

COUNTY COMMISSION MEETING - SPECIAL CALLED SESSION

MONDAY EVENING

OCTOBER 24, 1994

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN A SPECIAL CALLED SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY EVENING, OCTOBER 24, 1994, 7:00 O'CLOCK P. M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE AND GAY B. FEATHERS, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS OF SULLIVAN COUNTY, TO WIT:

The meeting was called to order by County Executive, Gil Hodges. Commissioner Jim King gave the invocation and pledge to the flag was led by County Executive, Gil Hodges.

Roll was called by County Clerk, Gay Feathers. Commissioners present and answering roll call are as follows:

CAROL BELCHER	
JAMES R. (JIM) BLALOCK	
BYRAN K. ROYD	
JUNE CARTER	AUBREY L. KISER, JR.
RAYMOND C. CONKIN, JR.	CARL KRELL
O. W. FERGUSON	GARY MAYES
MIKE GONCE	PAUL MILHORN
RALPH P. HARR	RONALD E. REEDY
EDLEY HICKS	MICHAEL B. SURGENOR
PAT HUBBARD	MARK A. VANCE
MARVIN HYATT	EDDIE WILLIAMS
JACK JONES	
TERRY JONES	
JAMES L. KING., JR.	ABSENT- WAYNE MCCONNELL

22 Present 1 Absent

The purpose of this Special Called Session was to hear and vote on Resolution # 18 which was heard on First Reading October 17, 1994, authorizing the County Attorney to start legal proceedings against Bristol, Tennessee for the September 29, 1994 annexation of undeveloped land in the Tri-County Industrial Park.

Commissioners voting for the Resolution and Amendment:

BELCHER	MILHORN
BLALOCK	REEDY
CARTER	SURGENOR
CONKIN	
GONCE	Total 12
HICKS	
HYATT	
TERRY JONES	
KRELL	

Commissioners voting against the Resolution and Amendment:

BOYD	KING
FERGUSON	KISER
HARR	MAYES
HUBBARD	VANCE
JACK JONES	WILLIAMS

Total 10

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF October 19 94

RESOLUTION AUTHORIZING The County Attorney to Take Legal Action Against the City of Bristol, TN Regarding Its Annexation of the Undeveloped Land in Tri-County Industrial Park

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of October 19 94

THAT WHEREAS, The City of Bristol, Tennessee, on September 29, 1994, completed its annexation of several properties in the Piney Flats community including the annexation of more than 200 acres of undeveloped land in the Tri-County Industrial Park, and

WHEREAS, The owners of the Tri-County Industrial Park are: Sullivan County - 50%; Johnson City, TN - 25%; Elizabethton, TN - 12-1/2% and Bristol, TN - 12-1/2%, and

WHEREAS, At the creation of the above Park it was never intended that it be annexed by any one-part owner because city taxes, especially Bristol's, would be a detriment to any effort to attract and secure industries for location in the Park, and

WHEREAS, The Tri-County Industrial Park is adequately served by urban utilities and local fire department and Sheriff's Department, and

WHEREAS, Since the City of Bristol cannot offer the Park any services which it does not already possess, and therefore the City of Bristol's acquisition must be solely for revenue purposes which is prohibited by Tennessee Law, now

THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners instruct the County Attorney to take legal action against the City of Bristol, TN regarding its annexation of the undeveloped land in Tri-County Industrial Park.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 24th day of October, 1994

Attested: _____ Date: Gil Hodges 10-24-94
County Clerk County Executive

INTRODUCED BY COMMISSIONER T. Jones ESTIMATED COST: _____
SECONDED BY COMMISSIONER M. Hyatt FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				<u>10-3-94</u>
Budget				
Executive	X			<u>10/5/94</u>

*10/5
Action*

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	12	10		1	
Voice Vote					

COMMENTS: DEFERRED until Special Called Session, October 24, 1994, 7:00 P.M.

APPROVED WITH AMENDMENT 10/24/94 ROLL CALL VOTE

PROPOSED AMENDMENT

RES: #18 - The County Attorney to Take Legal Action
Against the City of Bristol, TN Regarding Its Annexation
of the Undeveloped Land in Tri-County Industrial Park

ADD THE FOLLOWING PARAGRAPH:

FURTHER BE IT RESOLVED, That if and when the City of Bristol, TN de-annexes those portions of property in the Tri-County Industrial Park which the City annexed on September 29, 1994, Sullivan County will dismiss its legal challenge to this annexation.

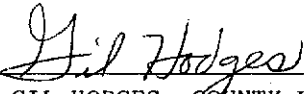
COMMENTS: APPROVED 10/24/94 Roll Call

INTRODUCED BY COMMISSIONER: Terry Jones
SECONDED BY COMMISSIONER: Marvin Hyatt

We, the undersigned Sullivan County Commissioners call for a special meeting at 7:30 p.m. on October 24, 1994 in the Commission Room of the Courthouse at Blountville. This meeting is called to hear on second reading and vote on Resolution No. 18 brought to the floor on October 17, 1994 authorizing the County Attorney to start legal proceedings against Bristol, TN for their September 29, 1994 annexation of undeveloped land in the Tri-County Industrial Park.

- 1 *James Jones*
- 2 *Marvin Hyatt*
- 3 *James [unclear]*
- 4 *Mike [unclear]*
- 5 *Jack Jones*
- 6 *Ryne Carter*
- 7 *Carl R. Bull*
- 8 *Harold C. [unclear]*
- 9 *Old [unclear]*
- 10 *R. Wayne McConnell*
- 11 *Pat [unclear]*
- 12 *Michael Surgenor*
- 13 *Larry [unclear]*
- 14 *Earl [unclear]*
- 15 *Walter [unclear]*
- 16 *Clayton [unclear]*
- 17 *Mark [unclear]*
- 18 *Bill [unclear]*
- 19 *Edley High*
- 20 *Paul [unclear]*
- 21 *[unclear]*
- 22 _____
- 23 _____
- 24 _____

AND THEREUPON COUNTY COMMISSION ADJOURNED TO
MEET AGAIN IN REGULAR SESSION ON NOVEMBER 21, 1994



GIL HODGES, COUNTY EXECUTIVE