocation. Pledge to the flag was led by the Sheriff Wayne Anderson.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

GARTH BLACKBURN	LINDA K. BRITTENHAM
JAMES "MOE" BROTHERTON	RAY CONKIN
JOHN CRAWFORD	
CLYDE GROSECLOSE, JR.	LARRY HALL
RALPH P. HARR	JOE HERRON
DENNIS HOUSER	MARVIN L. HYATT
SAMUEL C. JONES	ELLIOTT KILGORE
JAMES "BUDDY" KING	JAMES L. KING, JR.
	JOHN MCKAMEY
RANDY MORRELL	HOWARD PATRICK
JACK SITGREAVES	MICHAEL SURGENOR
MARK A. VANCE	EDDIE WILLIAMS

22 PRESENT 2 ABSENT (Ferguson, McConnell 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 September 15, 2003 Regular Session and the October 13, 2003 Called Session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS: OCTOBER 20, 2003

THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS FOLLOWS:

- 1. Mr. Lewis Loflin**
- 2. Mr. John Sandidge**

QUARTERLY REPORTS FILED FOR JULY 2003 – SEPTEMBER 2003 WITH THE COUNTY CLERK WERE:

- 1. PURCHASING DEPT.**
 - 2. HIGHWAY DEPT.**
-

RESOLUTIONS ON DOCKET FOR OCTOBER 20, 2003

RESOLUTIONS	ACTION
#1 THE SULL. CO. BOARD OF COMM. TO CONSIDER AMENDMENTS TO THE SULL. CO. ZONING RESOLUTIONS AS AMENDED	APPROVED 10-20-03
#2 TO CALL A REFERENDUM ON THE QUESTION OF WHETHER A COUNTY-WIDE MOTOR VEHICLE TAX SHOULD BE LEVIED FOR SULLIVAN COUNTY	DEFERRED 10-20-03
#3 ACCEPT TECHNOLOGY GRANT FUNDS FOR SULLIVAN COUNTY PUBLIC LIBRARY	APPROVED 10-20-03
#4 HONOR DR. JOHN B. O'DELL FOR HIS DISTINGUISHED SERVICE TO EDUCATION IN THE GREAT STATE OF TENNESSEE	APPROVED 10-20-03
#5 AUTHORIZE THE SHERIFF'S OFFICE TO APPLY FOR A LOCAL LAW ENFORCEMENT BLOCK GRANT	APPROVED 10-20-03
#6 AUTHORIZING TRAFFIC SIGH CHANGES IN THE 18 TH C.D.	1 ST READING 10-20-03
#7 ACCEPT GRANT AND AMEND BUDGET FOR UTILITY LINES AT TRI-CITIES CARGO CENTER	APPROVED 10-20-03
#8 HONORING THE MOUNTAIN EMPIRE CHAPTER 289 OF THE KOREAN WAR VETERANS ASSOCIATION	APPROVED 10-20-03
#9 REQUEST GENERAL ASSEMBLY TO PASS LEGISLATION REQUIRING TEENS TO ATTEND DRIVING CLASS PRIOR TO OBTAINING TENNESSEE DRIVER'S LICENSE	1 ST READING 10-20-03
#10 AUTHORIZING THE FILLING OF BOARD POSITION ON THE INDUSTRIAL DEVELOPMENT BOARD OF SULLIVAN COUNTY	APPROVED 10-20-03
#11 APPROVE THE STUDY AND DEVELOPMENT OF A PARTNERSHIP FOR ECONOMIC ENHANCEMENT	APPROVED 10-20-03
#12 AMENDING THE SULLIVAN COUNTY ZONING RESOLUTION-EFFECTIVE DATE OF NEW CODE	APPROVED 10-20-03
#13 TO SALE LYNN VIEW MIDDLE SCHOOL FACILITY	DEFERRED 10-20-03

QUESTIONS BEFORE THE COMM.

Roll Call
 Call
 Clerk
 Notary
 app
 bonds

No. No. No. No. No.

NAMES OF COMMISSIONERS

Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye Nay Aye

- North Blackburn ✓
- Linda K Britton ✓
- James "Moe" Brotherton ✓
- Ray Conkin ✓
- John Crawford ✓
- D.W. Ferguson A
- Clyde Groves Jr. ✓
- Larry Nall ✓
- Ralph Narr ✓
- Joe Herron ✓
- Dennis Houser ✓
- Marvin Hyatt ✓
- Samuel C Jones ✓
- Elliott Kelgore ✓
- James "Buddy" King ✓
- James L. King Jr. ✓
- R. Wayne McConnell A
- John McKamey ✓
- Randy Morrell ✓
- Howard Patrick ✓
- Jack Sitgreaves ✓
- Michael Surgenor ✓
- Mark Vance ✓
- Eddie Williams ✓

22 Pres. 20 Aye
 20s. 20s

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARY'S

SEPTEMBER 15, 2003

Rebecca A. Acito	Judy Dixon Messick
Hope Arnold	Linda Newman Morris
Rita McGlothlin-Barrett	Tonya R. Overbay
Darrell Carr	Sherry L. Richardson
Teresinha Clonce	Randy_ K. Rose
Teresa A. Collins	Richard Souder
Elizabeth A. Cradic	Tina S. Stacy
Marsha Davis	Jamie M. Stapleton
Carla Elliott	William R. Steadman
Robert C. Ervin, Jr.	Laura A. Steel
Virgil L. Faulkner	Rob Thompson
Cathy Fleenor	Rhonda Tickles
Janice R. Fox	Brenda B. Wagoner
Phyllis T. French	Sandra K. Urbani
Angela Garland	
Deborah S. Germroth	
June J. Hall	
Debra J. Hughes	
Johnny Johnson	
Joseph C. Johnson, Jr.	
Naomi Deloris Lambert	
Jill P. Lane	
Trula D. Lindamood	
E. L. McConnell	
Jennifer L. McCray	
Ashley M. Meade	

UPON MOTION MADE BY COMM. HARR AND SECONDED
BY COMM. HYATT TO APPROVE THE NOTARY APPLICATIONS
HEREON, SAID MOTION WAS APPROVED BY ROLL CALL VOTE
OF THE COMMISSION. 22 aye, 2 absent.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLIC SURETY BONDS

OCTOBER 20, 2003

Penny Diane Bays

Judy A. Gibson

Doyle T. Grogg

Melissa R. Hogston

Jane M. Jones

Randy M. Kennedy

Patricia M. Leonard

April J. Mullins

Wanda J. Nichols

Patricia Robinette

William K. Rogers

Kim G. Shivell

Gilda Sproles

Glenda T. Venable

Sheryl C. Warshauer

Bobby J. Wheeler

Gayle B. Whitson

Sam L. Wilkerson

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.
22 aye, 2 absent.



SULLIVAN COUNTY

Offices of Land Use

3411 Hwy 126 Suite 30
Blountville, Tennessee 37617
Telephone (423) 323-6440
Fax (423) 279-2886

Planning and Zoning
Building Permits
Health and Safety
Construction Manager
Sewer Extension
Solid Waste
G.I.S.

Agenda

Sullivan County Board of County Commission
October 20, 2003

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, October 20, 2003 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 08/03/01 Wayne Fish
Reclassify R-1 Property located at 1112 Moreland Drive to P.B.D. (Planned Business District) for the purpose of allowing for future commercial development. Property ID No. Tax map 76, Parcel 42,01 located in the 13th Civil District.
Kingsport Planning

- (2) File No. 08/03/02 Teresa Brooks
Reclassify R-1 property located at 207 Morelock Drive to B-1 for the purpose of allowing for a day care. Property ID No. Tax Map 80, Parcel 80.00 located in the 5th Civil District. **Sullivan County Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING # 08/03/01 3

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

Property Owner Wayne P. Felt
Address 1112 Norland Dr
Kpt. Ln 37664
Phone 360-1407 Date of Request 8/15/23
Property Located in 13th Civil District

Wayne Felt
Signature of Applicant

OFFICE USE ONLY

Meeting Date 9-18-23 Time 7:00 pm

Place 2nd Floor
City Hall

Planning Commission Approved
Denied

County Commission Approved X
Denied

Other Roll Call Vote 22 Aye, 2 Absent

Final Action Date 10-20-03

PROPERTY IDENTIFICATION

Tax Map 76 Group Parcel 42.01

Zoning Map 15 Zoning District R-1 Proposed District PBD

Property Location 1112 Norland Dr

Purpose of Rezoning For future commercial development

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

Wayne Felt

Sworn to and subscribed before me this 15th day of Aug, 2003.

Dianne K. Hooser
Notary Public

My Commission Expires: 12-20-03

09-4

REZONING REPORT
FILE: 03-101-00011

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Robert Nemeth, Planner

DATE: September 18, 2003

APPLICANT: Wayne Fish, owner

REQUESTED ACTION: County rezoning request of approximately 0.90-acres (39,056-square feet) from R1, Residential District, to PBD, Planned Business District.

LOCATION: Property is located adjacent to the southern side of 1112 Moreland Drive halfway between Pond Springs Road and Southwood Drive (Sullivan County tax map 76, parcel 42.01). The property is located outside the Kingsport City limits, within the Urban Growth Boundary, in the 13th Civil District of Sullivan County.

EXISTING LAND USE: Single-family detached house (see attached photograph).

PROPOSED USE: For future commercial development (unspecified).

COMPARISONS BETWEEN COUNTY R1 & PBD ZONING DISTRICTS:

- R-1 is primarily for single-family residences on minimum 15,000 square-foot lots.
- PBD allows the grouping of units without adherence to the conventional lot-by-lot approach common to traditional zoning. It permits mostly commercial land uses, as well as single-family, duplex, and apartments. It requires a 25-foot landscaped open space buffer around the zoning district, and Sullivan County Planning Commission approval of a comprehensive site plan.

SURROUNDING COUNTY ZONING AND LAND USES (see attached photographs):

North (northern side of Moreland Drive): R-1; M-1, Industrial District; M-2, Industrial District.
The Eastman Landfill site is located across Moreland Drive. To the west, there is a vacant house with a "For Rent" sign. Further west until Pond Springs Road, there is vacant wooded property. To the east of the Eastman Landfill site, there is vacant wooded property. Further east, there is a mobile trailer park.

East (southern side of Moreland Drive): R-1; R-3, Residential District.
The Southwood Subdivision is located to the east adjacent to Sherwood Drive. Further east, there is a small multi-tenant shopping center, a mobile trailer park, and the Sullivan South High School adjacent to Rock Springs Road.

South: R-1.
The Southwood Subdivision is located to the south.

West: PBD; R-1.
Plantboy Garden Service business. West of Pond Springs Road, there are single-family houses on the southern side of Moreland Drive, and an apartment and mobile trailer park on the northern side of Moreland Drive.

LAND USE PLAN (S):

- The 2010 Conceptual Land Use Plan (Kingsport Land Use Plan, 1988) designates the property for single-family land use.

UTILITIES: City water is available, and adequate to serve the property. City sewer can be made available by the developer.

TRANSPORTATION:

Moreland Drive has 2-lanes on each side of a grassed median. The Major Street & Road Plan (2000) classifies it adjacent to the site as a minor arterial to serve 13,700 average daily vehicle trips (ADT's) by the year 2010. State traffic count stations on Moreland Drive indicate that they are well below the anticipated 13,700-traffic projection in the year 2010 (TN_206 recorded 8,183 ADT in the year 2000; TN_154 recorded 10,195 ADT in the year 2000). There is adequate sight distance.

PHYSICAL CHARACTERISTICS:

The property measures approximately 74-feet adjacent to Moreland Drive with approximately 261-feet in depth. The house is located on the flat portion of the property surrounded by woods toward the east and south with the topography sloping down toward the western property line.

CITIZEN RESPONSE: None.

OPTIONS: The Planning Commission's options are the following:

1. Approve the rezoning from R-1 to PBD as requested.
2. Disapprove the rezoning, and state the reasons in writing.
3. Postpone action until additional information is presented.

STAFF RECOMMENDATION:

Staff recommends Option 1.

1. It is an extension of the adjacent western zoning district.
2. It is compatible with the surrounding land uses. For example, the northern Eastman Land fill, the northern house for rent, large tracts of vacant wooded property on the northern side of Moreland Drive, the Garden Service business to the west. The eastern and southern Southwood Subdivision is completely screened by trees, and the site requesting rezoning does not have direct access to subdivision's street, Sherwood Drive.
3. Moreland Drive can adequately serve the traffic needs of the site. There is adequate sight distance. City water is available to the property. City sewer can be made available by the developer.
4. A 25-foot landscaped open space around the zoning district will help buffer it from the surrounding properties. The Sullivan County Planning Commission must also approve a comprehensive site plan.



CITY OF KINGSPORT, TENNESSEE

September 19, 2003

Ambre Torbett
Sullivan County Land Use Office
P.O. Box 509, Suite 30
Blountville, TN 37617
Fax: 279-2886

Dear Mrs. Torbett:

On September 18, 2003, the Kingsport Regional Planning Commission made the following recommendations concerning county cases:

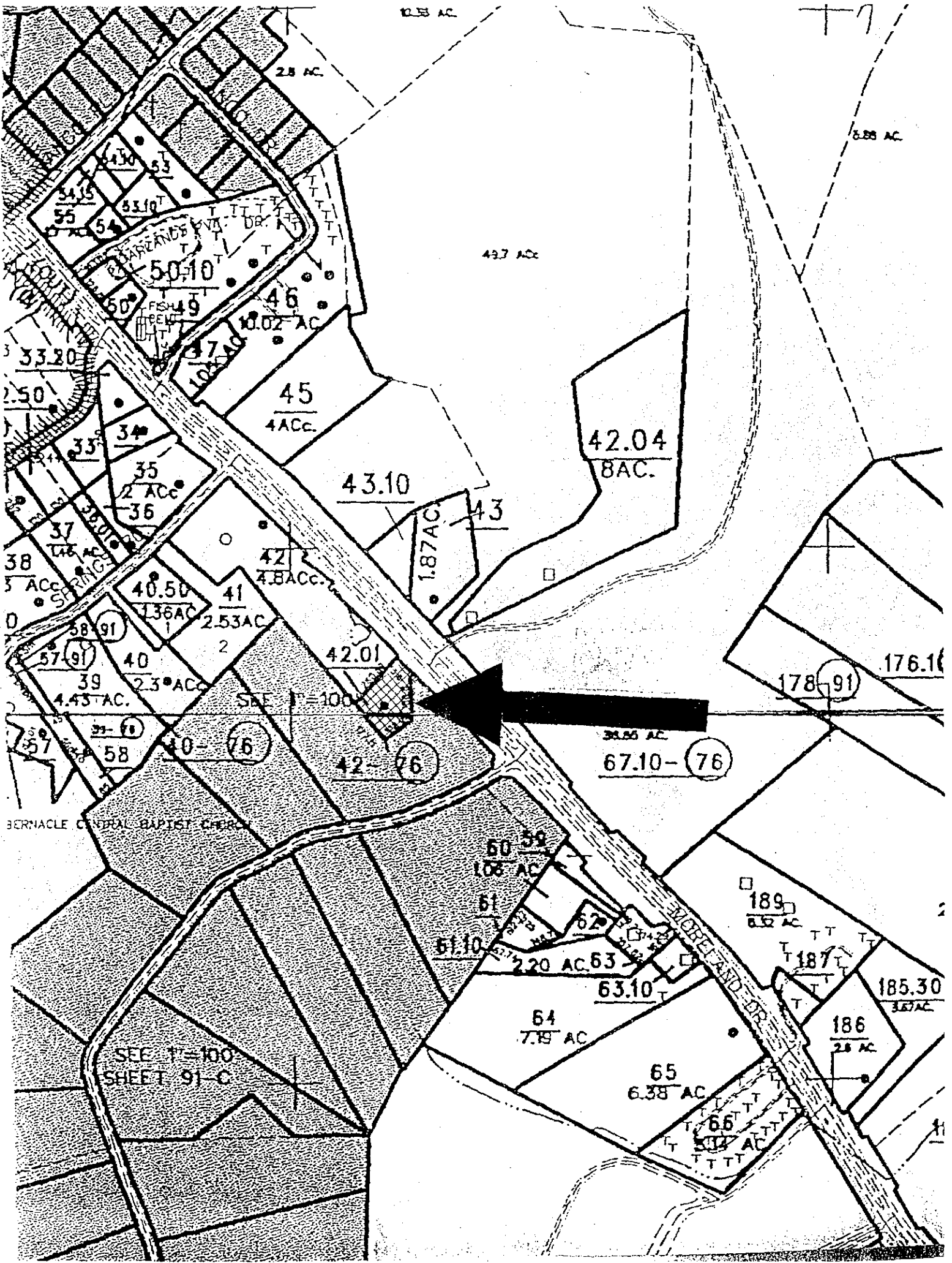
09-08 1112 Moreland Drive County Rezoning (03-101-00011)

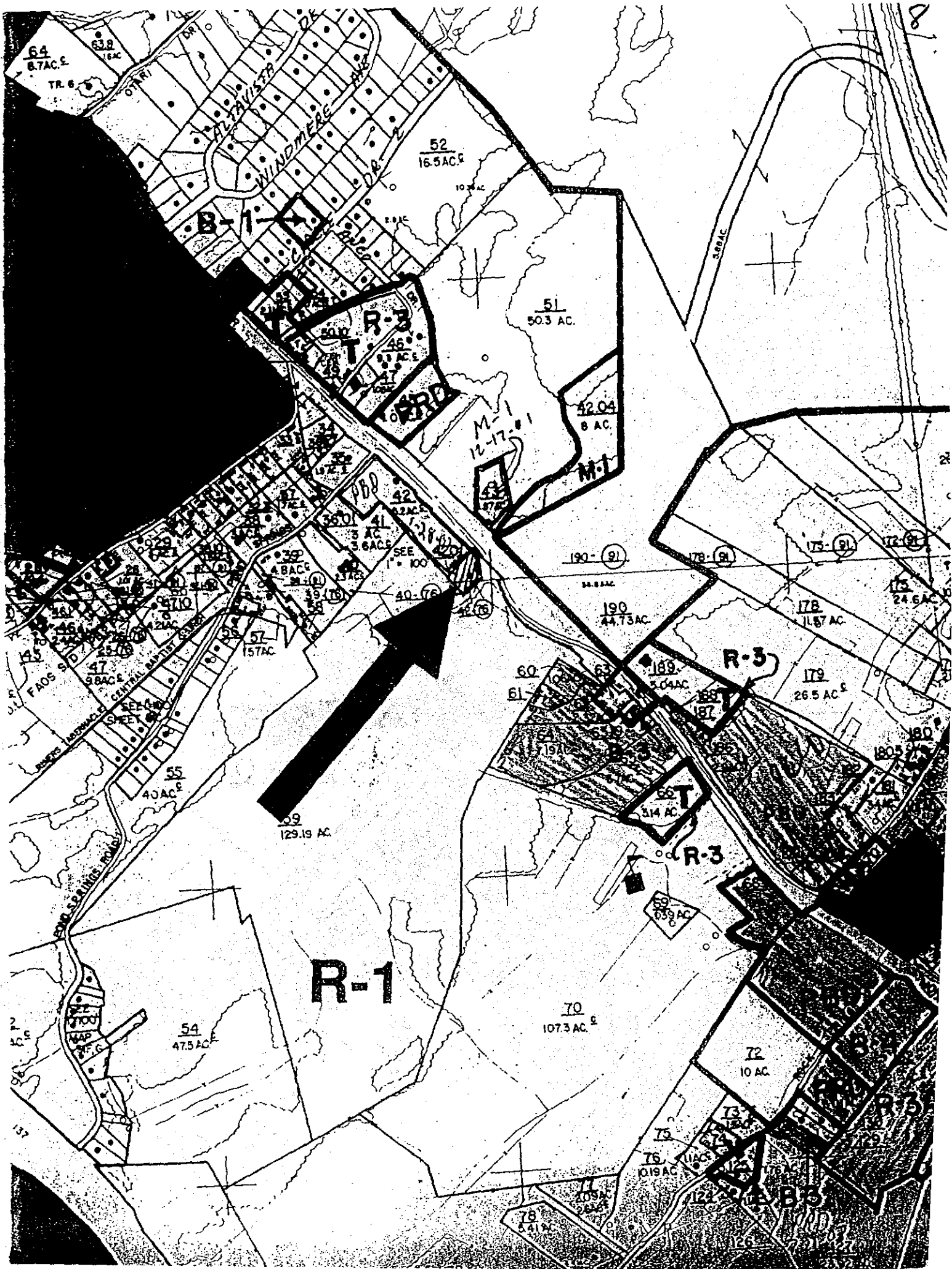
The approximately 1-acre county rezoning request from R1 Residential District to PBD Planned Business District was located on the southern side of Moreland Drive halfway between Pond Springs Road and Southwood Drive (Sullivan County tax map 76, parcel 42.01). There was an existing house on the property; the proposed use was an unspecified business. Staff recommended the rezoning for the following reasons. First, it was an extension of the western PBD zoning district. Second, it was compatible with the surrounding land uses (i.e. western adjacent Plant Boy Garden Service, northern Eastman land fill). Third, it would not burden existing public facilities (i.e. Moreland Drive can handle additional commercial traffic, city water was available, city sewer could be made available at a cost to the developer). And fourth, the surrounding properties could be protected with the rezoning. The PBD zone required a 25-foot landscaped buffer, Sullivan County Planning Commission approval of a comprehensive site plan, and access was limited to Moreland Drive not the internal Southwood Drive serving the eastern and southern Southwood subdivision. Nemeth stated that there were not negative citizen phone calls. Wayne Fish, property owner, stated that the surrounding property appeared to be transitioning to commercial. On a motion by Colette George, seconded by Bryan Alderson, the Commission voted unanimously, 6-0, to accept the Staff recommendation pertaining to the rezoning based upon the Staff rationale.

If you have questions, please call me at (423) 224-2482.

Sincerely,

Robert Nemeth





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TR. 6

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51
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52.04
8 AC.

M-1
12-17

R-1

R-3

R-3

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107.3 AC ±

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MAY ST
FAOS ST

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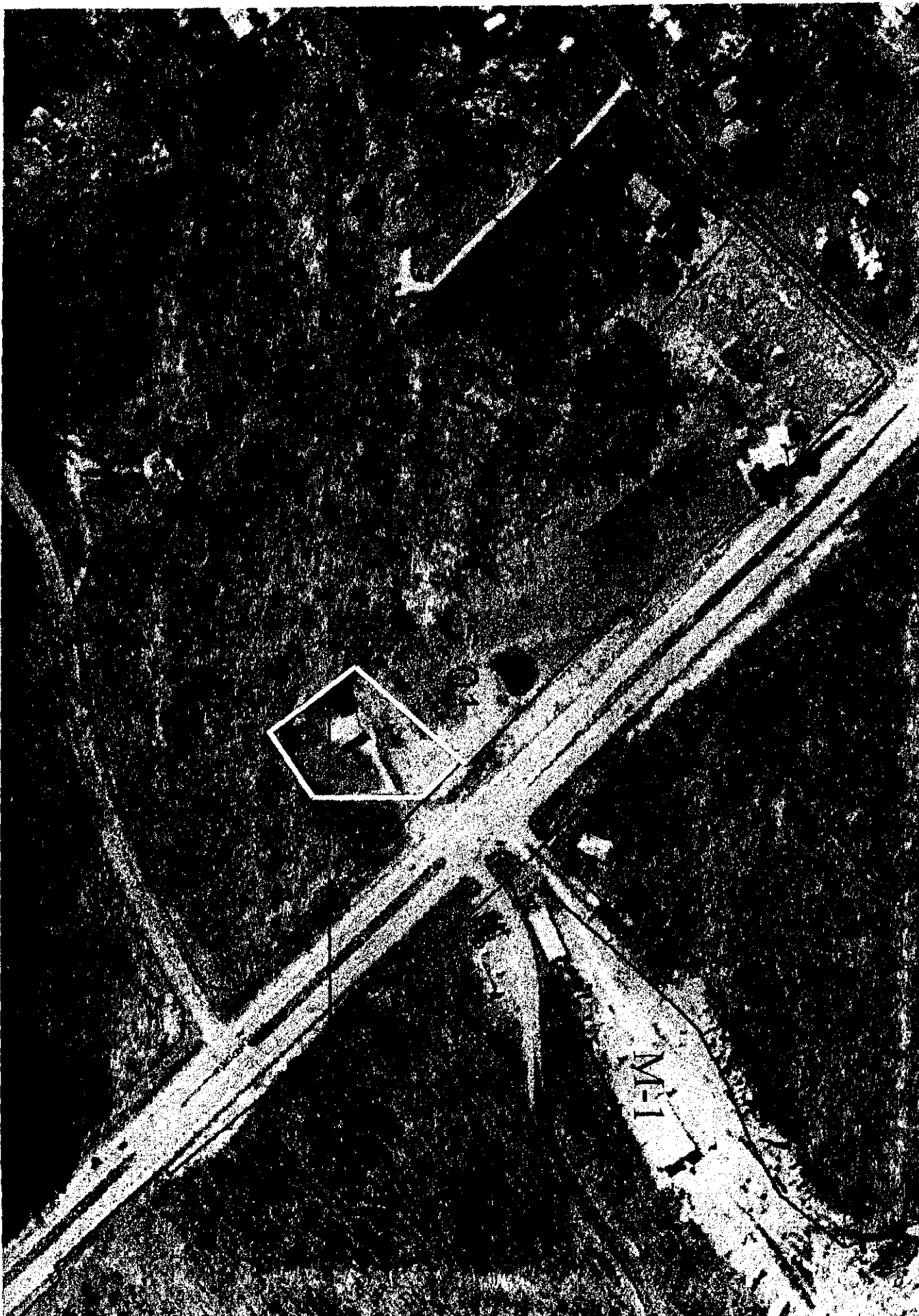
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Wayne Fish



PETITION TO SULLIVAN COUNTY FOR REZONING #08/03/02 10

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.

Property Owner Teresa Brooks
Address 2163 Feather Chapel Rd
Beth In 37617
Phone _____ Date of Request 8-15-03
Property Located in 5th Civil District
Teresa Brooks
Signature of Applicant

OFFICE USE ONLY
Meeting Date 9-16-03 Time 7:00 p.m
Place 2nd Floor
Courthouse
.....
Planning Commission Approved _____
Denied _____
County Commission Approved X
Denied _____
Other Roll Call Vote 22 Aye, 2 Absent
Final Action Date 10-20-03

PROPERTY IDENTIFICATION

Tax Map 80 Group _____ Parcel 80.08
Zoning Map 17 Zoning District R-1 Proposed District B-1
Property Location 207 Overlock Dr
Purpose of Rezoning To allow a day care

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 15th day of Aug, 2003.
Teresa Brooks
Dennis K. Houser
Notary Public

My Commission Expires: 12-20-03

D. Rezoning Request:

- *The Planning Commission makes recommendations to the County Commission on rezoning requests. If a rezoning recommendation is positive tonight, it will come before the County Commission at their regular meeting on: October 20, 2003 at 9:00a.m. If a rezoning request is not recommended for approval tonight, the applicant still has the right to appear before the County Commission next month. You must advise the Planning Commission tonight if you wish to pursue your rezoning request to the County Commission. The County Commission can override the Planning Commission's recommendation.*
- *In the interest of concluding business in a timely manner, comments on rezoning requests will be limited to three minutes per speaker. Groups opposed to a rezoning should pick two representatives to speak for them. Prior to voting on any rezoning the County Commission will hold a public hearing on October 20, 2003 at 9:00a.m.*

(D-1) File No. 08/03 #2

Property Owner: Teresa Brooks, owner (Ellen Buchanan – buyer/business owner)
Rezoning Request R-1 to B-1
Purpose: To allow for group home child care facility
Parcel ID: Tax Map 80, Parcel 80.00
Location: 207 Morelock Drive/Muddy Creek Road, Blountville
Civil District: 5th
Surrounding Zoning: R-1, B-3
PC 1101 Growth Plan: Sullivan County Rural Area

DRAFT

Staff Field Notes:

- This parcel is a corner lot at Muddy Creek and Morelock Drive.
- The existing dwelling would have to be redeveloped to meet State licensing codes and the site would need parking to meet the Zoning Code for off-street parking and drop-off/pick-up of children.
- There is already precedence for commercial zoning in the immediate area.
- Muddy Creek is classified a collector street.
- The rezoning request would not conflict with the PC 1101 Growth Plan and the Planning Commission's policy on such.

Discussion at Planning Commission Meeting:

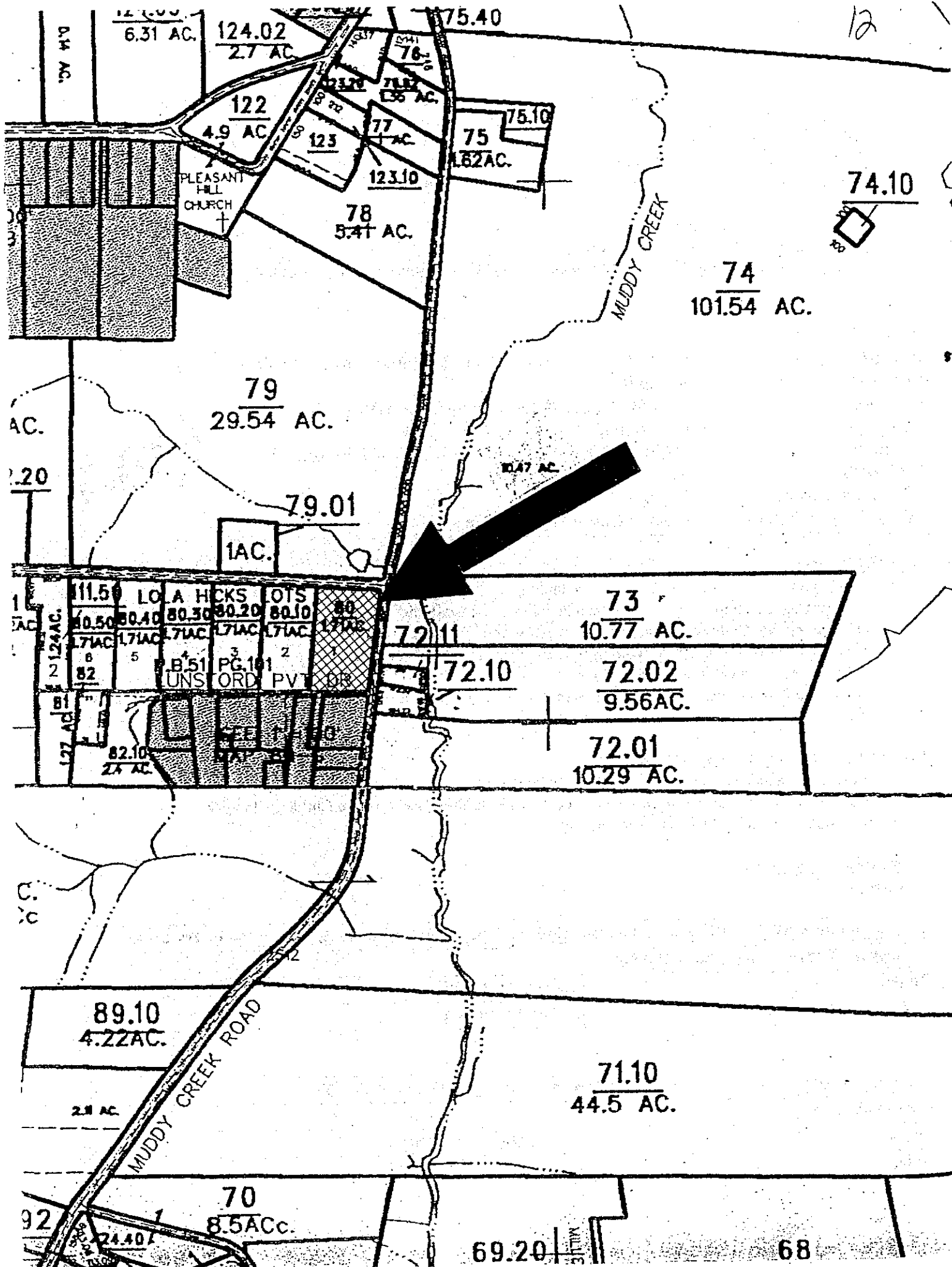
- Staff recommends in favor of this rezoning request for the above reasons.
- Ms. Brooks stated that the request was to locate a 12-children Group Home Childcare facility.
- Ms. Brooks and Ms. Buchanan were present.

Neighborhood Opposition:

None noted.

Sullivan County Regional Planning Commission Action: - September 16, 2003 -- 6 members present	
Approval: Pierce, King - unanimously	
Denial:	Reason for denial:
Defer:	Reason for denial:

Sullivan County Board of County Commissioners Action: - October 20, 2003	
Approval: 10-20-03	
Denial:	Reason for denial:
Defer:	Reason for denial:



12

124.02
2.7 AC

75.40

122

75.10
1.62 AC

PLEASANT HILL CHURCH

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5.41 AC

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74
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79.01

1 AC

73
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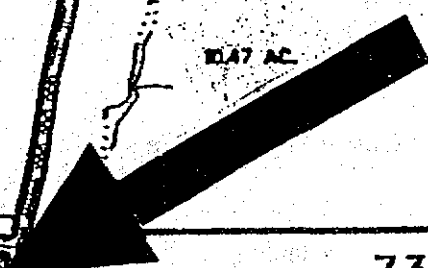
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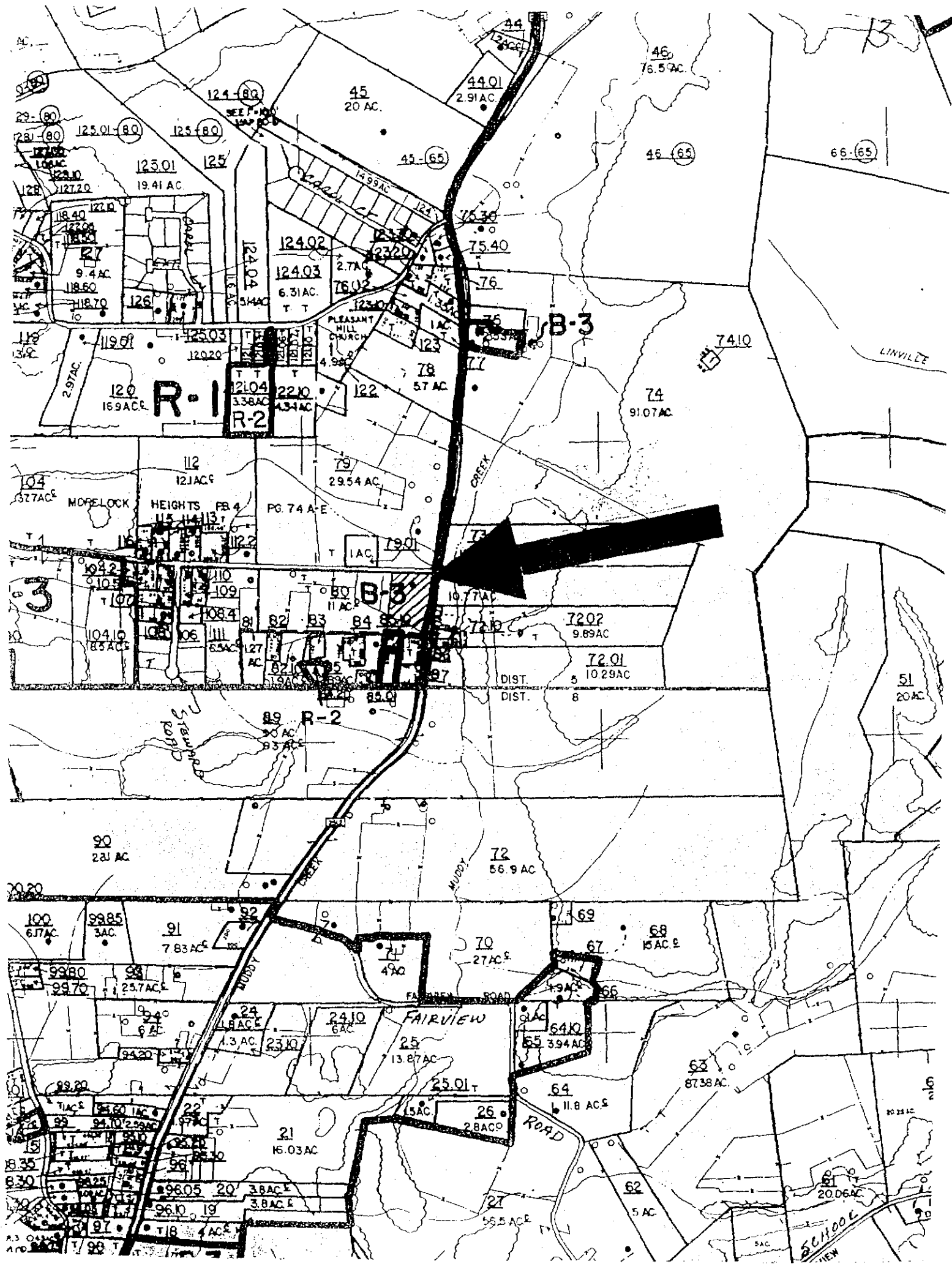
68

MUDDY CREEK ROAD

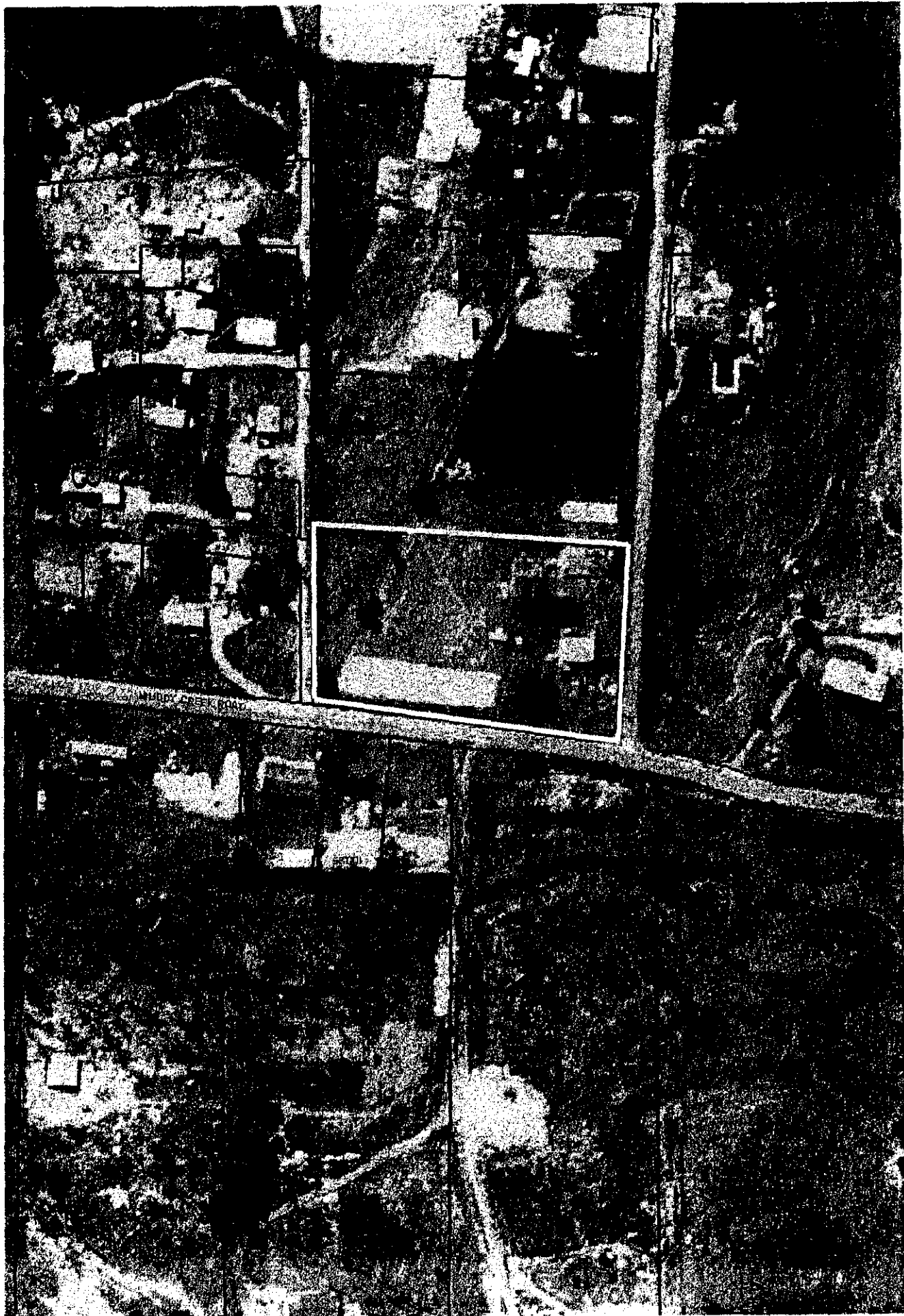
MUDDY CREEK

11.50	LO	A	HICKS	OTS	80
80.50	80.40	80.50	80.20	80.10	80
1.7 AC	1.7 AC	1.7 AC	1.7 AC	1.7 AC	1.7 AC
8	5	3	2		
82	B.51	PG. 101	UNSTORD	PVT	OR
82.10	2.7 AC				





Teresa Brooks





SULLIVAN COUNTY

Offices of Land Use

Department of Planning, Zoning & GIS


3411 Hwy. 126, Suite 30

Blountville, TN 37617

Telephone (423) 323-6440

Fax (423) 279-2886

15
Building Commission
Planning and Zoning
Solid Waste
G. I. S.
Health and Safety

TO: Alan Webb, Kingsport Planning Manager 

FROM: Ambre Torbett, Sullivan County Planning Director

DATE: September 19, 2003

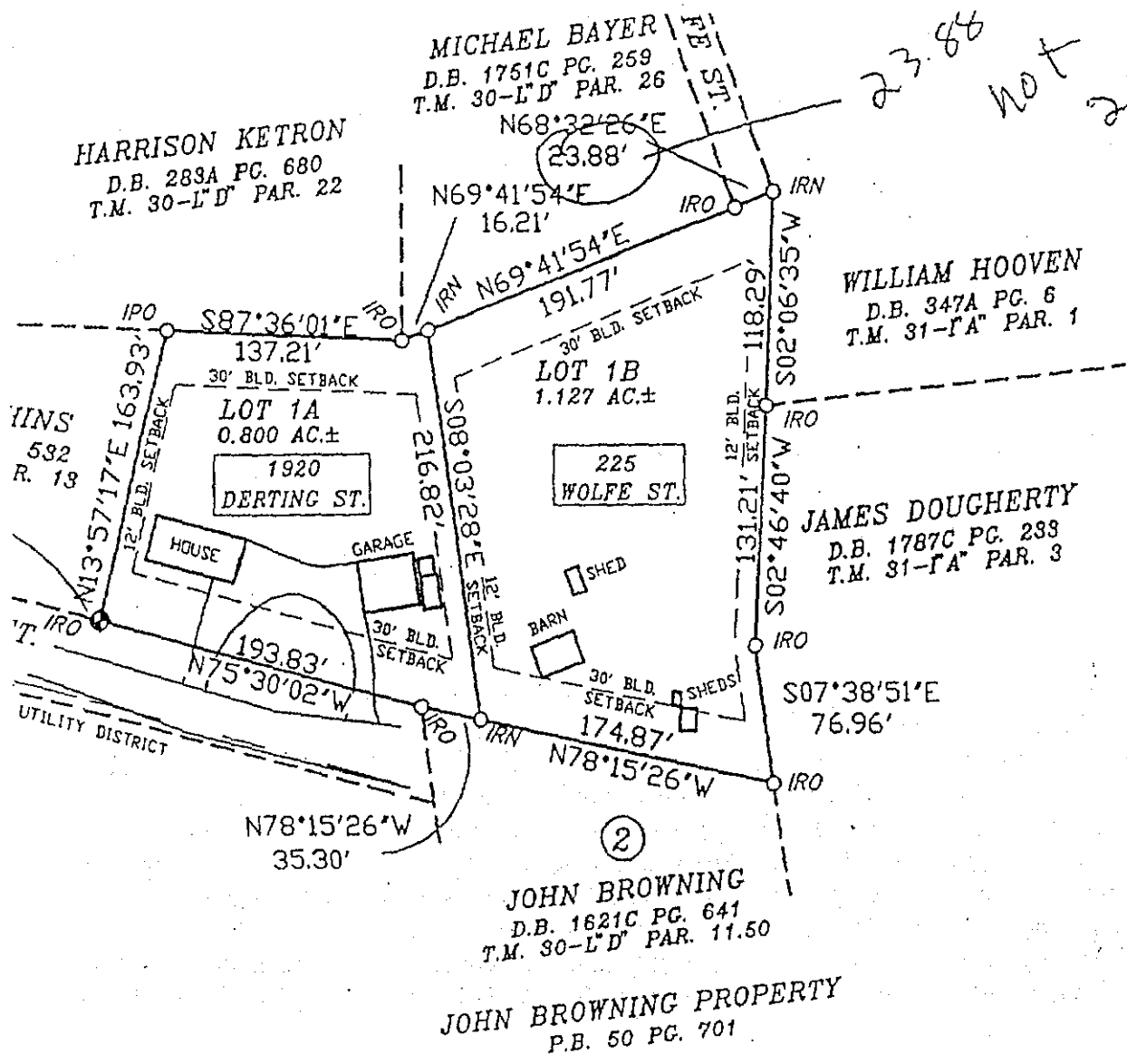
RE: Browning Re-plat on Wolfe and Derting Streets

After lengthy consideration, the Sullivan County Regional Planning Commission unanimously voted to request the county planning staff to forward a letter of recommendation onto the Kingsport Regional Planning Commission to rescind the Browning re-plat as recently approved by the city. As you know, the Kingsport Regional Planning Commission has planning authority within their Urban Growth Boundary/Planning Region, which includes long-range planning, rezoning recommendations, and more specifically subdivision regulations. However, the county zoning and other laws govern all unincorporated properties in Sullivan County, including those areas outside the city-limits but within the planning region. Wherever there may be a conflict in land-use regulations, the most restrictive shall apply. Therefore, any subdivision plat requesting approval from the Kingsport Regional Planning Commission and/or staff shall be reviewed for approval subject to the city Subdivision Regulations AND County Zoning Resolution, if such property lies outside the city-limits.

In the matter of Mr. Browning's request to re-subdivide his property into another lot for his daughter, which was approved by the Kingsport Regional Planning Commission, the Sullivan County Attorney, county staff, and the County Regional Planning Commission have agreed such plat is in direct violation with county zoning: Article IV, Section 402 regarding the minimum public road frontage requirements. Such section requires a minimum of twenty-five (25) feet of road frontage on a publicly maintained road – not just a public right-of-way ("paper street") but a road that is publicly maintained. This is why it is important that the Sullivan County Highway Commissioner review all plats, regardless if it is a minor or major plat, to ensure such roadway is publicly maintained along subject lot (s). Please note, a building permit will not be issued for this second lot as approved as it does not front on a publicly maintained road.

The county is concerned over this matter because many discussions were held between the county staff and the property owners prior to this plat approval by the city - specifically what would be permitted by county zoning and Kingsport subdivision regulations. It was my understanding that the Kingsport Subdivision Regulations requires fifty (50) feet of public road frontage for all platted lots. In the past, and today, you and your staff have been very supportive of county policy. Moreover, the inter-jurisdictional plans review process has been working very well. Unfortunately in this particular matter, there appeared to be miscommunication. I sincerely apologize for any lack of communication on my part and hope that we can continue to strive for regional planning coordination as we have worked so hard to develop. As always, thank you very much for your support and cooperation.

23.88
not 25' 16



MARY L.O.L.
REGISTER
SULLIVAN COU
4-23-2003
BOOK P 51
TAX
FEE 15.00
RECEIPT NO. 3

Rec 5-5

JOHN BROWNING
D.B. 1621C PG. 641
T.M. 30-L'D' PAR. 11.50

JOHN BROWNING PROPERTY
P.B. 50 PG. 701

AFTER

FINAL Plat *approved Kingsport*
APPROVED BY
KINGSPORT *but*
not county

IE FINAL

H. Road Adoption:

(H-1)

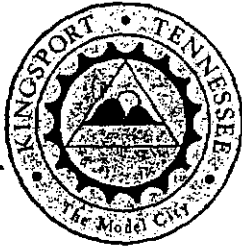
Current Owners: Mr. And Mrs. John Browning
Request: Adoption of the remaining gravel road of Wolfe Street as a public road
Location: Bloomingdale Pike
Surveyor: John Mize
Civil District: 11th
PC 1101 Growth Plan: Kingsport Urban Growth Boundary.

- This request is for the recommendation to adopt the remaining 100' +/- of Wolfe Street which is being used by two or more existing residences.
- Without this approval the county cannot approve a building permit for the newly platted lot 1B, as recently approved by the Kingsport Planning Commission in direct conflict with county zoning.
- This new lot has 23 feet approximately of frontage on a "paper street" as opposed to a county maintained road.
- This subdivision approval process went has a long history as the Browning's had first platted out a lot for their son and later this one for their daughter. Both of these two newly platted lots were done within the last 3 years and so at the end of Derting Street, which is a county road that has no cul-de-sac.
- Ideally a cul-de-sac should have been constructed by the developer or landowner; however the original subdivision occurred before the county began code enforcement.
- Please see the attached plat, minutes from the Kingsport Planning Commission and the County Attorney.
- John R. LeSueur, Highway Commissioner, stated he was against this request as he had given the landowner several options to comply and he did not sign the plat that was recorded. He also stated that he did not feel the county owned this "paper street" nor did Mr. Browning; therefore he may not have the right to ask for the road dedication.
- Discussion followed.
- Commissioner King stated that there is not room to obtain the standard 50-foot right-of-way; two other adjacent property owners would be involved and were not aware of this request; the road appears to be a gravel private driveway and does not meet county road standards; and county staff addressed the options to the land owner prior to this plat.

Sullivan County Regional Planning Commission Action – September 16, 2003	
Approval:	
Denial: Dutton, King – motion against this request passed unanimously.	Reason for denial: Staff recommendation
Defer:	Reason for denial:

I. Old Business – Staff updated the board on the County Commission actions on zoning matters:

- (1) Chairman presented letters and notices addressed to the PC members.
- (2) Status of the Zoning Plan and the Called Meeting for October 13, 2003. Agreed to just review the text now and keep the proposed zoning map for future planning and rezoning requests.
- (3) TAPA Fall Conference – staff distributed the registration packets.
- (4) MPO – Newsletter.
- (5) TDOT Status Report of Sullivan County projects.



CITY OF KINGSPORT, TENNESSEE

September 23, 2003

The Honorable Richard Venable
3411 Hwy. 126
Suite 206
Blountville, TN 37617

Dear Mr. Venable:

At the request of Mrs. Ambre Torbett, Planning Director for Sullivan County, the Kingsport Regional Planning Commission considered making recommendation on the status of Wolfe St. to the Sullivan County Commission. This is due to its subdivision of one lot of the John Browning property. The Kingsport Regional Planning Commission approved Mr. Browning's requested subdivision in December 1999, subject to the signature of the County Road Commissioner, and March 2003 without the signature of the County Road Commissioner. It appears that Mr. John R. Leseuer, County Road Commissioner, objected to this subdivision on his contention that the entire length of Wolfe St., as shown on the Sullivan County tax maps, is not paved. The Kingsport Regional Planning Commission voted unanimously to recommend to the Sullivan County Commission that Wolfe St. be considered a public street for its entire length, which would access Mr. Browning's property. The Planning Commission recommended this based on the following rationale:

1. The property owner would be granted a building permit under the existing City regulations and policies for this type of situation.
2. An existing residence is using the graveled area of Wolfe St. for access, which makes the right-of-way public by use; also, utilities are located within the right-of-way.
3. Sullivan County 9-1-1 has addressed the Browning lot from Wolfe St.

It is the opinion of the Kingsport Regional Planning Commission that the most appropriate way to develop Mr. Browning's property is as approved on the two prior presentations to the Commission.

Enclosed with this letter, is a copy of the staff report outlining the details of the request. If you have any questions or require additional information, please don't hesitate to call me at the Kingsport Planning Department, (423) 229-9485.

p. 2

Browning Property letter

Sincerely,



Alan Webb, Planning Manager

- c: Jeff Fleming, Assist. City Manager for Development
- ✓ Ambre Torbett, Planning Director of Sullivan County
- John R. Leseuer, Sullivan County Road Commissioner
- John Browning, Property Owner

07-02
20

MEMORANDUM

TO: KINGSFORT REGIONAL PLANNING COMMISSION
FROM: ALAN WEBB, PLANNING MANAGER *AW*
DATE: September 11, 2003
SUBJECT: JOHN BROWNING PROPERTY
PROJECT#: 02-201-00065

INTRODUCTION

Consider request of Sullivan County Planning and Zoning to make a recommendation to the County Commission concerning the status of Wolfe St., located adjacent to Bloomingdale Rd. west of its intersection with John B. Dennis Hwy.

PRESENTATION

The Planning Commission approved the subdivision of one lot of the John Browning property in December 1999, and again in March 2003. The December approval was subject to signature of the County Health Department and the County Road Commissioner. The County Road Commissioner refused to sign the plat on the grounds that Wolfe St. was a paper-street, and is not paved the entire length of the right-of-way. The second approval deleted the need for the County Road Commissioner's signature on the final plat. The Sullivan County Planning and Zoning Department refused to grant a building permit to the property owner, on the grounds that Wolfe St. does not have the frontage required by zoning along a public street. The Sullivan County Road Atlas approved as of 2-10-87 states that length of Wolfe St. is .12 miles, or approximately 633 ft. This is approximately 80-ft. from Mr. Browning's property line. It is the County's contention that since the pavement does not extend to Mr. Browning's property, it does not meet the requirements for issuance of the building permit. The County also says that if Wolfe St. were a public street the lot would not have adequate frontage as required by the Sullivan County Zoning Ordinance.

The City Zoning Ordinance Section 114-137 states "no residential structure shall be erected on any lot or tract of land, which does not adjoin and have direct access to a street or other public right-of-way for the dimension as specified for that zoning district". The Building Official has in the past issued permits for construction of residences accessed by paper streets, if they have been graveled in such a way emergency vehicles can access the site, by requiring the petitioner construct a driveway on the public right-of-way, or if

more than one lot is to be developed Public Works has determined the standard of street that must be constructed to provide access. The City of Kingsport Building Official recognizes the authority of the Planning Commission to grant a variance to lot frontage required by zoning. If the Commission approves a lot and grants a variance to the frontage required by zoning it is considered a lot of record, and entitled to a building permit.

It is the staff's opinion that Wolfe St. does not end with the pavement since there is an existing residence, which uses the graveled part of the street for access, and the right-of-way extends to the Browning property as shown on the Sullivan County tax maps. Issuance of a building permit to Mr. Browning does not in any way obligate the County to pave the road way.

OPTIONS

The Planning Commission's options are as follows:

1. Recommend that the County Commission acknowledge that Wolfe Street exists a public street from its intersection with Bloomingdale Drive to the Browning property, as shown on the Sullivan County tax maps.
2. Determine that the County Road Commissioner is correct in asserting that Wolfe Street ends with the pavement and have Mr. Browning work with the County Road Commissioner to construct the public street to his property, and provide road frontage to meet the County standards.

RECOMMENDATION

Staff recommends the first option based on the following:

1. The property owner would be granted a building permit under the existing City regulations and policies.
2. The existing residence using the gravel area of Wolfe St. for access makes the right-of-way public by use; also utilities are located within the right-of-way.
3. Sullivan County 911 has addressed the Browning lot from Wolfe Street.

Kpt PC Minutes

3/20/03²²

consists of three (3)-lots located off of Meadowview Parkway, in the 13th Civil District of Sullivan County, inside the City. The 18.24 acre property is currently zoned BC, Business Conference District. The Commission was also asked to grant preliminary and final approvals for the construction of approximately 1.653 acres of new road that will be constructed between lots one and two, and named Meadowview Lane. John Faust thanked the Engineering Division's staff for providing such detailed bond estimates for the Commission to review. On a motion by Doug Releford, seconded by Ken Marsh, the Commission voted unanimously, 9-0, to grant preliminary and final approvals for the Eastman Credit Union Subdivision, and accept a \$464,800 performance bond, as requested.

Concept Plan for the John Browning Property (02-201-00056) – The Planning Commission was requested to grant concept approval, with variances, for a possible subdivision consisting of two (2)-lots located at the end of Derting Street, in the Bloomingdale area, in the 11th Civil District of Sullivan County, outside the City. The property is currently zoned R-1, (Low-Density) Residential District. There are two variance requests associated with this proposed subdivision. One is for an irregular lot shape, and the other is to allow twenty-five (25)-feet of road frontage onto Derting Street, instead of the fifty (50)-feet that is required by the Subdivision Regulations. Staff noted that the Commission had previously approved a similar subdivision for the same property, subject to appropriate signatures on the plat. John Brown stated that the Sullivan County Road Commissioner would not sign off on Wolfe Street. Tim Lingerfelt summarized the plat signature process based upon his experience as a surveyor, and that the Commission could approve a plat without having the County Road Commissioner's signature. Mark Selby stated reluctance to circumvent the Road Commissioner. On a motion by Ken Marsh, seconded by George Coleman, the Commission voted, 8-1 with Mark Selby opposing, to grant concept approval with a 25-foot lot frontage variance on Wolfe Street, similar to the concept plan that the Commission approved in 1999, with permission that the Planning Director may sign a properly prepared subdivision plat that conformed with this approval.

OTHER BUSINESS

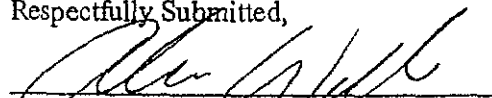
Staff presented briefly MPO information, an update on the Growth Policy Report, the City Attorney attending the Commission meeting, and an economic report written by Scott Wellmaker. The Commission requested that the City Attorney attend the next meeting, or provide them with a memo, concerning the status of the right-of-way extending from Woodmont Drive.

The Commission received the following minor subdivisions:

- Ft. Robinson Realty Resubdivision Lot 3
- Windrush Subdivision Replat Lots 41, 42, & 43
- B&E Collision Property Lot 1.

There being no further business, the Commission adjourned.

Respectfully Submitted,

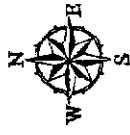

Alan Webb, Planning Commission Secretary

KINGSPORT PC Minutes 12/16/99

Darnell Property Subdivision (99-201-0056) - The Planning Commission considered granting preliminary and final approval to the Darnell Property Subdivision located off Cooks Landing Road in the vicinity of Cooks Valley Drive. Staff stated that the proposal is to subdivide approximately 4.8 acres into two (2) lots. The property is zoned R1-B, Single-family Residential District, and the proposed use is a single-family subdivision. New lots will be accessed from Cooks Landing Road. Staff stated that Cooks Landing Road has been placed on the maintenance schedule and will be upgraded as part of the regular street program. Water and sewer lines do run close to the property and will be extended to the property line to meet the requirements of the property owner. However, all sewer taps are to be held until the Fall Creek Sewer Project is completed. Staff stated that the Water Department has informed them that this project should be completed in approximately three (3) months. The property owner is aware of the situation and has volunteered to hold his request for taps until that time. The Water Department has also indicated that they would be willing to sign the plat based on those conditions. After some discussion a motion was made by Jenny Clemmer, seconded by Joe May, to grant preliminary and final approval to the property as requested. The motion was approved 7-0.

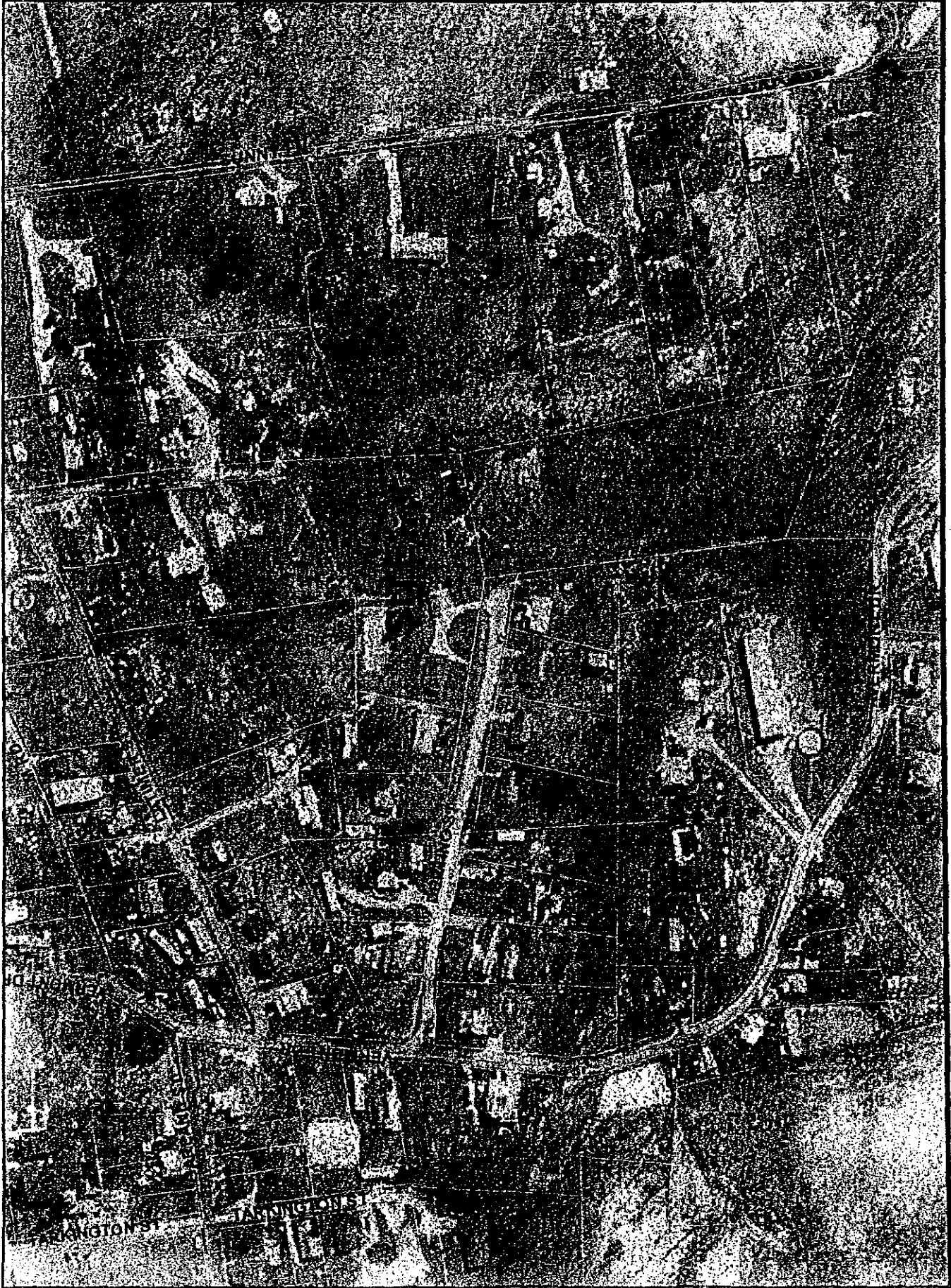
Wolfe Street Subdivision - (No project number due to owner presenting the subdivision to the Commission) Ms. Judy Johnson presented a request to subdivide part of the John F. Browning Property located in the vicinity of Derting Street and Wolfe Street in the Bloomingdale Area. The proposal is to subdivide 3.929 acres into two (2) lots. The new lot will be accessed from Wolfe Street. Staff indicated that the new lot currently has frontage of twenty (20) feet. Staff further stated that Wolfe Street at that point appears to be a paper street being a dedicated right-of-way with little or no improvements. Ms. Johnson indicated that they would request a variance to the required right-of-way in that area based on the fact Wolfe Street is a twenty (20) foot wide street along its entirety and currently has developed properties along both sides and therefore would probably not be widened at any future time. Staff informed the Commission that the property subdivision has not been reviewed by the Bloomingdale Water Department nor the Health Department nor the Sullivan County Highway Commissioner. These approvals will need to be granted prior to recording of the plat. After considerable discussion concerning the new lot and the surrounding neighborhood a motion was made by Ken Bowles, seconded by Steve Blades, to grant preliminary and final approval to the plat with a variance to the right of way width to allow a minimum of twenty foot right-of-way on Wolfe Street subject to approvals from the County Road Commissioner, the Bloomingdale Utility District, and the Sullivan County Health Department. The motion was approved unanimously 7-0.

Eastman Road Right-of-Way Vacating (99-401-00007) - The Commission considered a request to vacate a portion of the North Eastman Road right-of-way located across from the Franklin Square Development. Staff stated the request was submitted by owners of approximately .42 acres of property adjacent to the right-of-way. The property was acquired by the City as part of the Eastman Road widening project in 1983, which left an irregular right-of-way in this area. The adjacent property owners would like to redevelop the site for commercial use, and the additional area promotes its development in a more efficient manner. Staff advised that city departments had reviewed the request and that there was no apparent need for the right-of-way as long as easements are provided for any utilities. Staff recommended approval of the request to allow the right-of-way to be extended the same as for the adjacent property owned by Mr. Stewart Taylor. The Taylor property had made a similar request that had been approved. After



Kingsport

24



John Browning Property

1 in. = 210.8 feet



Photograph from the end of the paved roadway. Gate is the access to the Browning Property. Mobile home on the left uses Wolfe Street right-of-way for access. Telephone poles are located in the right-of-way.

26



SULLIVAN COUNTY

Offices of Land Use

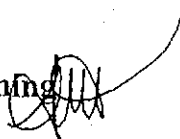
Department of Planning, Zoning & GIS

3411 Hwy. 126, Suite 30
Blountville, TN 37617
Telephone (423) 323-6440
Fax (423) 279-2886

Building Commission
Planning and Zoning
Solid Waste
G. I. S.
Health and Safety

MEMORANDUM- PZ2003-65

TO: Dan Street, County Attorney

FROM: Ambre M. Torbett, AICP, Director of Planning & Zoning 

COPY: Richard Venable, County Executive
John R. Le Sueur, County Highway Commissioner

DATE: June 18, 2003

RE: John Browning Minor Subdivision Plat

This letter is to request a written opinion from your office regarding the legality of the Kingsport Regional Planning Commission approving a concept plat, which was in direct conflict with the county's *Zoning Resolution, Article 402* regarding the required road frontage requirement. The John Browning minor subdivision plat is located on Derting Street in the Kingsport Urban Growth Boundary (planning region) but not located within the city-limits. Therefore, the city's *Subdivision Regulations* and the county's *Zoning Resolution* apply to this property. The John Browning re-plat was approved with only twenty-three (23) feet of frontage on Wolfe Street, which at this end is not a publicly maintained road; rather it is graveled only and not maintained by the county. Furthermore, the Kingsport Regional Planning Commission approved a concept plat at the meeting; directing the applicant to have a final plat prepared, obtain the signature from their secretary but not the county Highway Commissioner.

The county planning and highway staffs have consulted the property owner on several occasions, advising him as to how he could re-plat his property and conform to the zoning requirements. The Kingsport Regional Planning Commission has approved "flag lots" or pipestem lots in the past and has also granted waivers to their platting requirement of fifty (50) feet of public road frontage. If this is possible to other applicants than it should be an option to Mr. Browning.

The county cannot grant a building permit to a lot that was created after the adoption of the code that does not conform to the zoning minimum standards. The county Board of Zoning Appeals has been asked several times to grant variances to road frontage, and has repeatedly denied such request as directed by the State Local Planning Assistance office. I concur, that there is neither a topographical hardship, nor any special conditions with the land warranting a variance to road frontage on a "paper" street. This is a precedence setting case in that allowing the subdividing of land on roads or portions of road not on the official county road atlas, is in direct violation of the county zoning standards and county policies.

Several discussions between Mr. Alan Webb, City Planning Manager, and myself have taken place as to the legality of this plat. No agreement could be reached. Therefore, at your earliest convenience, please review the attached material and request. The applicant has been advised to appear before the Kingsport Regional Planning Commission again, with a revised re-plat that would conform to the county zoning code. Please address your letter to:

Alan Webb, Planning Manager
City of Kingsport
225 West Center Street
Kingsport, TN 37660-4237

And

Mr. John Browning
1920 Derting Street
Kingsport, TN 37660

Thank you very much for your time and consideration in this matter.

28
Sullivan County Attorney

Post Office Box 309
3411 Highway 126, Suite 209
Blountville, Tennessee 37617

December 13, 2002

Daniel P. Street
County Attorney
E-Mail: dstreet@preferred.com

Phone
(423) 323-6481
Fax
(423) 279-2728

Mr. Alan Webb, Planning Manager
City of Kingsport
225 West Center Street
Kingsport, Tennessee 37660

Mr. John Browning
1920 Derting Street
Kingsport, Tennessee 37660

Re: John Browning – Minor Subdivision Plat

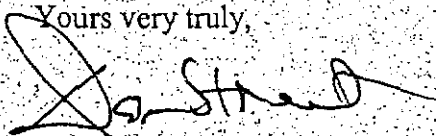
Gentlemen:

I am advised by the Sullivan County Offices of Land Use, Department of Planning & Zoning, that the Kingsport Regional Planning Commission has either already approved or is in the process of approving the captioned subdivision plat which is in direct conflict with the Sullivan County Zoning Resolution.

Accordingly, it is Sullivan County's concern that if this subdivision goes forward that Sullivan County will be unable to issue a building permit. In order to avoid this problem, this matter needs to be resolved prior to the subdivision plat being finally approved.

If you have any questions, please feel free to call; however, it may be more appropriate for you to discuss this matter with Ms. Ambre Torbett, Director of Planning & Zoning for Sullivan County. Ms. Torbett can be reached at (423) 279-2603.

Yours very truly,



Daniel P. Street

DPS/trl

cc: Ms. Ambre Torbett, Director of Planning & Zoning
Hon. Richard Venable, County Executive
Hon. John LeSueur, Highway Commissioner

Resolving Requests

Resolutions

QUESTIONS BEFORE THE COMMN.

NAMES OF COMMISSIONERS	Resolving Requests						Resolutions							
	1		2		3		1		2		3			
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Garth Blackburn	✓		✓										✓	
Linda Brittenham	✓		✓										✓	
James "Moe" Brotherton	✓		✓										✓	
Ray Conkin	✓		✓										✓	
John Crawford	✓		✓										✓	
D. W. Ferguson	A		A										A	
Clyde Gross	✓		✓										✓	
Larry Hall	✓		✓										✓	
Ralph Harro	✓		✓										✓	
Joe Herron	✓		✓										✓	
Dennis Houser	✓		✓										✓	
Marvin D. Hyatt	✓		✓										✓	
Samuel C. Jones	✓		✓										✓	
Elliott Kulgore	✓		✓										✓	
James "Buddy" King	✓		✓										✓	
James L. King Jr.	✓		✓										✓	
R. Wayne McConnell	A		A										A	
John Mc. Kamey	✓		✓										✓	
Randy Mornell	✓		✓										✓	
Howard Patrick	✓		✓										✓	
Jack Sitgraves	✓		✓										✓	
Michael Sungenor	✓		✓										✓	
Mark Vance	✓		✓										✓	
Eddie Williams	✓		✓										✓	
	22 Aye		22 Aye										22 Aye	
	2 ays.		2 ays.										2 ays.	

QUESTIONS BEFORE THE COMMN.

No.

No.

No.

No.

No.

No.

No.

No.

12

13

NAMES OF COMMISSIONERS

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Garth Blackburn ✓

Linda Brittenham ✓

James "Mac" Brotherton ✓

Ray Conkey ✓

John Crawford ✓

D.W. Ferguson A

Clyde Greenleaf ✓

Larry Hall ✓

Ralph Harro ✓

Joe Herron ✓

Dennis Houser ✓

Marvin Hyatt ✓

Samuel C Jones ✓

Elliott Kelgore ✓

James "Buddy" King ✓

James L. King Jr. P

R. Wayne McConnell A

John McKamey ✓

Randy Morrell ✓

Howard Patrick ✓

Jack Sitgroves ✓

Michael Surgenor ✓

Mark Vance ✓

Eddie Williams ✓

20 Aye

1 Nay

1 Pass

2 Abs.

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2003-10-00

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of October 2003.

RESOLUTION To Authorize 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 20th day of October 2003.

Attested: Jeanie Gammon 10/20/03 Approved: Richard S. Venable 10/20/03
Jeanie Gammon, County Clerk Date Richard S. Venable, County Executive Date

Introduced By: Commissioner: King (Buddy)

Seconded By: Commissioner(s): Ferguson

2003-10-00	County Commission
ACTION	Approved 10-20-03 Voice Vote

Comments: Motion made by Comm. Buddy King and seconded by Comm. Kilgore to approve.

Sullivan County, Tennessee
Board of County Commissioners

No. 3
Budget
2003-10-97

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Sullivan County Board of Commissioners meeting in Regular Session this 20th day of October 2003.

RESOLUTION To Accept Technology Grant Funds For Sullivan County Public Library

WHEREAS, the State of Tennessee, Department of State, Tennessee State Library and Archives has made available a grant in the amount of \$3,000.00 to the Sullivan County Public Library for the purpose of providing funds to upgrade computers in the library;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting funds in the amount of \$3,000 provided through the State of Tennessee, Department of State, Tennessee State Library and Archives. No New Monies Appropriated. 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 20th day of October 2003 ~~2002~~.

Attested: Joanie Hammon 10/20/03 County Clerk Date Approved: Richard S. Venable 10/20/03 County Executive Date

Introduced By Commissioner: Houser

Seconded By Commissioner(s): Jones

alt

2003-10-97	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-6-03		Approved 10-1-03	Approved 10-20-03

22 Aye, 2 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 4
Administrative Executive Budget
No. 2003-10-98

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 Honor Dr. John B. O'Dell For His Distinguished Service To Education In The Great State Of Tennessee

WHEREAS, Dr. O'Dell was selected by Upper East Tennessee Educational Cooperative and honored by the Tennessee Organization of School Superintendents as the 2003 *Tennessee Superintendent of the Year*, and,

WHEREAS, Dr. O'Dell is recognized across the State as a Superintendent who speaks from the heart about the needs of children, and,

WHEREAS, Dr. O'Dell brings conviction and commitment to the table when it comes to serving the children of Sullivan County and Tennessee, and,

WHEREAS, the Office of the Sullivan County Commission recognizes the extraordinary educational leadership and community relations efforts extended by Dr. O'Dell, and,

WHEREAS, Dr. O'Dell has dedicated over three decades of his life to the public school arena, including twelve as Director of Schools. Dr. O'Dell is viewed and respected as an involved and significant supporter of public education across the State, and,

WHEREAS, Mr. Jeff Byrd, President of Bristol Motor Speedway, stated in his letter of nomination for Superintendent of the Year, that Dr. O'Dell maintains a high level of professionalism and a distinct passion for being an educator. These remarks were elicited as Dr. O'Dell worked closely with the staff of BMS during a period of time when Sullivan East High School experienced a temporary relocation due to mold within the school. Mr. Byrd also described Dr. O'Dell as having had a professional and caring attitude throughout this partnership with Bristol Motor Speedway, and,

WHEREAS, Dr. Paul Stanton, President of East Tennessee State University, has identified Dr. O'Dell as a visionary who has brought many innovations to Sullivan County's classrooms, including a wide area network for all schools in the system; acknowledged for its effectiveness by the U. S. Department of Energy. Dr. Stanton considers Dr. O'Dell to be a dynamic, active, and inspired leader, and,

WHEREAS, Dr. O'Dell was recognized by Milligan College as a 2003 Leader in Christian Service, and has also accepted the naming of The John O'Dell YiM (Youth in Ministry) Scholarship in Education, and,

WHEREAS, Dr. O'Dell was recognized as the 2003 Tennessee School Plant Management Association's Director of the Year, and,

WHEREAS, Dr. O'Dell has served on numerous influential committees and boards, where education policy is developed, including, the Sullivan County Education Committee of the Sullivan County Commission, The Sullivan County Security Exchange Council, Workforce Investment Board Youth Council, Bristol and Kingsport Chambers of Commerce, Task Force on the Tennessee Lottery, Tennessee State Textbook Commission (appointed by Governor Sundquist), BEP Review Committee, Upper East Tennessee Educational Cooperative, Tennessee Organization of School Superintendents, Secondary Committee of Southern Association of Schools and Colleges, Teacher Education and Certification, Metropolitan Area School Systems (MASS), Superintendents' Study Council, Coalition For Tennessee's Future, East Tennessee Tech Prep Consortium, Putting Children First (Eastman Chemical Education Initiative), Education 2010 Task Force, Children's Advocacy Center, American Association of School Administration, and America's Promise, and,

WHEREAS, Dr. John B. O'Dell is a shining example of an exemplary servant of public education,

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby extends our best wishes to an effective Tennessee leader in education.

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 20th day of October 2003.

Attested: Jeanie F. Gammon 10/20/03 Approved: Richard S. Venable 10/20/03
 Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

Introduced By Commissioner: Houser

Seconded By Commissioner(s): Blackburn, Brotherton, Jones

2003-10-98	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-6-03		Approved 10-1-03	Approved 10-20-03

Voice Vote

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 5
Budget
No. 2003-10-99

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of October 2003.

RESOLUTION To Authorize the Sheriff's Office to Apply for a Local Law Enforcement Block Grant

WHEREAS, funds may be used for selected various purposes chosen from training procuring equipment and technology, enhancing homeland security measures and establishing crime prevention programs and payment of overtime.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Mayor to submit an application for a Local Law Enforcement Block Grant in the amount of \$43,596.00 from the Bureau of Justice Assistance. The Omnibus 1998 Appropriations Act (Public Law 105-119) authorizes the Director of the Bureau of Justice Assistance to make funds available to units of local government under the Local Law Enforcement Block Grant Program for the purpose of reducing crime and improving public safety.

BE IT FURTHER RESOLVED that the Sullivan County Board of Commissioners extend authority to the Sullivan County Accounts and Budgets Office to receive the requested funds and to establish all necessary accounts to budget and manage awarded 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 20th day of October 2003.

Attested: Jeanie F. Gammon 10/20/03 Approved: Richard S. Venable 10/20/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

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

2003-10-99	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-6-03		Approved 10-1-03	Approved 10-20-03

Comments: 22 Aye, 2 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 7
Budget
No. 2003-10-101

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of October 2003.

RESOLUTION To Accept Grant and Amend Budget for Utility Lines at Tri-Cities Air Cargo Center

WHEREAS, the Sullivan County Commission in July 2001(Resolution No. 2001-07-074) authorized the submission of a grant application for the construction of utility lines at the Airport for the Air Cargo Center; and

WHEREAS, a TIIP Grant has been awarded in the amount of \$250,000;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves accepting the TIIP Grant in the amount of \$250,000 and hereby amends the budget for the 2003-2004 fiscal year accordingly. 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 20th day of October 2003.

Attested: Jeanie F. Gammon 10/20/03 Approved: Richard S. Venable 10/20/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

Introduced By Commissioner: Harr

Seconded By Commissioner(s): Williams

CoM

2003-10-101	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-20-03 22 Aye, 2 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 8
Administrative Executive Budget
No. 2003-10-102

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of October 2003.

RESOLUTION Honoring the Mountain Empire Chapter 289 of the Korean War Veterans Association

WHEREAS, July 27, 2003 marked the fiftieth anniversary of the signing of the Armistice of the Korean War; and

WHEREAS, in the years that troops occupied the territorial limits of Korea, were stationed in the waters immediately adjacent thereto and flew aerial missions over Korea in excess of 54,200 American servicemen lost their lives while serving our country; and,

WHEREAS, these servicemen performed their missions, participated in actual combat and faced some of the most intense battles and worst conditions ever experienced by American troops; and

WHEREAS, these servicemen vigilantly fought to protect freedom in an effort to allow others to live with personal liberties;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby congratulates the veterans of the region in their establishment of the Mountain Empire Chapter 289 of the Korean War Veterans Association in an effort to help provide assistance to veterans and their families.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby thank and honor the veterans of Mountain Empire Chapter 289 of the Korean War Veterans Association for their valor and noble sacrifices in serving our country and that we may we never forget the sacrifices that each have made for our nation.

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 20th day of October 2003.

Attested: Jeanie F. Gammon 10/20/03 Approved: Richard S. Venable 10/20/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

Introduced By Commissioner: Hyatt
Seconded By Commissioner(s): Kilgore

2003-10-102	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-20-03

Comments:

22 Aye, 2 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Executive
No. 2003-10-104

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of October 2003.

RESOLUTION Authorizing the Filling of Board Position on the Industrial Development Board of Sullivan County

WHEREAS, Tennessee Code Annotated, Section 7-53-301, authorizes the governing body of the County to elect members to serve on the Industrial Development Board of the County of Sullivan; and,

WHEREAS, the terms of Luther H. Icenhour, Jr.; Kinney Ellis; and Hunter Johnson have expired; and,

WHEREAS, it has become necessary to replace Raymond L. Morrell who has resigned from the Board due to immediate family illness;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, based on the nomination by the Industrial Development Board of Sullivan County, hereby re-elects Luther H. Icenhour, Jr., Kinney Ellis and Hunter Johnson, terms to expire April 15, 2009; and hereby elects Michael W. Harman to fill the vacated position of Raymond L. Morrell and serve out the remaining term expiring May 20, 2008.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 20th day of October 2003.

Attested: Jeanie F. Gammon 10/20/03 Approved: Richard S. Venable 10/20/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, Mayor Date

Introduced By Commissioner: James "Buddy" King

Seconded By Commissioner(s): Ralph Harr

ii ATTACHMENT (2)

2003-10-104	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-20-03

Comments:

22 Aye, 2 Absent

Michael W. Harman

102 Cedar Valley Road, Bristol, TN 37620 rharman@chartertn.net
Home 423-274-0391 Cell 423-956-1297 Work 423-990-6752

Financial Services Professional

AREAS OF EXPERTISE

Profit Maximization	Market Penetration	Strategic Planning
Product Presentation	Prospect Qualification	Team Leadership
Cold Calling	Closing Sales	Product Knowledge
Meeting Sales Quotas	Client Relationship Management	Building Referral Based Client Lists

SALES/MARKETING PROFICIENCY

Proven Methodology:

- Drive business growth through aggressive sales initiatives
- Balance sales production with sales leadership via strategic planning
- Ability to identify, establish and manage strategic relationships to leverage significant long-term business opportunities.
- Strict adherence to all applicable regulations as they relate to the industry
- Willing to continually upgrade personal knowledge of products, services, and regulations via training conferences and classes
- Effectively convey intricate marketing and sales presentations
- Maintain professional demeanor during all client contacts
- Ensure customer service and satisfaction is afforded the highest priority

Demonstrated Results:

- Proven record of meeting and exceeding specified **sales quotas**
- Exhibited Comprehensive ability to **generate revenue** in difficult market conditions
- Ability to **pique interest** with and open accounts with high net worth individuals
- Routinely make myself available to clients after closing to **satisfy any supplementary questions** or concerns
- Proven ability to **manage ongoing relationships**
- Extensive experience with various **fieldwork assignments**

Sullivan County, Tennessee
Board of County Commissioners

Item 11
No. 2003-10-105

To the Honorable Richard S. Venable, Mayor of Sullivan County and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of October 2003.

Resolution to Approve the Study and Development of a Partnership for Economic Enhancement

WHEREAS, the economic climate in Sullivan County, including each of its cities, is experiencing a decline; and

WHEREAS, the condition of the economic climate is having a negative impact upon the county's efforts to support education, law enforcement, road maintenance, and the many other government programs for its citizens; and

WHEREAS, the officials of Sullivan County, Bluff City, Bristol and Kingsport share in the goal of bringing increased prosperity to their citizens; and

WHEREAS, representatives of these governments have held numerous informal meetings over the past several months to consider how to enhance the economic conditions of their community; and,

WHEREAS, these meetings have resulted in the appointment of a Blue Ribbon Task Force to study and work toward the formation of a cooperative economic partnership between Sullivan County and its municipalities; and,

WHEREAS, the intent of the partnership is to coordinate with regional and state economic agencies and local chambers of commerce in order to promote and support existing industry while recruiting new business to the area; and,

WHEREAS, this partnership must be jointly and equitably funded by the county and its municipalities; and,

WHEREAS, this partnership will provide focused leadership at a centralized location and will build consensus by eliminating duplicate efforts and reducing territorial conflicts; and

WHEREAS, this partnership will provide an immediate unified response to opportunities for community and economic development by having identified one or more site and providing for infrastructure and development needs; and

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes and supports the County Mayor of Sullivan County to pursue the study and creation of an Economic Development Partnership with its Municipalities to assure increased prosperity; to enhance the quality of life for our citizens; and to foster productive relationships between the business community and local governments.

BE IT FURTHER RESOLVED that the Partnership is to be jointly and equitably funded by the local governments, with consolidation of efforts to maximize impact from dollars spent.

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 20th day of October 2003.

Attested: Jeanie F. Gammon 10/20/03 Approved: Richard S. Venable 10/20/03
Jeanie F. Gammon, County Clerk Richard S. Venable, Mayor

Introduced By Commissioner: Ralph Harr
Seconded By Commissioner(s): Eddie Williams, Linda Brittenham, Marvin Hyatt, Howard Patrick, James L. King, Jr., James "Buddy" King, Jack Sitgreaves, Mark Vance,

2003-10-105	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-20-03 22 Aye, 2 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Executive
No. 2003-10-106

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 20th day of October 2003.

RESOLUTION Amending the Sullivan County Zoning Resolution – Effective Date of New Code

WHEREAS, the Sullivan County Board of Commissioners approved the updated *Sullivan County Zoning Resolution* on Monday, October 13, 2003 at its called meeting; and

WHEREAS, the staff members of the Sullivan County Planning & Zoning Department have not all been fully trained on the updated code; and

WHEREAS, the developers, surveyors, architects and engineers of our region may need additional time to complete projects, such as property site plans and surveys that have begun under the previous regulations; and

WHEREAS, an effective date of January 1, 2004 would allow ample time for the development community to adhere to the changes of the newly adopted *Zoning Resolution*.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby rescind October 13, 2003 as the effective date of the recently updated *Sullivan County Zoning Resolution*; and

BE IT FURTHER RESOLVED the amended *Sullivan County Zoning Resolution*, as adopted on October 13, 2003 will become effective on January 1, 2004.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith are and the same rescinded insofar as such conflict exists. Duly passed and approved this 20th day of October, 2003.

Attested: Jeannie F. Gammon
Date 10/20/03
Jeannie F. Gammon, County Clerk

Approved: Richard S. Venable 10/20/03
Richard S. Venable, County Executive


Introduced By Commissioner: Jones

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

2003-10-106	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-20-03

20 Aye, 1 Nay, 1 Pass,
2 Absent

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION NOVEMBER 17, 2003.

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

RICHARD VENABLE

COMMISSION CHAIRMAN