

COUNTY COMMISSION- REGULAR SESSION

OCTOBER 21, 2002

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, OCTOBER 21, 2002, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY EXECUTIVE, JEANIE F. GAMMON, COUNTY CLERK ,

TO WIT:

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

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

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

23 PRESENT 1 ABSENT (HYATT 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 16, 2002 Regular Session of County Commission. Said motion was approved by voice vote.

QUESTIONS BEFORE THE COMMN.

*Roll
Call*

*Roll
Notary
app. &
+ Bonds*

*No
Voice
Vote*

No

No.

No

No

NAMES OF COMMISSIONERS

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

- Garth Blackburn ✓
- Linda K. Brittonham ✓
- James "Mac" Brotherton ✓
- Ray Conkin ✓
- John Crawford ✓
- E. W. Ferguson ✓
- Clyde Gross-Jose, Jr. ✓
- Jerry Hall ✓
- Ralph Harr ✓
- Joe Herron ✓
- Dennis D. Houser ✓
- Marvin D. Hyatt A
- Samuel C. Jones ✓
- Elliott Kilgore ✓
- James "Buddy" King ✓
- James D. Kirby, Jr. ✓
- R. Wayne McConnell ✓
- John McKamey ✓
- Randy Morrill ✓
- Howard H. Patrick ✓
- Jack Sitgraves ✓
- Michael Surgenor ✓
- Mark A. James ✓
- Eddie Williams ✓

PUBLIC COMMENTS OCTOBER 21, 2002

THOSE SPEAKING DURING PUBLIC COMMENTS WERE:

1. Vicki Clark, County Director of the Agricultural Extension Service.

The following recommendations for reappointments to committees were made by County Executive Richard Venable:

1. Jack Sitgreaves to the Observation Knob Park Comm.
2. Buddy King to the Planning Comm.
3. Garth Blackburn to the Building Comm.
4. Moe Brotherton to the Historical Comm.

Motion to approve the recommendations above was made by Comm. Harr and seconded by Comm. Morrell. Same were approved by voice vote of the Commission this 21st day of October, 2002.

Quarterly reports filed with the County Clerk this date were:

1. Library for July 2002-August 2002.
2. Highway Comm. For July 2002-September 2002.
3. Purchasing Dept. for July 2002-September 2002.

Presentation was made by David Moore to the Commission on "Major road plan and how it fits in with our land use and transportation plan."

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

SEPTEMBER 16, 2002

Anita C. Absher	Myrtle E. Osborne
Chad Bacon	Sabrina Powers
Diana Barker	S. T. Powers
April R. Barrett	Jodie L. Rhoton
Deirdre L. Blevins	Alvin Lee Roberts, Jr.
Anita M. Brewer	Rebecca Light Rockwell
Kathryn M. Bright	Sherry Salyer
S. Gael Bright	Jane L. Sheffey
Marie Bussey	Carol Justice Sloan
Meghan M. Carr	Wm. D. Stacy
Debra B. Conner	Jan F. Stubbs
Leanne M. Culbertson	Angela L. Taylor
Julia Eldridge	Robin R. Tragler
Kimberly Ferguson	Brenda Tranbarger
Julie S. Francisco	Amy L. Wells
Frank D. Gibson	Karen M. Yates
Stephen Gilly	
Mary Lee Glover	
Shelly M. Hamilton	
Barbara Hammonds	
James T. Harsha	
Shelton B. Hillman, Jr.	
Roger L. Kerns	
Betty R. Light	
Judy McConnell	
David Lynn Moore	

UPON MOTION MADE BY COMM. HARR AND SECONDED BY
COMM. BUDDY KING TO APPROVE THE NOTARY APPLICATIONS
HEREON, SAID MOTION WAS APPROVED BY VOICE VOTE
OF THE COMMISSION.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLIC SURETY BONDS

OCTOBER 21, 2002

Margaret K. Baker

R. Allen Caldwell

Judith T. Carrier

Melda B. Hedrick

Catherine S. Rhinehart

Linda S. Rogers

Gregory M. Sensabaugh

Debbie Sorrell

Nancy Stallard

Elizabeth A. Stanley

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. BUDDY KING TO APPROVE
THE NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY
VOICE VOTE OF THE COMMISSION.

Agenda

Sullivan County Board of County Commission

October 21 2002

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, October 21 2002 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 08/02/01 Uley Daniels
Reclassify R-1 property located 1,250 ft. southwest of the corner of Franklin Drive and Hwy 394 to P.B.D. (Planned Business District) for the purpose of future business. Property ID. No. Tax map 66, Parcel 1.10 located in the 5th Civil District. **Sullivan County Planning**
- (2) File No. 08/02/02 Earl Whitter
Reclassify R-1 property located in the 7000 block 850 ft. Northwest of Hwy 11-E from R-1 to B-4 for the purpose of future commercial use. Property ID. No. Tax map 140, Parcel 30.60 located in the 9th Civil District. **Sullivan County Planning**
- (3) File No. 08/02/03 Brian Carr
Reclassify R-1 property located at 522 Curtis Hollow Road to R-2 for the purpose of allowing for a singlewide mobile home. Property ID. No. Tax map 135, Parcel part of 140.00 located in the 9th Civil District. **Sullivan County Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING # 08/02/01

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 WLEY DANIELS
Address P.O. Box 584
Blountville, TN 37617
Phone 323-3390 Date of Request 7-23-02
Property Located in 05 Civil District

Wley Daniels
Signature of Applicant

OFFICE USE ONLY

Meeting Date 9-17-02 Time 7:00 P.M.
Place Courthouse
Blountville
Planning Commission Approved _____
Denied _____
County Commission Approved X
Denied _____
Other Roll call vote 23 Aye, 1 Absent
Final Action Date 10-21-02

PROPERTY IDENTIFICATION

Tax Map 66 Group _____ Parcel 1.10
Zoning Map 17 Zoning District R-1 Proposed District PBD
Property Location Hwy-394

Purpose of Rezoning Future Commercial

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 23rd day of JULY, 2002.

Jack Morrison
Notary Public

My Commission Expires: 12-20-03

**Sullivan County
Board of County Commissioners
Staff Comments – October 21, 2002**

File 08/02 - #01

Property Owner:	Uley Daniels
Rezoning Request:	R-1 to PBD
Purpose:	Future Commercial
Parcel ID:	Tax Map 066, Parcel 001.10
Location:	Hwy 394, Access Road off highway r-o-w
Civil District:	5th
Surrounding Zoning:	PBD, R-1, M-2, and B-3
PC 1101 Growth Plan:	Sullivan County Planned Growth Area

Staff Field Notes:

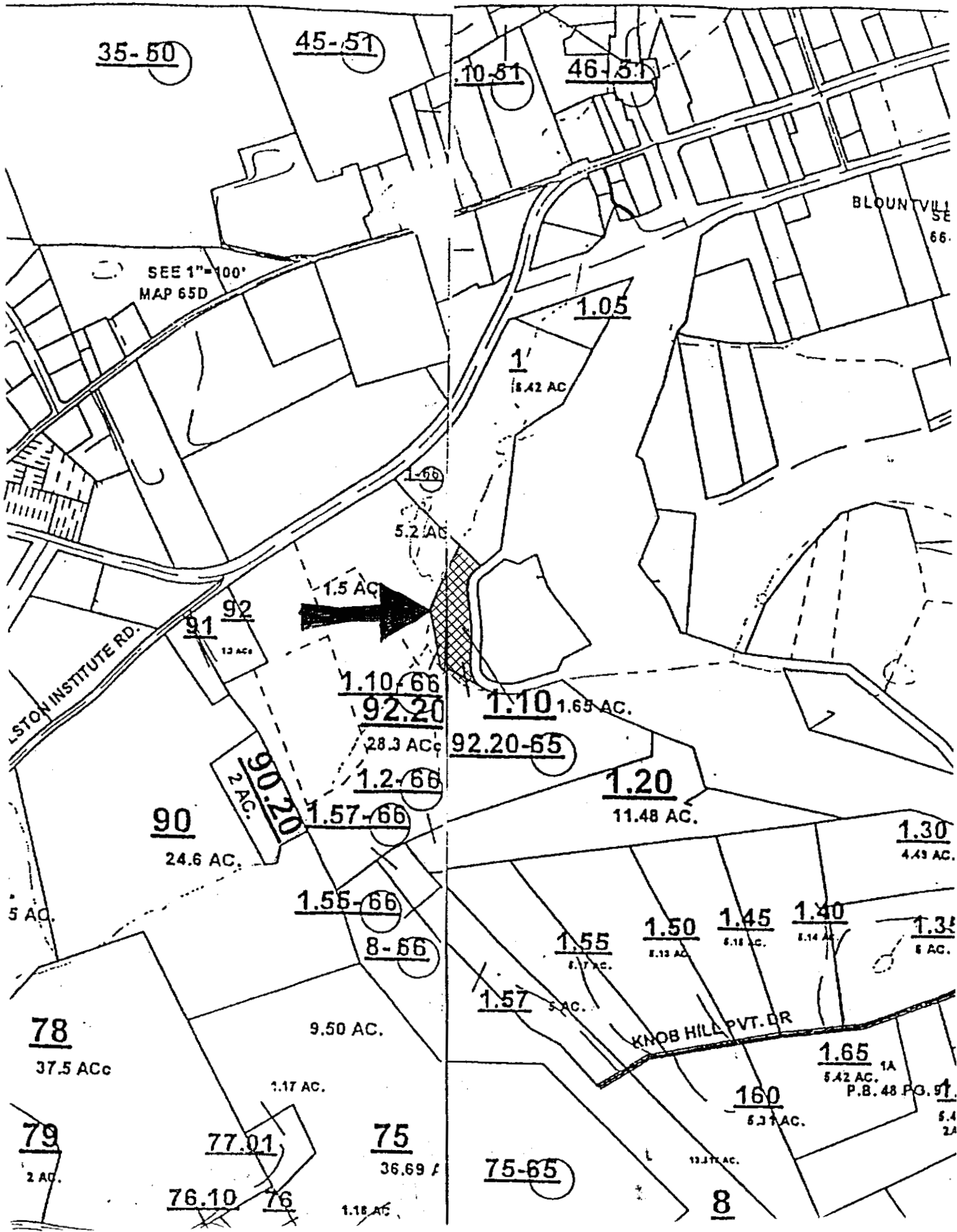
Staff identified this parcel as one not ideal for future residential purposes due to the construction of the new highway and the existing commercial developments surrounding the site. The lot is oddly shaped with poor visibility from the highway pavement. However if developed properly and sensitively with respect to the floodplain, the site could be used for commercial development. Staff recommends in favor of this rezoning as it would not be suitable for residential uses and the trend of development would be compatible with this rezoning. This rezoning, if approved, would require a comprehensive development plan to be submitted for approval by the Planning Commission.

Discussion at Planning Commission Meeting:

Mr. Daniels present at the meeting. No plans were specified. He just wants to get the site ready to market and sell. No opposition noted or present.

Sullivan County Regional Planning Commission Action: September 17, 2002 – 6 out of 9 members present	
Approval: Bronner, Peterson – passed with 5 yes – 0 no	
Denial:	Reason for denial:
Defer:	Reason for denial:

Sullivan County Board of County Commissioners' Action: October 21, 2002 – out of 24 members present (13 yes votes to pass)	
Approval: 10-21-02	
Denial:	Reason for denial:
Defer:	Reason for denial:



35-50

45-51

10-51

46-51

SEE 1"=100'
MAP 65D

BLOUNTVILLE
SE
66.

1.05

1'
18.42 AC

5.2 AC

1.5 AC

91 92
13 AC

LSTON INSTITUTE RD.

1.10-66

92.20

1.10 1.65 AC.

28.3 AC

92.20-55

1.2-66

1.20

11.48 AC.

90

24.6 AC.

2 AC.
90.20

1.57-66

1.30

4.43 AC.

5 AC.

1.55-66

8-66

1.55
8.7 AC.

1.50
8.13 AC.

1.45
8.18 AC.

1.40
8.14 AC.

1.35
8 AC.

78

37.5 AC

9.50 AC.

1.57
5 AC.

KNOB HILL PVT. DR.

1.65

5.42 AC. 1A

P.B. 48 PG. 97

79

2 AC.

77.01

75

36.69 AC

75-65

160

5.21 AC.

13.7 AC.

8

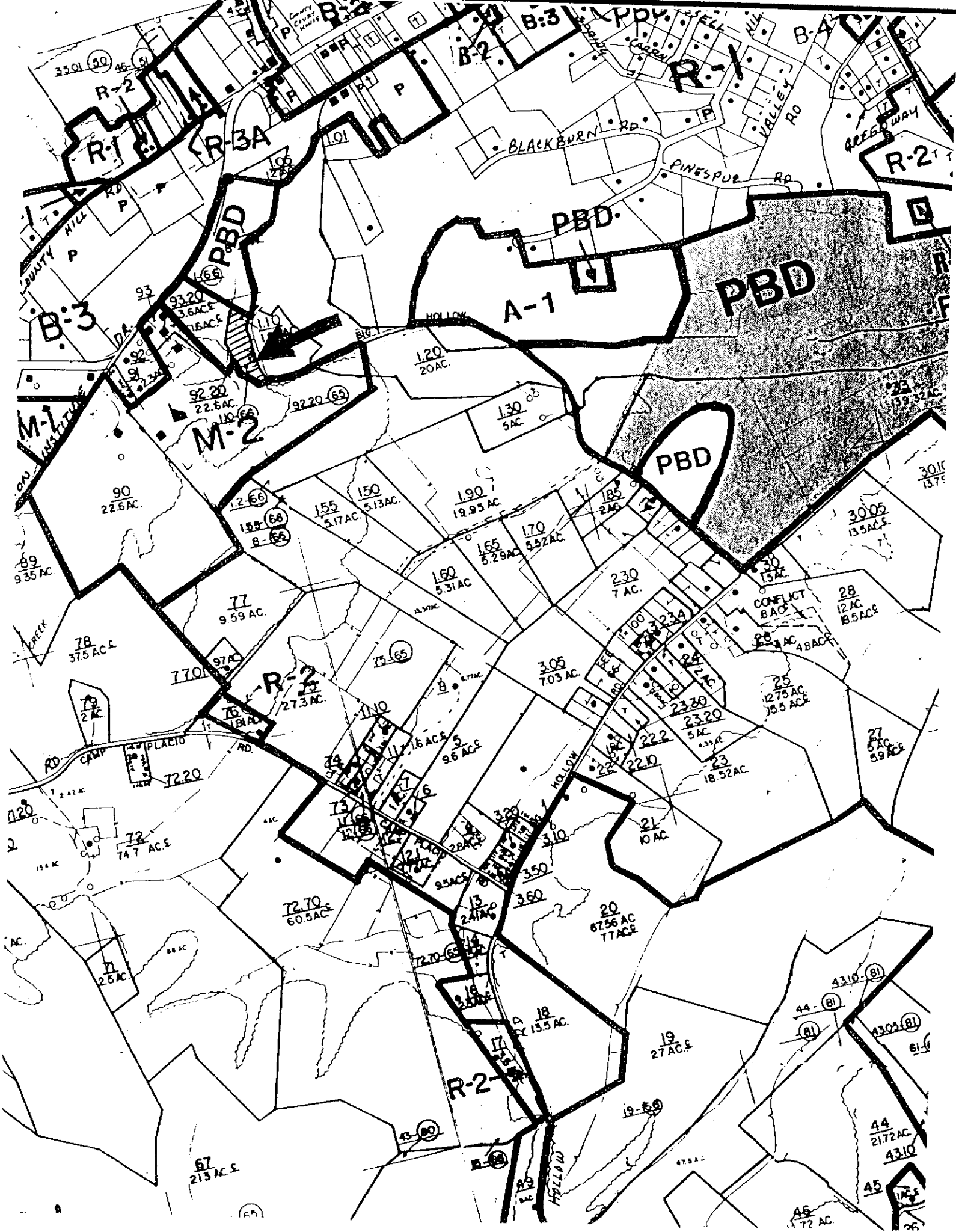
76.10

76

1.18 AC

5.4

2.1



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

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

Property Owner Earl Whittaker
Address 259 LAKERIDGE
JONESBOROUGH TN 37659
Phone 753-5008 Date of Request 7-25-02
Property Located in 9th Civil District

Earl E. Whittaker
Signature of Applicant

OFFICE USE ONLY

Meeting Date 9-17-02 Time 7:00 P.m.
Place 2nd FLOOR - Courthouse
Blountville

Planning Commission Approved _____
Denied _____

County Commission Approved X
Denied _____

Other Roll call vote 22Aye, 1Nay, 1Abse

Final Action Date 10-21-02

PROPERTY IDENTIFICATION

Tax Map 140 Group _____ Parcel 30.60 ^{PART OF} SULLIVAN CO.
Zoning Map 31 Zoning District R-1 Proposed District B-4
Property Location NORTH OF HWY-11-E

Purpose of Rezoning COMMERCIAL PURPOSES

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 25th day of JULY, 2002.

Jack Morrison
Notary Public

My Commission Expires: 12-20-03

**Sullivan County
Board of County Commissioners
Staff Comments – October 21, 2002**

File 08/02 - #2

Property Owner: Earl Whittaker
Rezoning Request: R-1 to B-4
Purpose: For Future Business
Parcel ID: Tax Map 140 Part of Parcel 30.60
Location: North of Hwy 11-E in front of Johnson City Annexed Territory
Civil District: 9th
Surrounding Zoning: R-1, PBD and Johnson City Arterial Commercial Districts
PC 1101 Growth Plan: Johnson City Urban Growth Boundary

Staff Field Notes:

This site is a flag-lot which fronts commercially developed properties along the highway. The only existing and feasible access is from the highway. This property is bordered by the county line and the city of Johnson City. Due to the recent commercial trend, the limited access to the arterial road, the compatibility with the existing front properties, and the proximity of urban services, staff recommends approval of this rezoning to arterial commercial. Any development adjacent to a residential zone shall be buffered and screened with conifer trees and/or a fence along the rear property line. The Planning Commission and County Commission denied the request of R-1 to R-3A in 1998 due to lack of sewer and other public services to accommodate high-density residential uses.

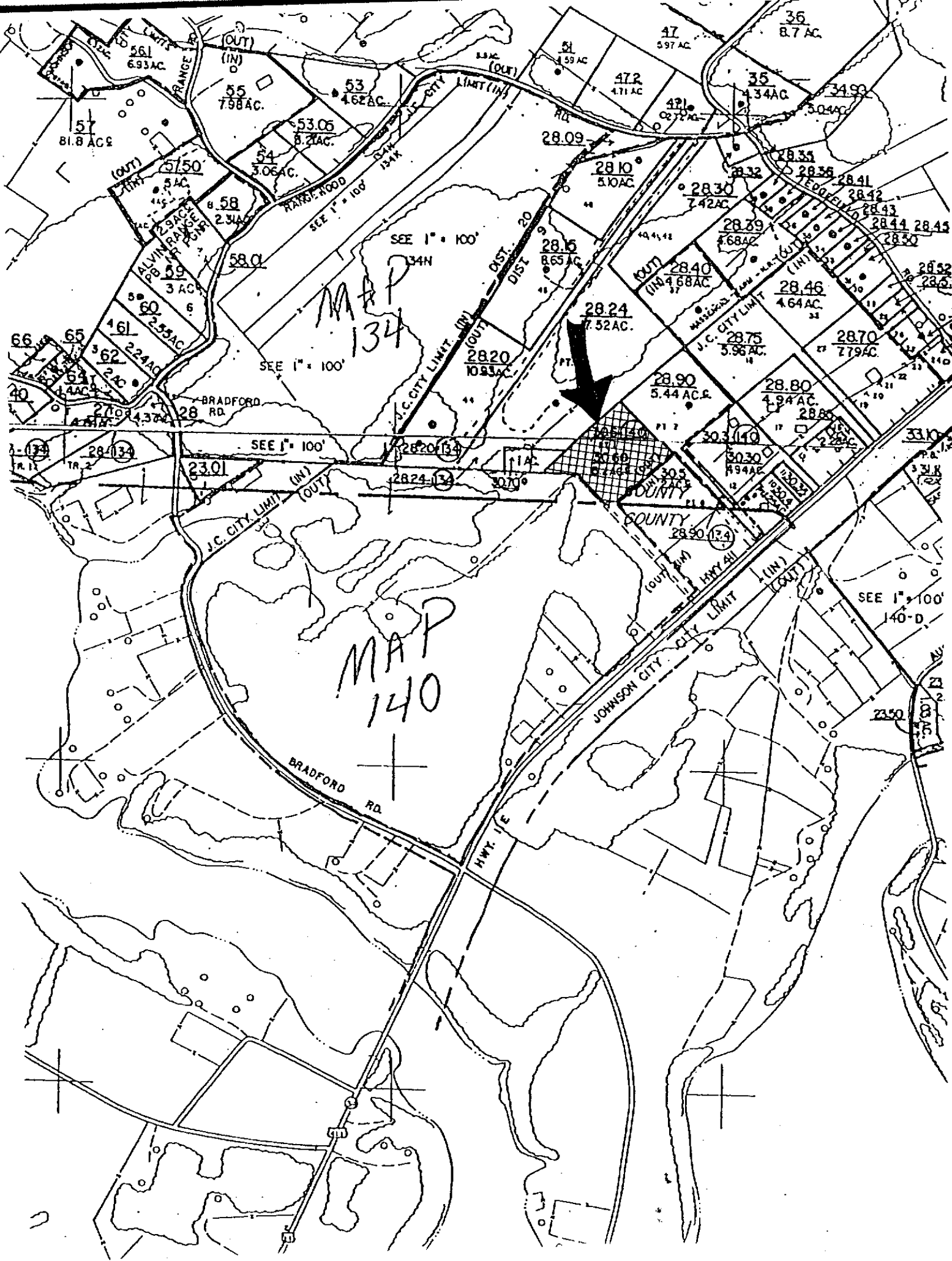
Discussion at Planning Commission Meeting:

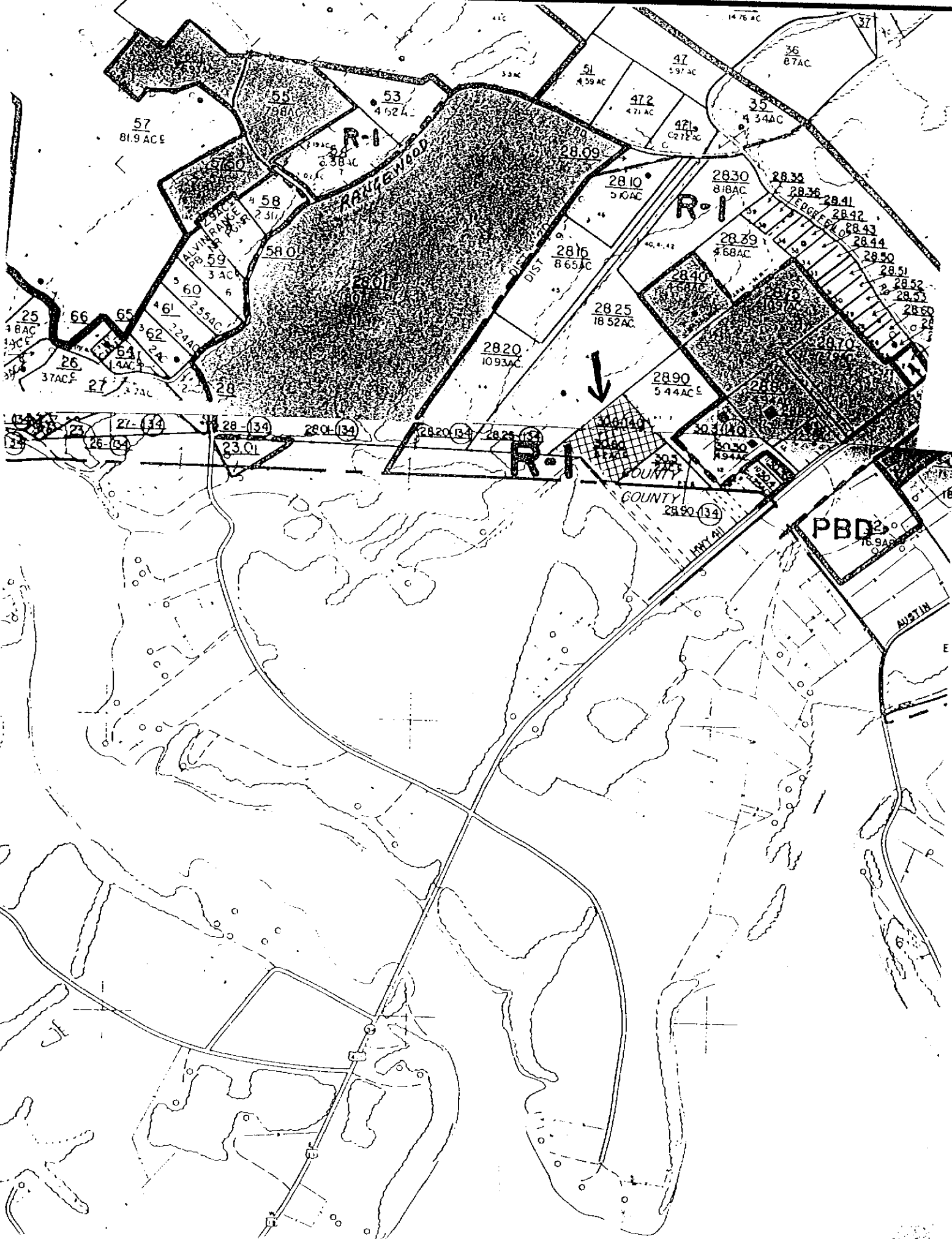
Mr. Boyd, attorney and representative for the applicant spoke in favor of this request. He submitted pictures of the site and the surrounding commercial properties in front of this property. Mr. Whittaker spoke and presented to the commission, drainage calculations of the property in front, wherein he has already made some improvements. He stated that drainage and buffering would not be a problem, if rezoned, and that they would do whatever necessary to develop it properly per county standards.

Mr. David Roland spoke against this rezoning. Staff received his letter of opposition right before the meeting and distributed copies to all members. Mr. Rob McGinnis (sp?) spoke on behalf of his grandfather, who is an owner adjacent to the applicant. He submitted the property assessor's tax card printouts for each tract of land petitioning against this request. Staff also received a letter of opposition from Mr. Hinton, neighbor. Mr. Hinton faxed his letter right before the Planning Commission meeting because he could not attend the meeting.

Sullivan County Regional Planning Commission Action: September 17, 2002 – 6 out of 9 members present	
Approval:	
Denial: Peterson, Seftle - 5 yes votes to deny - 0 no	
Reason for denial: private deed restrictions stated in deed limiting it to residential uses only	
Defer:	Reason for denial:

Sullivan County Board of County Commissioners' Action: October 21, 2002 – out of 24 members present (13 yes votes to pass)	
Approval: 10-21-02	
Denial:	Reason for denial:
Defer:	Reason for denial:





SEPTEMBER 17, 2002

DAVID ROWAN
217 RANGEWOOD RD.
PINEY FLATS, TN.

SULLIVAN COUNTY PLANNING COMMISSION
BLOUNTVILLE, TN.

RE: MR. EARL WHITTAKER'S REQUEST FOR REZONING THE PROPERTY LOCATED IN THE
7000 BLOCK OF HWY. 11-E FROM R1 TO B4.

DEAR COMMISSIONERS:

I AM THE OWNER OF THE PROPERTY ADJOINING THE PROPERTY THAT WILL BE
DISCUSSED TONIGHT AT THE PLANNING COMMISSION MEETING. MY PROPERTY IS THE
PARCEL ON THE NORTH BOUNDARY OF MR. WHITTAKER'S.

THIS REQUEST OF REZONING WENT IN FRONT OF THE PLANNING COMMISSION
ABOUT TWO YEARS AGO. THE PLANNING COMMISSION AND THE COUNTY COMMISSION
BOTH REJECTED THE PREVIOUS REQUEST TO REZONE MR. WHITTAKER'S PROPERTY.
MR. WHITTAKER MADE A REQUEST TO THE JOHNSON CITY COMMISSION TO HAVE THIS
PROPERTY TAKEN INTO THE CITY AND REZONED. THE CITY REJECTED THE OFFER ALSO.

I KNOW THAT DEED RESTRICTIONS HAVE NO LEGAL POWERS OVER THE
PLANNING COMMISSION. THIS WAS EXPLAINED IN THE PREVIOUS MEETING. I DO ASK
THAT YOU TAKE INTO CONSIDERATION THAT MR. WHITTAKER BOUGHT THIS PROPERTY
KNOWING THAT THE DEED IS RESTRICTED AGAINST COMMERCIAL OCCUPATION.

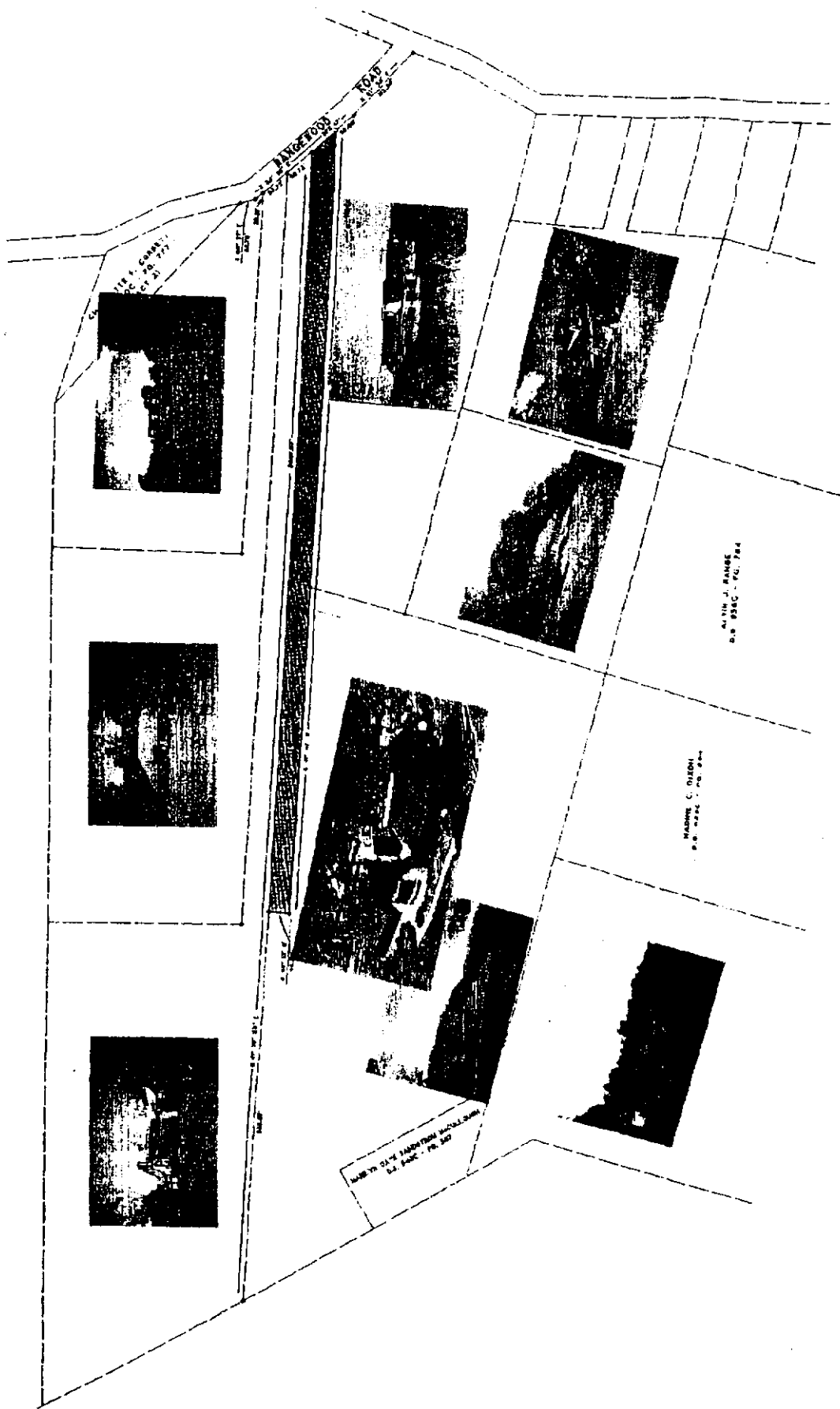
MR. WHITTAKER'S PROPERTY IS ADJOINED ON THREE SIDES BY RESIDENTIAL
PROPERTY. ATTACHED IS A SMALL LAND MAP. THE PICTURES MAY NOT SHOW UP WELL
IN THE FAX. I WILL BRING IT TO THE MEETING TONIGHT. IT SHOWS THE QUALITY OF THE
HOUSES ON THE ADJOINING PROPERTIES.

MY WIFE AND I BOTH ASK YOU TO PLEASE CONSIDER OUR INVESTMENT AND
VOTE AGAINST THIS REZONING REQUEST. WE HAVE MADE PINEY FLATS OUR HOME.
OUR HOPE, WHEN WE BOUGHT THIS PROPERTY 17 YEARS AGO, WAS THAT IT WOULD
REMAIN RESIDENTIAL.

SINCERELY,

David Rowan

DAVID ROWAN



1/4 SEC. 1, CORNER 1, C. 10 20 1977

1/4 SEC. 1, CORNER 1, C. 10 20 1977

DANGER ROAD

1/4 SEC. 1, RANGE 1, T. 10 1978

1/4 SEC. 1, RANGE 1, T. 10 1978

1/4 SEC. 1, RANGE 1, T. 10 1978

1/4 SEC. 1, RANGE 1, T. 10 1978

2 PROFESSIONAL PARK DRIVE
SUITE 21
JOHNSON CITY, TN 37604



TELEPHONE: 423-926-8813
FAX: 423-926-8910

Date: 9/17/02

To: Sullivan County Planning Commission

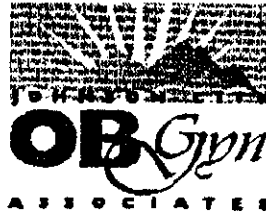
From: JEFFREY HINTON, MD

Fax: 279-2886

Number of Pages (including cover sheet): 2

Message:

2 PROFESSIONAL PARK DRIVE
SUITE 21
JOHNSON CITY, TN 37604



TELEPHONE: 423-926-8813
FAX: 423-926-8910

September 17, 2002

Sullivan County Planning Commission

Re: Property 7,000 Block, Hwy 11E.,
Concerning Rezoning R1 to B4

To Whom It May Concern:

I write this letter in the strongest terms to oppose the above mentioned property from R1 to B4. All surrounding properties are residential and speaking for myself I bought my own property with the understanding that it was residential property. The rezoning would put a business literally in my front yard. I regret that I am unable to attend the meeting tonight, but I support the comments and sentiments of Mr. David Rowan who will be present and authorize him to speak as my proxy.

I again would like to emphasize my strong opposition to Mr. Whitaker's proposed rezoning changes and further strongly oppose a business property in my front yard.

Sincerely,

A handwritten signature in black ink that reads 'Jeffrey T. Hinton, M.D.' The signature is written in a cursive style with a large initial 'J'.

Jeffrey T. Hinton, M.D.

JTH/llh

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

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 Brian Carr
Address 419 Tank Hill Rd
Piney Flats, In 37684
Phone 538-8744 Date of Request 8-16-02
Property Located in 9th Civil District

Meeting Date 9-17-02 Time 7:00 p.m
Place 2nd Floor - Courthouse
Main St

Brian E Carr
Signature of Applicant

Planning Commission Approved _____
Denied _____
County Commission Approved X
Denied _____
Other Roll Call Vote 23 Aye, 1 Absent
Final Action Date 10-21-02

PROPERTY IDENTIFICATION

Tax Map 135 Group _____ Parcel 140.00 *Part of*
Zoning Map 26 Zoning District R-1 Proposed District R-2
Property Location Tank Hill Rd. (522 Curtis Hollow)

Purpose of Rezoning To allow a single wide mobile home

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.

Brian E Carr

Sworn to and subscribed before me this 16th day of Aug, 2002.

Debbie K. Hansen
Notary Public

My Commission Expires: 12-20-03

**Sullivan County
Board of County Commissioners
Staff Comments – October 21, 2002**

File 08/02 - #3

Property Owner: Brian Carr
Rezoning Request: R-1 to R-2
Purpose: To allow a singlewide mobile home (already relocated on site)
Parcel ID: Tax Map 135, Part of parcel 140.00 (platted recently)
Location: Tank Hill Road, Piney Flats
Civil District: 9th
Surrounding Zoning: R-1, M-1 with R-2 and A-1 in area
PC 1101 Growth Plan: Rural Area

Staff Field Notes:

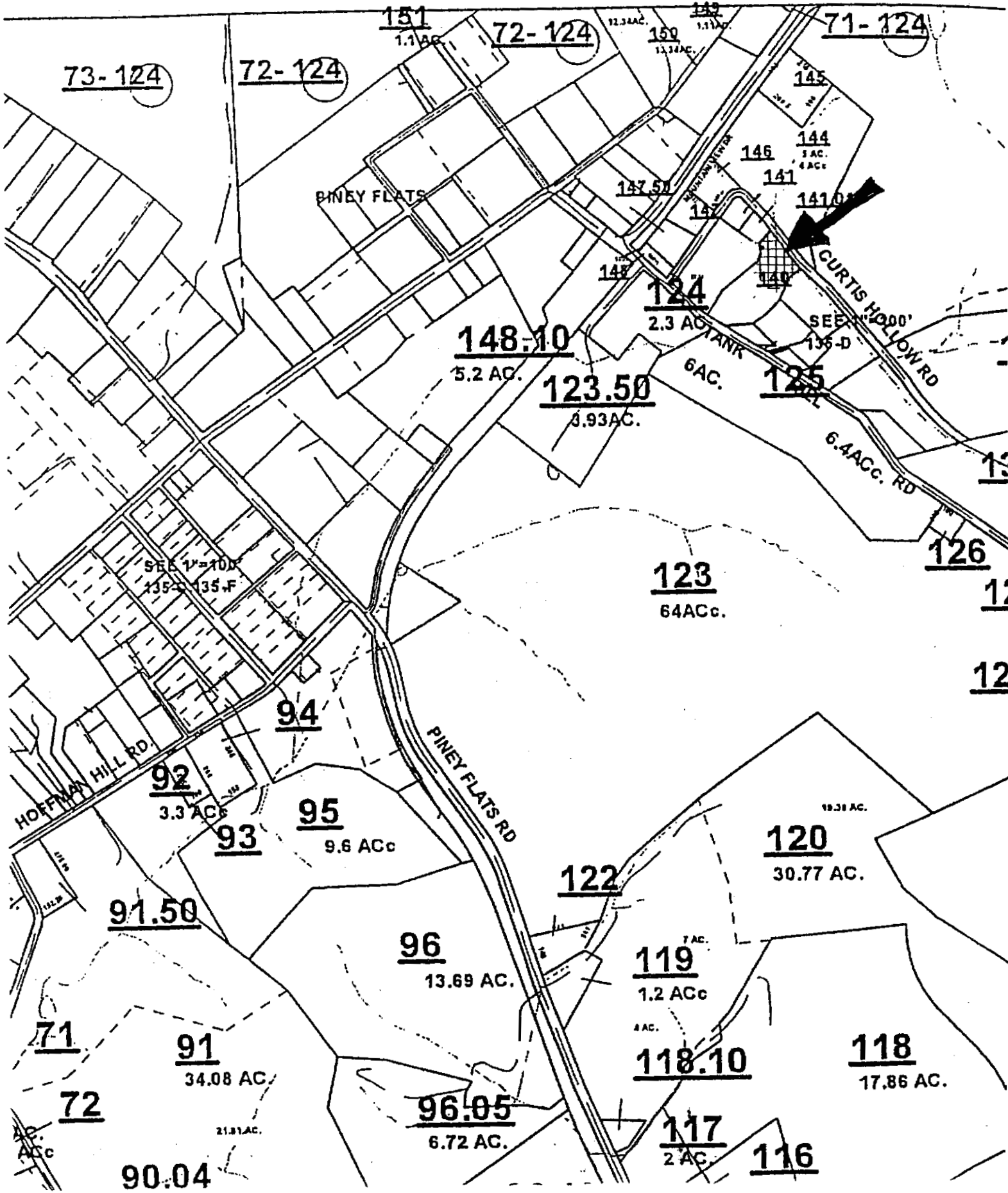
This lot has been recently platted, which is a tract split from family tract. The site is rather steep and would not be as suitable for on-site construction. The singlewide mobile home has already been set but will be repositioned per required setbacks. The proposed rezoning would be compatible with the area as there are other existing mobile homes present. Staff recommends approval of this rezoning application as the land use would be compatible with the surrounding land uses, the site is not as appropriate for new construction, the lot has been platted and approved for septic and R-2 zoning is within close proximity illustrating a trend for zoning.

Discussion at Planning Commission Meeting:

Brian Carr was present at the meeting.

Sullivan County Regional Planning Commission Action: September 17, 2002 – 6 out of 9 members present	
Approval: Bronner, Dutton, S. Yes: 0/No	
Denial:	Reason for denial:
Defer:	Reason for denial:

Sullivan County Board of County Commissioners' Action: October 21, 2002 – out of 24 members present (13 yes votes to pass)	
Approval: 10-21-02	
Denial:	Reason for denial:
Defer:	Reason for denial:



73-124

72-124

72-124

71-124

PINEY FLATS

147.50

141.00

148.10
5.2 AC.

123.50
8.93 AC.

TANK
6 AC.

125

CURTIS HOLLOW RD
6.4 ACc. RD

SEE 1"=100'
135-D 135-F

123
64 ACc.

126

94

95
9.6 ACc

PINEY FLATS RD

120
30.77 AC.

91.50

122

96
13.69 AC.

119
1.2 ACc

71

91
34.08 AC.

118.10

118
17.86 AC.

72

96.05
6.72 AC.

117
2 AC.

116

90.04

21.81 AC.

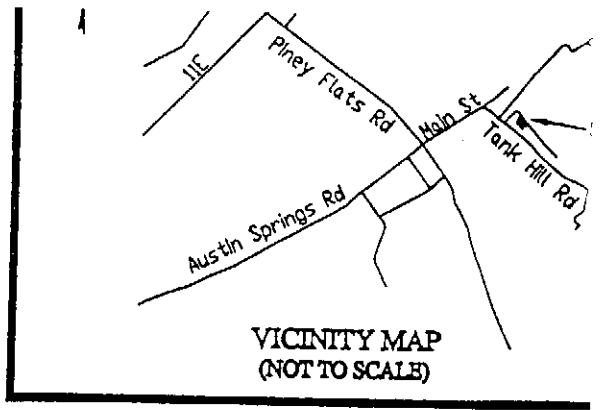
- ⊙ METAL FENCE POST SET
- CENTERLINE
- X- FENCE LINE
- BOUNDARY LINE
- - - ADJOINING DEED LINES

BEAR	DIRECTION	DISTANCE
	S 57°42'20" W	8.40'
	S 23°14'54" E	7.91'
	N 48°47'19" E	16.63'

HERBERT & DOROTHY DENTON
D. B. 107C PG. 790

HALEY CARR
D. B. 282C PG. 779

CURTIS HOLLOW ROAD



N 14°59'51" E
64.48'

BARN CORNER 7.8'
OVER PROPERTY LINE



0.43 Ac.±

REFERENCE TIE:
S 48°47'19" W 162.37'
TO IRON ROD FOUND
CORNER OF CARR

SHED SHOWN HEREON IS
TO BE REMOVED BEFORE
DEVELOPING

N 36°21'48" W
140.28'

REMAINDER OF CARR
PROPERTY

REFERENCE TIE:
S 38°57'02" W 75.90'
TO IRON ROD FOUND
CORNER OF CARR

REFERENCE: D. B. 297C PG. 531.

135 PARCEL 140.00.

CURRENTLY ZONED A-1.

ALL LINES SHALL BE AS PER THE PARTICULAR ZONING ORDINANCE IN
EFFECT UPON THE SUBJECT PROPERTY.

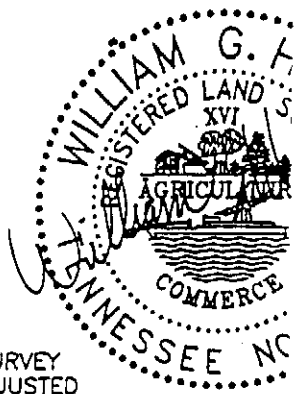
THE GRANTOR(S) HEREBY DEDICATES A 7.5' WIDE DRAINAGE AND UTILITY EASEMENT
ON THE INTERIOR SIDE OF ALL PROPERTY LINES TO SULLIVAN COUNTY,
TENNESSEE, FOR PUBLIC USE.

ALL EASEMENTS SHOWN AND DESCRIBED HEREON ARE SUBJECT TO ANY
EASEMENTS, RIGHT-OF-WAYS, RESTRICTIONS, AND SETBACK LINES
WHICH MAY OR NOT BE SHOWN ON THE PLAT HEREON OR WHETHER
RECORDED IN THE PUBLIC RECORDS.

THE SUBJECT PROPERTY DOES NOT LIE IN AN AREA DESIGNATED AS A SPECIAL FLOOD
HAZARD AREA ON THE LATEST NATIONAL FLOOD INSURANCE PROGRAM MAPS RECEIVED BY
THIS DATE, MAP PANEL # 470181 0150 B
DATE: SEPTEMBER 30, 1982.

ALL SURFACE AND UNDERGROUND FEATURES HAVE NOT BEEN LOCATED AS PART OF
THIS SURVEY, AND NO CERTIFICATION IS MADE OR IMPLIED TO THE EXISTENCE
OR NON-EXISTENCE THEREOF.

I HEREBY CERTIFY THAT THIS IS A CATEGORY II SURVEY
AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED
SURVEY IS NOT LESS THAN 1:7500.



MINUTES OF THE SULLIVAN COUNTY PLANNING COMMISSION

The regular meeting of the Sullivan County Planning Commission was held on Tuesday, September 17, 2002 at 7:00p.m., Courthouse, Blountville, Tennessee.

A. **Members Present:**

Harry Boggs, Chairman
Mark Selby, Vice Chairman
Jack Dutton
Roy Settle
Ken Bronner
Gordon Peterson

Members absent:

Harold Barnes
Cathy Mullins
County Commission (Seat Vacant)

Staff Representatives:

David Moore, Local Planning
Ambre Torbett, Sullivan County Planner
Tim Earles, Sullivan County Building Commissioner
Richard Henry, Sullivan County Planning Commission Secretary

The meeting was called to order at 7:06p.m. by the chairman with a quorum present.

B. **Approval of August 21, 2002 Minutes**

The minutes from the August 21, 2002 meeting were reviewed.

Mr. Boggs stated that on the rezoning listed 7-02-03 that he did not abstain from the vote, he did not vote. With this correction made, a motion made by Bronner to accept the minutes with the change listed below, seconded by Selby. Motion to accept the minutes passed unanimously.

Motion made by Barnes and a second by Peterson to approve the rezoning. The motion to approve the rezoning request passed with a vote of 4 to 2. Barnes, Dutton, Peterson and Bronner voting for the rezoning. Settle and Selby voting against the rezoning.

C. **Rezoning Requests**

(1) **File No. 08/02/01 - Uley Daniels**

Reclassify R-1 property located 1,250 ft. southwest of the corner of Franklin Drive and Hwy 394 to P.B.D. (Planned Business District). Property identification No. Tax map 66, Parcel 1.10 located in the 5th Civil District.

Mr. Daniels was present and spoke on behalf of the rezoning.

No one was present in opposition.

Staff Comments:

Staff identified this parcel as one not ideal for future residential purposes due to the construction of the new highway and the existing commercial developments surrounding the site. The lot is oddly shaped with poor visibility from the highway pavement. However if developed properly and sensitively with respect to the floodplain, the site could be used for commercial development. Staff recommends in favor of this rezoning as it would not be suitable for residential uses and the trend of development would be compatible with this rezoning. This rezoning, if approved, would require a comprehensive development plan to be submitted for approval by the Planning Commission.

Motion was made to approve the rezoning by Bronner, second by Petterson. The motion to approve the rezoning passed unanimously.

(2) **File No. 08/02/02 - Earl Whitaker**

Reclassify R-1 property located in the 7000 block 850 ft. Northwest of Hwy 11-E from R-1 to B-4. Property identification No. Tax map 140, Parcel 30.60 located in the 9th Civil District.

Earl Whitaker was present to represent the rezoning. Mr. Boyd also spoke as a representative for Mr. Whitaker.

David Rowen was present and spoke against the rezoning. He stated that the surrounding properties were residential and that they should remain residential.

Robb McManis was present and spoke against the rezoning. He explained that rezoning Mr. Whitaker's property would devalue his and the surrounding property owners homes and land. Mr. McManis submitted tax cards, pictures, Maps and Deed restrictions.

Staff Comments:

This site is a flag-lot which fronts commercially developed properties along the highway. The only existing and feasible access is from the highway. This property is bordered by the county line and the city of Johnson City. Due to the recent commercial trend, the limited access to the arterial road, the compatibility with the existing front properties, and the proximity of urban services, staff recommends approval of this rezoning to arterial commercial. Any development adjacent to a residential zone shall be buffered and screened with conifer trees and/or a fence along the rear property line. The Planning

Commission and County Commission denied the request of R-1 to R-3A in 1998 due to lack of sewer and other public services to accommodate high-density residential uses.

A motion was made by Peterson to deny the rezoning request due to the deed restrictions on the property. A second was made by Settle. The motion to deny passed unanimously.

(3) File No. 08/02/03 - Brian Carr

Reclassify R-1 property located at 522 Curtis Hollow Road to R-2. Property Identification No. Tax map 135, Parcel part of 140.00 located in the 9th Civil District.

Brian Carr was present and spoke on behalf of the rezoning. He stated that the topography did not allow him to place a "frame" house on the property. He asked to rezone to place a mobile home onto the property.

No one was present in opposition.

Staff Comments:

This lot has been recently platted, which is a tract split from family tract. The site is rather steep and would not be as suitable for on-site construction. The singlewide mobile home has already been set but will be repositioned per required setbacks. The proposed rezoning would be compatible with the area as there are other existing mobile homes present. Staff recommends approval of this rezoning application as the land use would be compatible with the surrounding land uses, the site is not as appropriate for new construction, the lot has been platted and approved for septic and R-2 zoning is within close proximity illustrating a trend for zoning.

A motion was made by Bronner to approve the rezoning request. A second was made by Dutton. The motion to approve the rezoning passed unanimously.

D. Subdivisions

(1) Keener Vaughn, Final

Dropped from the agenda prior to the meeting.

(2) Tommy Ashworth, Final

Mrs. Houston was present to represent the subdivision.

Surrounding landowners who have a pending contract to buy lots, were present.

Staff Comments:

No new tracts of land are being petitioned for development. Rather all new lots shall be combined to existing tracts of land. Only the first lot along 11-W will be for buildable purposes. All signatures must be secured prior to final plat approval.

Motion made by Selby to approve the subdivision. Seconded by Settle. The motion to approve the subdivision passed unanimously.

(3) Flick Property, Final

Sen. Ron Ramsey was present to represent the subdivision.

No one was present in opposition.

Staff Comments:

All signatures must be secured prior to final plat approval. Staff recommends approval of this final 3-lot plat.

Motion made by Settle to approve the subdivision. Seconded by Dutton. The motion to approve the subdivision passed unanimously.

(4) Vestal V. Carr, Et.Ux., Final**Staff Comments:**

This is a three-lot plat with the first being over 5 acres. All other Subdivision Regulations and technical plat requirements are illustrated on the plat as revised. All signatures shall certify code compliance.

No one was present to represent the plat. No action taken.

(5) Ella Malone, Preliminary & Final

Ella Malone was present to represent the rezoning.

No one was present in opposition.

Staff Comments:

These tracts of land have been recombined with easements obtained by deed turned into fee-simple ownership (road frontage requirements). These tracts are over 5 acres as combined and replatted. At no point shall the 40-foot road frontage be reduced to less subject to county zoning resolution. Each lot shall only be permitted one dwelling. Staff recommends approval of this 3-tract final plat as all technical requirements and right-of-way dedication meets the code requirements.

Motion made by Selby to approve the subdivision. Seconded by Settle. The motion to approve the subdivision passed unanimously.

(6) John Webb, Preliminary & Final

John Webb was present and spoke.

No one was present in opposition.

Staff Comments:

This replat of the Cox property requests approval of 4 lots. Each lot has individual required road frontages that could be accessible with grading and clearing; however this would ruin the character of the rural setting. A proposed shared driveway has been cleared and illustrated on the plat as an easement to be used by all lots. There are two small streams running through this oddly shaped tract. Staff visited site to see if these proposed lots were feasible. Staff recommends approval of this 4-lot final plat with the shared driveway with the understanding that only one dwelling will be permitted per lot. This area is rural in nature and these home sites are large enough to accommodate a home and still meet all setback requirements. No variances will be granted to any lot, as this would be a self-imposed hardship created by platting. All signatures certify code compliance.

Motion made by Selby to approve the subdivision. Seconded by Settle. The motion to approve the subdivision passed unanimously.

(7) Tri-Cities Regional Airport, Preliminary

Mr. Milt Lipski, from Barge Waggoner Sumner & Cannon was present and spoke on behalf of the plat.

Staff Comments:

This is a preliminary plan to show where the proposed access road will be. TDOT plans are enclosed. The county Highway Commissioner has reviewed the plans and will work with TDOT throughout the project. Planning and Engineering have commenced. Staff recommends approval of these plans.

Motion made by Dutton to approve the road construction. Seconded by Selby. The motion to approve the construction passed unanimously.

(8) Danny Bartley, Site Plan

Danny Bartley was present and spoke on behalf of the site plan for phase II.

Staff Comments:

This is a revised site plan showing the existing improvements, technical requirements for this district and a proposed shell building with new loading area. All trees have been installed according to code requirements. Staff recommends approval of this revised site plan.

Motion to approve the site plan by Bronner. Seconded by Selby. Motion to approve the site plan passed unanimously.

(9) Confirmation of Minor Subdivision Plats for August 2002.

Motion made by Dutton and a second by Peterson to confirm the approval of the subdivisions. The motion passed unanimously.

E. New Business

(1) Text Amendment on Road Frontage

Memo & Text:

Mrs. Torbett explained the following to the Planning Commission.

ARTICLE IV

Section 402. Road Frontage Requirements For All Lots - No principal building in any zone, shall be erected on a lot, which does not conform to the following lot frontage requirements per dwelling unit. Such lot frontage shall be a continuous portion of land as part of the parcel and not narrow at any point less than that required. All lots within any district shall conform to the following standards or exemptions as follows:

Standards:

1. All lots two (2) acres or less in total area shall have a minimum of twenty (20) feet of street frontage abutting on a public street (typical width for minimum utility access standards);
2. All lots greater than two (2) acres in total area shall have a minimum of fifty (50) feet of street frontage abutting on a public street (minimum width of right-of-way for future land division and road improvement); or
3. Any lot as part of an approved plan [in a private gated community and on a permanent easement (private street) that corresponds in its location and lines with a permanent easement shown on a plat approved by the applicable Regional Planning Commission with such approval entered in writing on the recorded plat by the

secretary of the Regional Planning Commission (*amendment approved on 06/21/99*) shall have a minimum street frontage per dwelling of twenty (20) feet abutting such private road.

Exemptions: In the case where a tract of land is considered legal but non-conforming to the above road frontage requirements, as recorded prior September 1, 1988, an additional dwelling may be added to that tract of land or the land may be divided so long as the following requirements and conditions are satisfied prior to issuance of any residential dwelling permit or approval of any land division:

1. The **additional** dwelling and/or lot meets minimum road frontage requirements for Section 8-101.4, Subsection 1 or 2 above and/or conforms to the Subdivision Regulations for the approval of the division of said property;
2. All lots must conform to the minimum size, width and other requirements applicable for the zoning district for purposes of subdivision of land as proposed or in the future;
3. The property is within a Rural or Planned Growth Area as designated on the effective, official *PC 1101 Growth Plan Map*; and
4. The above criteria shall only be applied to a lot-of-record and in no case shall be considered for medium to high-density dwellings, mobile home parks or non-residential land uses.

Motion made by Bronner and a second by Peterson to defer action on the above text change due to the lack of time and possible fine tuning by the Planning Commission Members. The motion passed unanimously.

- F. **Old Business**
- G. **Public Comments**
- H. **Adjournment**

With no further business, a motion was made by Bronner and a second by Selby to adjourn the meeting at 8:43 p.m.

Richard Henry, Sullivan County Planning Commission Secretary

Reasoning Requests to

No. No. No. No.

to defer to ~~defer~~ to put on ~~Agenda~~ #2 2

STIONS BEFORE THE COMM.

NAMES OF COMMISSIONERS	1		2		3				to defer #2		to defer #2		to put on Agenda #2		2		
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye
Garth Blackburn	✓		✓		✓				✓				✓		✓		
Linda K Brittenham	✓		✓		✓				✓				✓		✓		
James "Moe" Brotherton	✓		✓		✓				✓				✓		✓		
Ray Corbin	✓		✓		✓				✓				✓		✓		
John Crawford	✓		✓		✓				✓				✓		✓		
D.W. Ferguson	✓		✓		✓				✓				✓		✓		
Clyde Grossdese Jr.	✓		✓		✓				✓				✓		✓		P
Larry Hall	✓		✓		✓				✓				✓		✓		
Ralph Harr	✓		✓		✓				✓				✓		✓		✓
Joe Heron	✓		✓		✓				✓				✓		✓		
Dennis Houser	✓		✓		✓				✓				✓		✓		
Marvin Hyatt	A		A		A		A		A				A		A		
Samuel C. Jones	✓		✓		✓				✓				✓		✓		
Elliott Kilgore	✓		✓		✓				✓				✓		✓		
James "Buddy" King	✓		✓		✓				✓				✓		✓		
James L. King Jr.	✓		✓		✓				✓				✓		✓		
R. Wayne McConnell	✓		✓		✓				✓				✓		✓		
John McKamey	✓		✓		✓				✓				✓		✓		
Randy Morrill	✓		✓		✓				✓				✓		✓		✓
Howard Patrick	✓		✓		✓				✓				A		A		
Jack Sitgreaves	✓		✓		✓				✓				✓		✓		
Michael Surgenor	✓		✓		✓				✓				✓		✓		✓
Mark A Vance	✓		✓		✓				✓				✓		✓		✓
Eddie Williams	✓		✓		✓				✓				✓		✓		
	23 Aye		22 Aye		23 Aye				7 Aye				15 Aye		18 Aye		
	1 absent		1 May		1 abs				15 May				7 May		3 May		
			1 abs.						2 abs				2 abs		1 abs		
															2 abs		

RESOLUTIONS ON DOCKET FOR OCTOBER 21, 2002

RESOLUTIONS	ACTION
#1 THE SULL. CO. BOARD OF COMM. TO CONSIDER AMENDMENTS TO THE SULL. CO. ZONING RESOLUTIONS AS AMENDED	APPROVED 10-21-02
#2 RESCINDING RES. #2 APPROVED MAY 20, 2002 RE-ESTABLISHING BOARD OF PUBLIC UTILITIES	APPROVED 10-21-02
#3 AUTHORIZING THE ACQUISITION OF LAND ADJACENT TO THE TRI-COUNTY INDUSTRIAL PARK	APPROVED 10-21-02
#4 AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE IMPROVEMENT OF LAND IN THE TRI-COUNTY INDUSTRIAL PARK	DEFERRED 10-21-02
#5 APPOINTING MEMBERS TO THE SULLIVAN COUNTY ENHANCED COMMUNICATIONS DISTRICT 9-1-1 BOARD OF DIRECTORS	APPROVED 10-21-02
#6 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 11 TH C.D.	APPROVED 10-21-02
#7 AUTHORIZING GRANT AND CONTRACT FOR SULLIVAN COUNTY OPTIONAL HIGH SCHOOL ACADEMY WITH THE ALLIANCE OF BUSINESS & TRAINING, INC. FOR THE PERIOD STARTING AUGUST 5, 2002, THROUGH JULY 31, 2003. THIS WILL AMEND THE GENERAL PURPOSE SCHOOL BUDGET BY THE AMOUNT OF THE GRANT, \$160,220.00	APPROVED 10-21-02
#8 AUTHORIZING THE SULLIVAN COUNTY SCHOOL DEPT. TO AMEND THE GENERAL PURPOSE SCHOOL BUDGET FOR THE EDUCATION EDGE GRANT IN THE AMOUNT \$80,495.00	APPROVED 10-21-02
#9 APPROPRIATING FUNDS AND APPROVING INSTALLATION OF TRAFFIC SIGNAL AT THE INTERSECTION OF LEBANON ROAD AND KENDRICKS CREEK ROAD	APPROVED 10-21-02
#10 REQUIRING ALL NEW COUNTY EMPLOYEES TO UNDERGO HEALTH EXAMINATION	DEFERRED 10-21-02
#11 APPOINTING ADULT-ORIENTED ESTABLISHMENT BOARD	WITHDRAWN 10-21-02
#12 AMENDING THE BUDGET FOR THE SULLIVAN COUNTY HEALTH DEPARTMENT FOR SCHOOL HEALTH NURSE SERVICES	APPROVED 10-21-02
#13 AMENDING THE BUDGET FOR THE SULLIVAN COUNTY HEALTH DEPARTMENT TO INCLUDE VARIOUS GRANT FUNDS	APPROVED 10-21-02
#14 APPROPRIATING FUNDS FOR STREET LIGHTING AT EXIT 69, I-81 INTERCHANGE	APPROVED 10-21-02
#15 AUTHORIZING SULL. CO. TO ACT AS GRANT RECEIVING AGENT FOR FRONTIER HEALTH	1 ST READING 10-21-02
#16 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 5 TH C.D.	1 ST READING 10-21-02
#17 AUTHORIZING THE SULL. CO. SHERIFF'S OFFICE TO UTILIZE LAND CURRENTLY OWNED BY SULL. CO. AND ADJOINING THE LAND KNOWN AS THE "OLD LANDFILL" ON HWY 37 FOR THE PURPOSE OF ERECTING A TRAINING BUILDING	1 ST READING 10-21-02
#18 APPROPRIATING ADDITIONAL FUNDS FOR TRANSPORTATION STUDY	1 ST READING 10-21-02
#19 AUTHORIZING SULL. CO. TO ENTER INTO MUTUAL AID AGREEMENTS FOR LAW ENFORCEMENT PURPOSES WITH GREENE CO., HAWKINS CO., THE CITY OF MT. CARMEL AND THE CITY OF KINGSPORT	DEFERRED 10-21-02

QUESTIONS BEFORE THE COMM.

No. 3 Voice Vote 5 7/8 No. 9 No. No. No. No.

NAMES OF COMMISSIONERS	No. 3		Voice Vote 5 7/8		No. 9		No.		No.		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Garth Blackburn ✓					✓		✓									
Linda K Britton ✓					✓		✓									
James "Mac" Brotherton ✓					✓		✓									
Ray Conkin ✓					✓		✓									
John Crawford ✓					✓		✓									
D. W. Ferguson ✓					✓		✓									
Clyde Goodson Jr. ✓					✓		✓									
Larry Hall ✓					✓		✓									
Ralph Harn ✓					✓		✓									
Joe Herron ✓					✓		✓									
Dennis Houser ✓					✓		✓									
Marvin Hyatt ✓	A		A		A		A		A		A		A		A	
Samuel C. Jones ✓					✓		✓									
Elliott Kilgore ✓					✓		✓									
James "Buddy" King ✓					✓		✓									
James L. King, Jr. ✓					✓		✓									
R. Wayne McConnell ✓					✓		✓									
John McKamey ✓					✓		✓									
Randy Morrell ✓					✓		✓									
Howard Patrick ✓					✓		✓									
Jack Stigerson ✓					✓		✓									
Michael Surgenor ✓					✓		✓									
Mark A. Vance ✓					✓		✓									
Eddie Williams ✓					✓		✓									
					23 Aye		23 Aye		23 Aye							
					1 abs.		1 abs.		1 abs.							

Sullivan County, Tennessee
Board of County Commissioners

No. 1
2002-10-00

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 21st day of October 2002.

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 21st day October 2002.

Attested: Janice Hammon 10/21/02 County Clerk Date
Approved: Richard Venable 10/21/02 County Executive Date

Introduced By: Commissioner: Ferguson
Seconded By: Commissioner(s): Morrell

2002-10-00	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-21-02 Voice Vote

Comments: Motion to approve made by Ferguson, seconded by Morrell.

Sullivan County, Tennessee
Board of County Commissioners

2
34
No. 24

Administrative/Executive Committee
2002-06-88

Richard Venable

To the Honorable ~~Gil Hodges~~, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 17th day of June, 2002.

RESOLUTION Rescinding Resolution No. 2 Approved May 20, 2002 Re-Establishing Board of Public Utilities

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2 on May 20, 2002 reestablishing the Board of Public Utilities for Sullivan County;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby rescind Resolution No. 2 approved by the Board of Commissioners on May 20, 2002 and further direct that all matters pertaining to sewer issues be addressed to the Sullivan County Administrative Committee who shall forward any recommendations to the County Executive.

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

Duly passed and approved this 21st day of October 2002.

Attested: Jeanie Hammon 10/21/02 Approved: Richard D. Venable 10/21/02
County Clerk Date County Executive Date

Introduced By: Commissioner: Vance
Seconded By: Commissioner(s): ~~Boyd B. King~~

iii

2002-06-88	Administrative	Budget	Executive	County Commission
ACTION	No action 7-1-02	No action 8-15-02	Deferred 08-06-02	Approved 10-21-02 18A, 3N, 1Pass, 2Absent

Comments: Waiver of Rules Requested
1st Reading 06/17/02; Motion made to defer by Hyatt, 2nd by Morrell-motion failed by roll call vote 07/15/02; Amendment made by Gonce, 2nd by Blalock and accepted by sponsor as follows "To adopt the powers of TCA relative to Public Utilities and that these powers and duties be assigned to the administrative committee" this 15th day of July '02. Motion was then made by Harr and 2nd by Patrick to defer- Motion to defer was approved by voice vote of Commission 07/15/02; Deferred 08/26/02; Deferred 09-16-02; Motion made by Surgenor, 2nd by Groseclose 10-21-02 to defer, motion failed by roll call vote.

Sullivan County, Tennessee
Board of County Commissioners

No. 3
Budget Committee
2002-09-118

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Authorizing the Acquisition of Land Adjacent to the Tri-County Industrial Park

WHEREAS, Sullivan County wishes to acquire additional acreage adjacent to the Tri-County Industrial Park, as authorized by Tennessee Code Annotated, for the purpose of increasing the amount of land available to new industries; and,

WHEREAS, a 21.13 acre site, a.k.a. as the Jane Taylor property is available at a price of \$132,000 which reflects the value established by a July 2002 appraisal by Michael E. Green, MAI, CCIM.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the acquisition of said property.

BE IT RESOLVED that Sullivan County shall appropriate \$132,000 for said acquisition with such monies to come from funds generated from previous land sales within the Industrial Park.

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

Duly passed and approved this 21st day of October 2002.

Attested: Jeanie Gammon 10/21/02 County Clerk Date
Approved: Richard S. Venable 10/21/02 County Executive Date

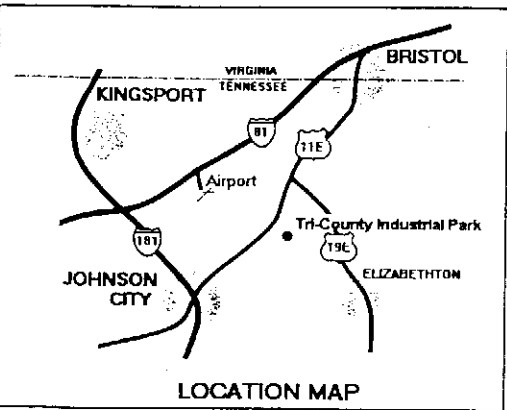
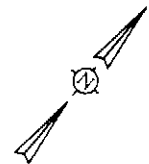
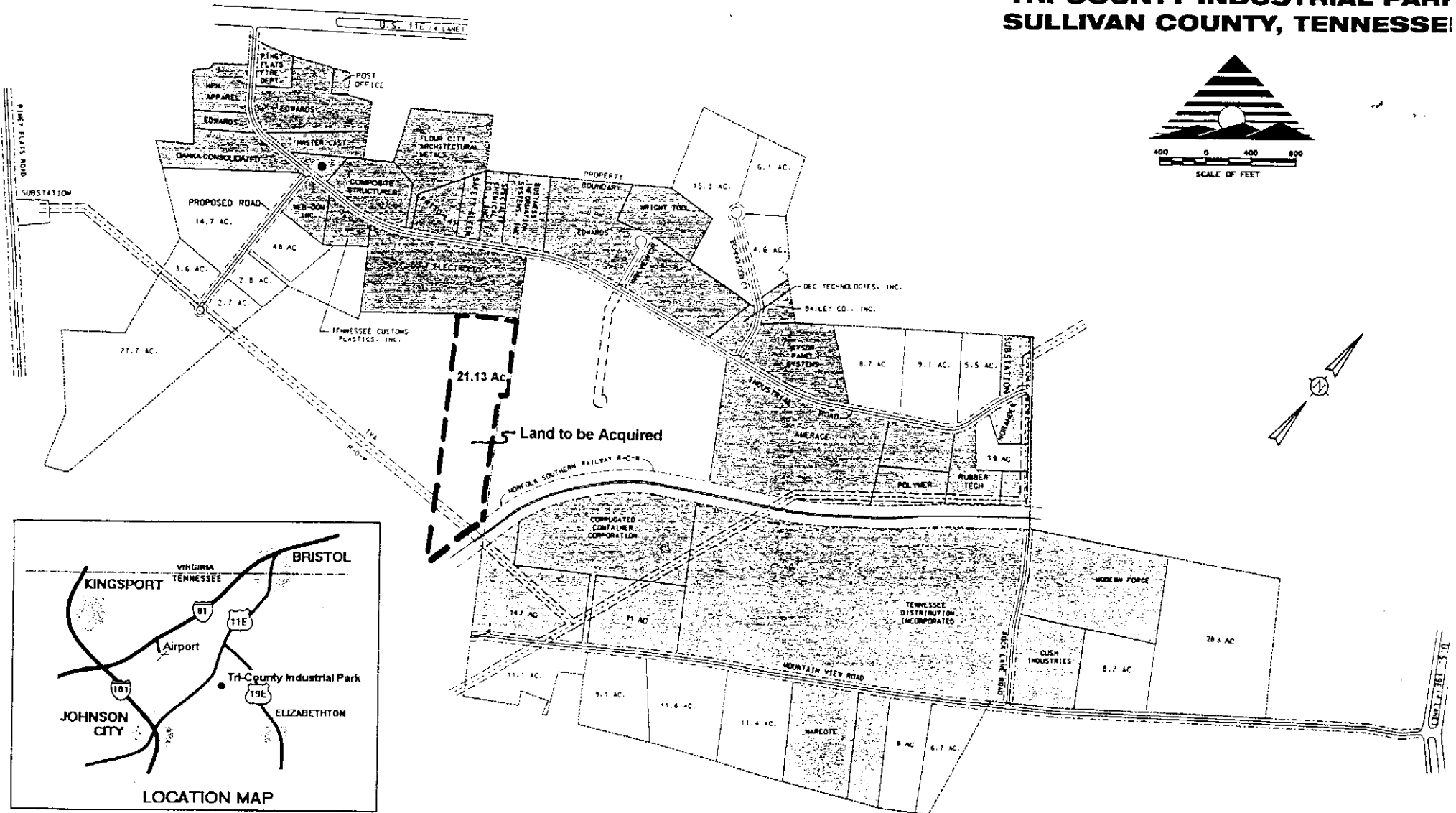
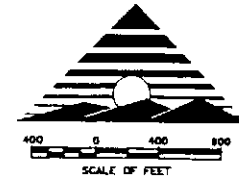
Introduced By Commissioner: Harr
Seconded By Commissioner(s): Hyatt

2002-09-118	Administrative	Budget	Executive	County Commission
ACTION				Approved 10-21-02

Comments: 1st Reading 09-16-02;

23 Aye, 1 Absent

TRI-COUNTY INDUSTRIAL PARK SULLIVAN COUNTY, TENNESSEE



LOCATION MAP

Sullivan County, Tennessee
Board of County Commissioners

4
No. 7
Budget Committee
2002-09-119

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Authorizing the Expenditure of Funds for the Improvement of Land in the Tri-County Industrial Park

WHEREAS, the Industrial Development Board of Sullivan County wishes to improve certain lands within the Tri-County Industrial Park, as authorized by Tennessee Code Annotated, by grading the property thereby making it more attractive to a potential new industry; and,

WHEREAS, the proposed site to be improved is currently owned by the Industrial Development Board of Sullivan County; and,

WHEREAS, a bid of \$91,262.00 to grade said site has been obtained.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby appropriates \$91,262.00 to the Industrial Development Board of Sullivan County to be used for grading of the site with such monies being returned to the County upon sale of the site. Further, the appropriation of such monies are to come from funds generated from previous land sales within the Industrial Park.

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

Duly passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By Commissioner: Harr

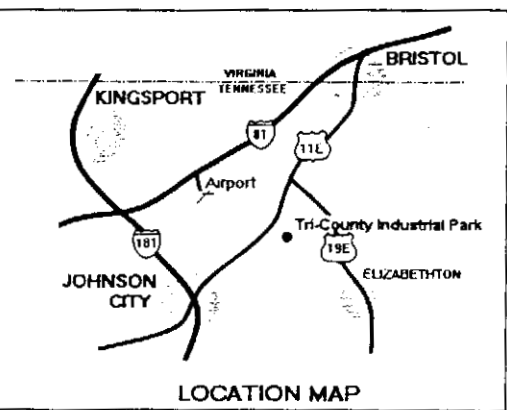
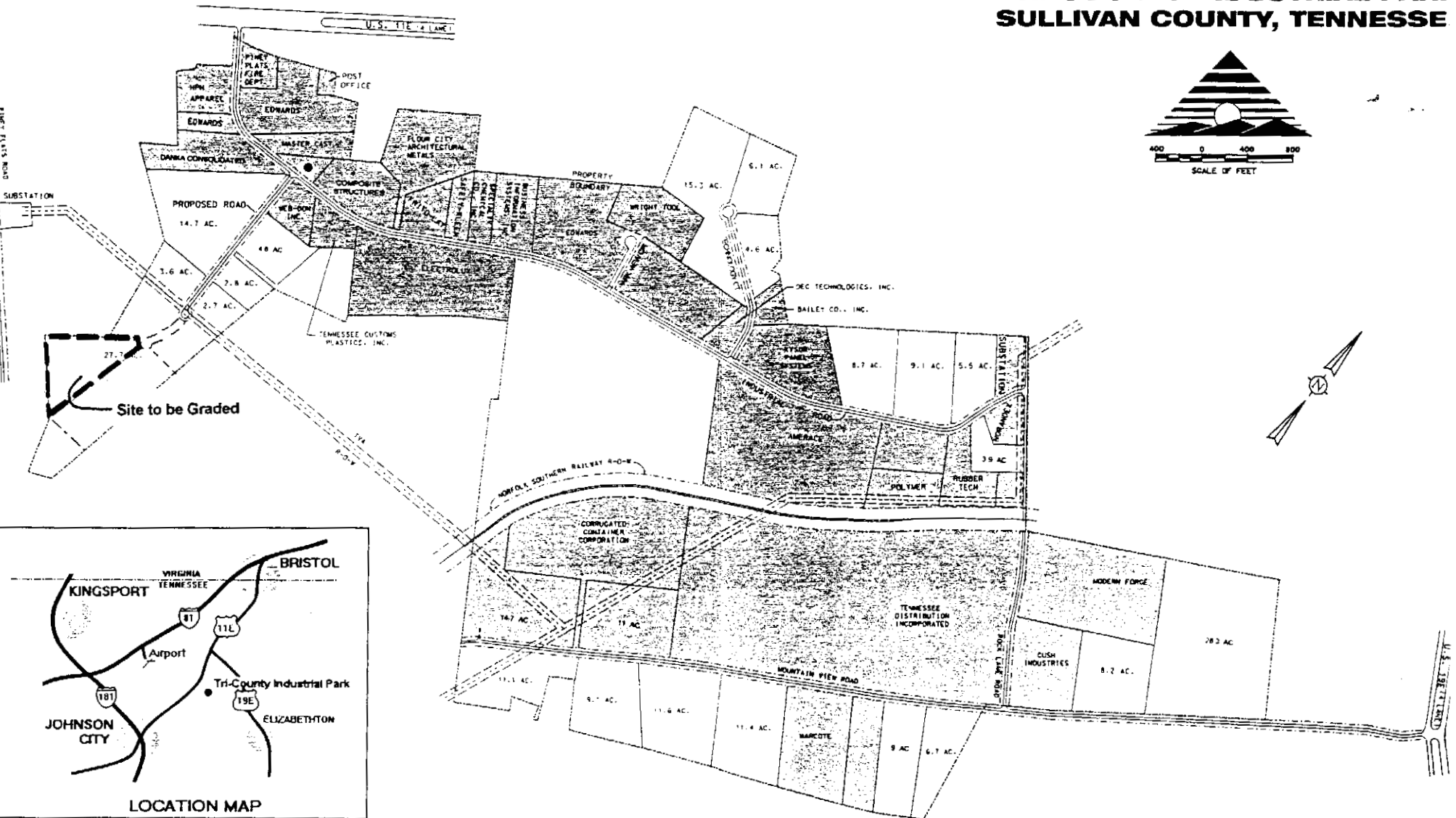
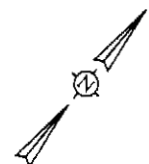
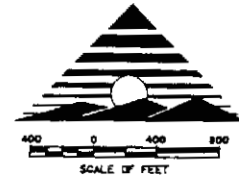
Seconded By Commissioner(s): Hyatt

all

2002-09-119	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 09-16-02; Deferred 10-21-02;

TRI-COUNTY INDUSTRIAL PARK SULLIVAN COUNTY, TENNESSEE



Sullivan County, Tennessee
Board of County Commissioners

No. 5
Administrative Committee
2002-09-121

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Appointing Members to the Sullivan County Enhanced Communications District 9-1-1 Board of Directors

WHEREAS, terms for three members of the Sullivan County Enhanced Communications District 9-1-1 Board of Directors are due to expire on September 15, 2002; these members being Debbie Elsea, Jerry Fleenor, and Terry Jones; and,

WHEREAS, the County Executive has contacted these members and each has agreed to serve an additional term on the Board;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby confirms the following reappointments made by the County Executive to the Sullivan County Enhanced Communications District 9-1-1 Board of Directors.

Debbie Elsea - Term: September 15, ~~2001~~ [2002] to September 15, 2006;

Jerry Fleenor - Term: September 15, ~~2001~~ [2002] to September 15, 2006;

Terry Jones - Term: September 15, ~~2001~~ [2002] to September 15, 2006.

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 October 2002.

Attested: Jeanie Gammma 10/21/02 County Clerk Date
Approved: Richard S. Venable 10/21/02 County Executive Date

Introduced By Commissioner: Vance
Seconded By Commissioner(s): Patrick
all

2002-09-121	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-7-02	No Action 10-10-02	Approved 10-2-02	Approved 10-21-02

voice vote

Comments: 1st Reading 09-16-02; 10-10-02; Typo corrected - changed 2001 to 2002;

Sullivan County, Tennessee
Board of County Commissioners

No. 6
Executive Committee
2002-09-123

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Authorizing Traffic Sign Changes in the 11th Civil District

WHEREAS, the Sullivan County Highway Department has been requested by Commissioner Elliott Kilgore to make changes to traffic signs in the 11th Civil District;

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

11th Civil District:

Place a STOP sign on Trevor Drive, intersection with Independence Drive;

Place a STOP sign on Salvation Road, intersection with Independence Drive.

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

Duly passed and approved this 21st day of October 2002.

Attested: Jeanie Hammon 10/21/02 Approved: Richard S. Venable 10/21/02
County Clerk Date County Executive Date

Introduced By Commissioner: Kilgore

Seconded By Commissioner(s): Surgenor [Crawford]

2002-09-123	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-7-02	No Action 10-10-02	Approved 10-2-02	Approved 10-21-02 Vote Vote

Comments: 1st Reading 09-16-02; 10-7-02 Administrative Committee noted that the Co-sponsor should be Crawford not Surgenor;

**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

September 11, 2002

COMMISSIONERS: Elliott Kilgore
~~Michael B. Surgenor~~ John Crawford

Dear Commissioners:

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

To place a STOP sign on Trevor Drive, intersection with Independence Drive.

To place a STOP sign on Salvation Road, intersection with Independence Drive.

Request made by Commissioner Elliott Kilgore.

This is in the 11th Civil District.

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

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: Angela Taylor

Sullivan County, Tennessee
Board of County Commissioners

No. 7
Budget Committee
2002-10-124

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Authorizing Grant and Contract for Sullivan County Optional High School Academy with the Alliance of Business & Training, Inc. for the Period Starting August 5, 2002, through July 31, 2003. This Will Amend the General Purpose School Budget by the Amount of the Grant, \$160,220.00

WHEREAS, Sullivan County Schools will provide education toward obtaining a Tennessee High School Diploma to students from Sullivan County Schools; Bristol Tennessee City Schools; and the Jacob Creek Job Corps; and,

WHEREAS, the Sullivan County Board of Education has approved accepting the program and funds;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves amending the General Purpose School Budget in the amount of \$160,220.00 for the Sullivan County Optional High School Academy as follows:

Account Number	Account Description	Amount
47592.000	Revenue - Other Federal Thru State	160,220.00
71100.100	Personnel	99,141.00
71100.200	Employee Benefits	11,698.00
71100.300	Contracted Services	8,776.00
71100.400	Instructional Supplies and Materials	15,605.00
71100.500	Other Charges	10,000.00
71100.700	Capital Outlay	15,000.00

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 21st day of October 2002.

Attested: Jeanie Gammon 10/21/02 County Clerk Approved: Richard Venable 10/21/02 County Executive

Introduced By Commissioner: **D. Houser**
Seconded By Commissioner(s): **M. Surgenor**

2002-10-124	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-7-02	Approved 10-10-02	Approved 10-2-02	Approved 10-21-02 23A, 1 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

No. 8
Budget Committee
2002-10-125

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Authorizing the Sullivan County School Department To Amend the General Purpose School Budget for the Education Edge Grant in the Amount \$80,495.00

WHEREAS, Sullivan County Schools is the grant recipient for the Education Edge Grant for Sullivan County Schools, Kingsport City Schools and Hawkins County Schools; and,

WHEREAS, the Sullivan County Board of Education is working in partnership with the Kingsport Chamber of Commerce;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves amending the General Purpose School Budget in the amount of \$80,495.00 as follows:

Account Number	Account Description	Amount
47591.000	Revenue - Other Federal Thru State	80,495.00
71100.300	Contracted Services	80,495.00

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 21st day of October 2002.

Attested: Joanie Cannon 10/21/02 Approved: Richard S. Venable 10/21/02
County Clerk Date County Executive Date

Introduced By Commissioner: D. Houser
Seconded By Commissioner(s): M. Surgenor

2002-10-125	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-7-02	Approved 10-10-02	Approved 10-2-02	Approved 10-21-02 23A, Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

No. 9
Budget/Executive Committee
2002-10-126

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Appropriating Funds and Approving Installation of Traffic Signal at the Intersection of Lebanon Road and Kendricks Creek Road

WHEREAS, County Commissioners in the 7th ~~Civil~~ [Commission] District have requested that a traffic signal be installed at the intersection of Lebanon Road and Kendricks Creek Road to enhance public safety in this area; and,

WHEREAS, Sullivan County has received a quote from McNutt & Sons, Electrical Contractors Inc., in the amount of \$42,553.00 to install the traffic signal (said amount does not include any pavement markings required); and,

WHEREAS, McNutt & Sons have advised that upon contract with Sullivan County, the manufacture time for the traffic signal equipment will be a minimum of 120 days plus installation time;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves installing a traffic signal at the intersection of Lebanon Road and Kendricks Creek Road.

BE IT FURTHER RESOLVED that funds are hereby appropriated from Account 39000 in the amount of \$42,553.00 to Account 51800.728 for this project.

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 October 2002.

Attested: Joanie Gammon
County Clerk

Date

Approved: Richard S. Venable
County Executive

Date

Introduced By Commissioner: Jones

Seconded By Commissioner(s): Brotherton

all

2002-10-126	Administrative	Budget	Executive	County Commission
ACTION	Approved 10-7-02	Approved 10-10-02		Approved 10-21-02 23A, Absent

Comments: 10-10-02 Budget Committee noted that Commission District not Civil District should be used.;

Sullivan County, Tennessee
Board of County Commissioners

No. 10
Executive Committee
2002-10-127

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Requiring All New County Employees to Undergo Health Examination

WHEREAS, it is in the best interest of Sullivan County to ensure the health of their employees, both current employees and future employees;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby require that all employees hired from the date of the passage of this resolution be required to undergo a physical evaluation. Said evaluation to be conducted by the doctor at the Sullivan County Health Department.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists. Duly passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By Commissioner: Harr
Seconded By Commissioner(s): Williams

2002-10-127	Administrative	Budget	Executive	County Commission
ACTION		Approved as Amended 10-10-02		

Comments: Deferred by Sponsor 10-21-02;

PROPOSED AMENDMENT BY THE BUDGET COMMITTEE

In the "Now Therefore Be It Resolved" paragraph, lines 2, 3, 4 & 5, the budget committee proposes the resolution to read:

... that all employees hired from the date of the passage of this resolution be required to undergo a physical examination and drug evaluation. Said exam/evaluation to be conducted by the doctor and/or nurse practitioner at the Sullivan County Health Department.

BE IT FURTHER RESOLVED that any costs will be incurred by the respective department.

Commission Action:

Sullivan County, Tennessee
Board of County Commissioners

No. 11
Executive Committee
2002-10-128

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 21st day of October, 2002.

RESOLUTION Appointing Adult-Oriented Establishment Board

WHEREAS, the committee to recommend committee assignments did not include the Adult-Oriented Establishment Board; and

WHEREAS, the committee members should be members of the same committee;

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of October, 2002, hereby appoint the following commissioners to serve on the Adult-Oriented Establishment Board: Commissioner Ralph Harr, Commissioner Eddie Williams, Commissioner O.W. Ferguson, Commissioner Jim King and Commissioner Buddy King.

[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 _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By: Commissioner: M. Surgenor

Seconded By: Commissioner(s): H. Patrick

ms

2002-10-128	Administrative	Budget	Executive	County Commission
ACTION		No Action 10-10-02		

Comments: Waiver of Rules Requested

Motion made to table 10-21-02 by Harr, 2nd by Vance, no action taken on motion. Resolution withdrawn 10-21-02 by Sponsor.

Sullivan County, Tennessee
Board of County Commissioners

No. 12
Budget Committee
2002-10-129

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Amending the Budget for the Sullivan County Health Department for School Health Nurse Services

WHEREAS, the Sullivan County Health Department contracts with the Sullivan County School Department to provide School Health Nurse services to students as mandated by the State of Tennessee; and,

WHEREAS, these School Health Nurse services are reimbursed with approval from the Sullivan County Board of Education to the Sullivan County Health Department fund.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve amending the budget as follows:

Revenue	Amount	Appropriation
48140 PGM 122	\$48,256.00	55110.100 PGM 122
48140 PGM 122	<u>\$8,300.00</u>	55110.200 PGM 122
	\$56,556.00	

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 October 2002.

Attested Joannie Gammon 10/21/02 Approved Richard S. Venable 10/21/02
County Clerk Date County Executive Date

Introduced By Commissioner: Williams
Seconded By Commissioner(s): Harr

2002-10-129	Administrative	Budget	Executive	County Commission
ACTION		Approved 10-10-02		Approved 10-21-02 22Aye, 2 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

No. 13
Budget Committee
2002-10-130

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Amending the Budget for the Sullivan County Health Department to Include Various Grant Funds

WHEREAS, the Sullivan County Health Department has received grant funds for use with programs involving: Bioterrorism, Lead and MCH;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve amending the budget as follows:

Revenue	Amount	Appropriation
Lead Grant		
47590	\$14,300.00	55190.100
47590	\$2,860.00	55190.200
47590	\$13,270.00	55190.300
47590	<u>\$9,570.00</u>	55190.400
	\$40,000.00	
MCH Grant		
46310	\$52,400.00	55110.100
46310	\$15,720.00	55110.200
46310	<u>\$10,000.00</u>	55110.300
	\$78,120.00	
Homeland Security		
47590 PGM 106	\$9,800.00	55190.100 PGM 106
47590 PGM 106	<u>\$2,955.00</u>	55190.200 PGM 106
	\$12,755.00	

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 October 2002.

Attested: Joannie Gammon 10/21/02 Date
County Clerk
Approved: Richard S. Venable 10/21/02 Date
County Executive

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Harr

2002-10-130	Administrative	Budget	Executive	County Commission
ACTION		Approved 10-10-02		Approved 10-21-02

Comments:

23 Aye, 1 Absent

Sullivan County, Tennessee
Board of County Commissioners

No. 14
Budget Committee
2002-10-131

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Appropriating Funds for Street Lighting at Exit 69, I-81 Interchange

WHEREAS, on June 17, 2002, the Board of County Commissioners approved Resolution 2002-05-71 approving the installation and funding of a street lighting project with Bristol Tennessee Electric System to extend street lighting from the Bristol city limits (near Food City) to the I-81 Interchange; and,

WHEREAS, at that time, interest was shown in securing funding through the State of Tennessee to light the Exit 69, I-81 Interchange; and,

WHEREAS, the State of Tennessee, Department of Transportation has agreed to contract with Sullivan County to construct, erect, install and place in operation a lighting system for the interchange at a cost of \$55,000 to the county which reflects a 50/50 cost ratio with the State.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves entering into a contract with the State of Tennessee, Department of Transportation, to install a lighting system at the Exit 69, I-81 Interchange.

BE IT FURTHER RESOLVED that the Board approves appropriating \$55,000 to fund said project. Account Codes to be assigned by the Director of Accounts & 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 October 2002.

Attested: Joanie Gammon 10/21/02 Approved: Richard S. Venable 10/21/02
County Clerk Date County Executive Date

Introduced By Commissioner: Harr

Seconded By Commissioner(s): Blackburn

2002-10-131	Administrative	Budget	Executive	County Commission
ACTION		Approved 10-10-02		Approved 10-21-02 23 Aye, 1 Absent

Comments:

Sullivan County, Tennessee
Board of County Commissioners

No. 15
Budget Committee
2002-10-132

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Authorizing Sullivan County to Act as Grant Receiving Agent for Frontier Health

WHEREAS, Frontier Health wishes for Sullivan County to serve as a receiving agent for a grant in an amount up to \$1,400,000 over a three year period; and

WHEREAS, the treatment provided through this grant will target substance abuse and mental health services; and

WHEREAS, the courts of Sullivan County use the treatment services provided by Frontier Health on a daily basis.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize Sullivan County to act as a receiving agent and thereby receive and disburse grant funds in an amount up to \$1,400,000 over a three-year period as awarded per the grant contract through the Department of Health and Human Services to Frontier Health.

BE IT RESOLVED that there is no cost to the county in securing these funds on behalf of Frontier Health. Account Codes to be assigned by the Director of Accounts and Budgets.

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

Duly passed and approved this _____ day of _____ 2002.

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

Introduced By Commissioner: Houser
Seconded By Commissioner(s): Patrick

alt

2002-10-132	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 10-21-02;

Sullivan County, Tennessee
Board of County Commissioners

No. 16
Executive Committee
2002-10-133

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Authorizing Traffic Sign Changes in the 5th Civil District

WHEREAS, the Sullivan County Highway Department has been requested by Commissioner Garth Blackburn of the 5th Civil District to make changes to traffic signs in the 5th Civil District.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the following traffic sign changes in the 5th Civil District:

Place a "No Parking" Sign on Stewart Road, intersection with Morelock Drive.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By Commissioner: Blackburn

Seconded By Commissioner(s): Brittenham, Houser

2002-10-133	Administrative	Budget	Executive	County Commission
ACTION				

Comments 1st Reading 10-21-02;

**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

October 16, 2002

COMMISSIONERS: Garth Blackburn
Linda Brittenham
Dennis Houser

Dear Commissioners:

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

To Place a NO PARKING sign on Stewart Road, intersection with Morelock Drive.

Request made by Commissioner Garth Blackburn.

This is in the 5th Civil District.

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

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: Angela Taylor

Sullivan County, Tennessee
Board of County Commissioners

No. 17
Administrative Committee
2002-10-134

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Authorizing the Sullivan County Sheriff's Office to Utilize Land Currently Owned by Sullivan County and Adjoining the Land known as the "Old Landfill" on Highway 37 for the Purpose of Erecting a Training Building

WHEREAS, Sullivan County has ownership in property that is, and joins, the old landfill off Highway 37 near its intersection with 11W; and,

WHEREAS, some \$250,000 value of land excavation has been accomplished by the Job Corps in preparation for a firing range and training site for Sullivan County Sheriff's Office; and,

WHEREAS, the Sullivan County Sheriff's Office received funding from Federal Equitable Sharing of drug related confiscations to fund the purpose of a suitable building; and,

WHEREAS, preliminary plans are in place for building construction through Sheriff's employees and trustee labor.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the Sheriff to proceed with the placement of a training building on the afore described property and to commence training exercises effective upon completion.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duty passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By Commissioner: Harr

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

h

2002-10-134	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 10-21-02;

17 134
AMENDMENT TO RESOLUTION NO. ~~48~~ 2002-10-~~133~~

Amend as Follows:

Add additional paragraph at the end of the Resolution as follows:

BE IT FURTHER RESOLVED that Sullivan County is hereby authorized to grant an easement to American Electric Power to allow the placement of utility poles to accommodate the training facility and the County Executive is hereby authorized to execute the attached easement form upon approval by the County Attorney.

Introduced by Commissioner: Harr
Seconded By Commissioner(s): Williams, King

COMMENTS: _____

2002-10-¹³⁴~~133~~/trl

Sullivan County, Tennessee
Board of County Commissioners

No. 18
Budget Committee
2002-10-135

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 21st day of October 2002.

RESOLUTION Appropriating Additional Funds for Transportation Study

WHEREAS, the Board of County Commissioners passed Resolution No. 2001-07-075 on August 20, 2001 agreeing to contract with Wilbur Smith & Associates to conduct an independent transportation study focused on the State Route 357 Extension and a Comprehensive Transportation Study addressing the needs of the entire county; and,

WHEREAS, Wilbur Smith and Associates were requested by the Transportation Committee and Purchasing Agent to hold two additional meetings in reference to the State Route 357 project and to provide additional analysis and projections in reference to the Comprehensive Study other than those provided for within the Scope of Services;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve appropriating \$4,700.00 to compensate Wilbur Smith & Associates for their additional work outside the original Scope of Services contracted with the Sullivan County.

BE IT RESOLVED that funds will be appropriated from the 39000 account. Account codes to be assigned by the Director of Accounts & Budgets.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By Commissioner: King (Buddy)

Seconded By Commissioner(s): Hyatt

alt

2002-10-135	Administrative	Budget	Executive	County Commission
ACTION				

Comments:

1st Reading 10-21-02;

Sullivan County, Tennessee
Board of County Commissioners

No. 19
Administrative Committee
2002-10-136

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 21st day of October, 2002.

RESOLUTION Authorizing Sullivan County to Enter Into Mutual Aid Agreements for Law Enforcement Purposes with Greene County, Hawkins County, the City of Mount Carmel and the City of Kingsport

WHEREAS, Tennessee Code Annotated §12-9-101, et seq., and Tennessee Code Annotated §58-2-111, et seq., authorize public agencies of this state to enter into interlocal agreements for mutual assistance; and

WHEREAS, Greene County, Hawkins County, the City of Mount Carmel and the City of Kingsport have requested Sullivan County to enter into Mutual Aid Agreements for law enforcement purposes.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of October, 2002, hereby authorize Sullivan County to enter into the attached Regional Mutual Aid Agreement with Greene County, Hawkins County, the City of Mount Carmel and the City of Kingsport for law enforcement purposes and the County Executive is hereby authorized to execute the same on behalf of Sullivan County.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this ____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By: Commissioner: M. Vance
Seconded By: Commissioner(s): H. Patrick

trf

2002-10-136	Administrative	Budget	Executive	County Commission
ACTION				

Comments: Deferred 10-21-02;

**REGIONAL
MUTUAL AID AGREEMENT**

THIS AGREEMENT entered into by and between the _____,
TENNESSEE and the COUNTY OF SULLIVAN, TENNESSEE.

WITNESSETH:

WHEREAS, Tennessee Code Annotated §12-9-101, et seq., and Tennessee Code Annotated §58-2-111, et seq., authorize public agencies of this state to enter into interlocal agreements for mutual assistance; and

WHEREAS, the parties hereto by this agreement avail themselves of the authority conferred by these acts; and

WHEREAS, it is intention of the parties hereto to provide each of the parties by mutual assistance commitments with a predetermined plan by which each might render aid to the other in case of emergency which demands law enforcement services to a degree beyond the existing capabilities of either party; and

WHEREAS, it is deemed in the public interest for the parties hereto to enter into said agreement for mutual assistance in law enforcement to assure each party of adequate protection.

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

1. The parties will respond to calls for law enforcement assistance only upon request for such assistance made by the chief law enforcement official for the requesting agency, or his designee. All requests for emergency law enforcement assistance shall be directed only to the chief enforcement official, or his designee, for the entity from which aid is requested.
2. Each party's response, if any, to such call for assistance will be determined by the chief law enforcement official for the responding agency, or his designee, in the exercise of his sound discretion. Any decision reached by the aforesaid chief law enforcement official for the responding agency, or his designee, as to such response shall be final.
3. Except as may be applicable under paragraph five of this instrument, the conduct and actions of personnel for the responding agency shall be the responsibility of the party sending assistance, and personnel for the responding agency shall at all times be considered as employees for the responding agency.
4. The party responding to the request for mutual assistance under the terms of this

agreement shall be liable and responsible for the damage to its own apparatus and/or equipment and personnel. The responding party shall also be liable and responsible for any damage caused by its own apparatus and/or negligence of its own personnel while en route to or returning from a specific location.

5. The responding party assumes no responsibility or liability for damage to property or injury to any person that may occur at the actual scene of an emergency due to actions taken in responding under this agreement. Pursuant to Tennessee Code Annotated §29-20-107(f), employees of the responding party acting at the scene of the emergency shall be considered employees of the requesting party for tort liability purposes.

6. No compensation will be paid by the parties under this agreement for said mutual assistance rendered.

7. Except as may be applicable under paragraph five of this instrument, the parties hereto agree that no claims for compensation will be made by a party hereto against the other party for loss, damage or personal injury which may occur in consequence of mutual assistance rendered hereunder, and that any and all rights and claims asserting such are hereby expressly waived.

8. Except as provided in paragraph five, at all times officers of the responding agency shall be considered to be employees of the responding agency and to be acting within the course and scope of their employment for purposes under the Governmental Tort Liability Act and/or Workers' Compensation Law of the State of Tennessee.

9. The chief law enforcement official of the requesting agency, or his designee, shall in all instances be in command of the emergency as to strategy, tactics and overall direction of the operations. All orders or directions regarding the operations of the responding agency shall be relayed through the ranking officer of the responding party at the scene. The provisions of this part shall not be construed as creating a duty on the part of the responding party to stay at the scene of an emergency for any length of time. The responding party may depart the scene of an emergency at any time at the discretion of the officer in command of the responding party at the scene of an emergency.

10. All law enforcement personnel employed by the parties to this agreement shall, during such time that said personnel are actually providing aid outside the jurisdictional limits of the employing party pursuant to a request for aid made in accordance with this agreement, shall have the same powers, duties, rights, privileges and immunities as if said personnel were performing their duties within the political subdivision in which they are normally employed.

11. The party having financial responsibility for the law enforcement agency providing services, personnel, equipment or facilities utilized pursuant to the provisions of this agreement shall bear any loss or damage to the same and shall pay any and all expenses

incurred in the maintenance and operation of the same.

12. The party having financial responsibility for the law enforcement agency providing aid pursuant to this agreement shall compensate all of its employees rendering aid pursuant to this agreement during the time of the rendering of such aid and shall defray the actual travel and maintenance expenses of such employees while they are rendering such aid. Such compensation shall include any amounts paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid, if such amounts would be due if the aforesaid personal injury or death had occurred within the normal jurisdiction of that party. Such compensation shall also include all benefits normally due such employees.

13. All exemption from ordinance and rules, and all pension, insurance, relief, disability, workmen's compensation, salary, death, and other benefits which apply to the activity of such officers, agents, or employees of any party when performing their respective functions within the territorial limits of their respective party's jurisdiction shall apply to them to the same degree, manner, and extent while engaged in the performance of any provision of this Mutual Aid Agreement. The provisions of this agreement shall apply with equal effect to paid and auxiliary employees.

14. This agreement shall also encompass the use of such participating party's personnel in the mass processing of arrestees, transportation of prisoners and operation of temporary detention facilities in the event of natural disasters, mass disorder, emergency situations, crisis intervention, and/or mass arrest situations, all of which shall be dealt with in accordance with the provisions contained hereinabove.

15. This agreement may be canceled at the discretion of the Chief Executive Officer of any party upon sixty (60) days written notice to all other parties.

16. This agreement shall take effect upon execution by the authorized representative of each party after approval of the governing body of each party, and shall remain in full force and effect until canceled as provided herein.

17. This agreement shall not limit in any way the powers, rights and/or responsibilities of the Sheriff's Office as defined by the law of the State of Tennessee.

IN WITNESS WHEREOF, the parties have set hands the day and year first above written.

By: _____
Title: _____
Date: _____

By: _____
Title: _____
Date: _____

SULLIVAN COUNTY, TENNESSEE

By: _____
RICHARD S. VENABLE
County Executive

By: _____
WAYNE ANDERSON
Sheriff

ATTEST:

JEANIE GAMMON
County Clerk

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION NOVEMBER 18, 2002.


RICHARD VENABLE

COMMISSION CHAIRMAN