

SEPTEMBER 18, 1989
MONDAY MORNING, SEPTEMBER 18, 1989

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT FOR A REGULAR
SESSION OF COUNTY COMMISSION IN SESSION THIS MONDAY MORNING, SEPTEMBER
18, 1989, IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE
KEITH WESTMORELAND, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK, AND
JERRY CALHOUN, CHIEF DEPUTY SHERIFF OF SAID BOARD OF COMMISSIONERS OF
SAID COUNTY,

TO WITNESS:

COMMISSIONERS PRESENT AND ANSWERING ROLL CALL:

AMMONS, ANDERSON, ARRINGTON, BARGER, BLALOCK, CARROLL, CHILDRESS,
DEVAULT, DINGUS, FERGUSON, FORTUNE, GROSECLOSE, ICENHOUR, JONES, KING,
MCKAMEY, MCCONNELL, MORRELL, NICHOLS, ROCKETT, RUSSIN AND THOMAS.

COMM. NEIL ARRIVED LATE

ABSENT: COMM. MILHORN

STATE OF TENNESSEE
COUNTY OF SULLIVAN

September 18, 1989

Election of Notaries

Martha K. Allman
Carol Jane Belcher
Cynthia R. Bledsoe
Velma F. Bragg
Beatrice S. Brown
Susan E. Browning
Dorothy L. Coker
Linda Cowden
Elesha Faulk
Linda S. Fleenor
Ann D. Gross
Janis R. Hagy
Lorraine B. Hatcher
David S. Haynes
Tammy W. Helvey
Dorothy A. Horton
Marie F. Johnson
James L. King, Jr.
Shannon Lane
Mary L. May
James D. Miller
Aldin M. Morrell
Elizabeth Mosier

Chestalene B. Myers
Lawrence P. Olon
Billie Jo Reece
Billie M. Rhoton
Craig M. Rockett, Jr.
Tracye L. Smith
Barbara H. Stitt
Tina D. Taylor
Ralph Watterson
Kathy J. Russell

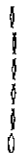
(Upon motion made by Commissioner Morrell and
Second by Commissioner Thomas, the within named
persons were elected Notary Public for a four
year term by roll call vote of the County
Commission.)

AYE 23 ABSENT 1

ELECTION OF CONSTABLE

IN

ELEVENTH CIVIL DISTRICT



NOMINATIONS

NOMINATED BY: COMM. ANDERSON

SECOND BY: COMM, FORTUNE AND GROSECLOSE

NOMINATED BY: COMM. CARROLL

SECOND BY: COMM. NELL

MOTION BY: COMM. MCCONNELL

SECOND: NONE

JAMES "SHINE" OLTERMAN

DEWY LANE

CHARLES BOYER

Commissioners voted for the candidate of their choice when thier name was called by the Clerk.

By roll call the vote was: OLTERMAN 12 LANE 11 BOYER 0

To be elected, the candidate must have a majority vote. This did not occur on first roll call, and by decision of the Commission, before the voting began on first roll call, a run off vote between the candidates receiving the most votes would be elected.

Second Roll Call: OLTERMAN 14 LANE 9

Motion by: Comm. McConnell and Second by: Comm. Thomas

THAT, James "Shine" Otterman be elected by acclamation,
ALL MEMBERS VOTED AYE.

AND THEREUPON, JAMES "SHINE" OLTERMAN WAS ELECTED CONSTABLE
OF THE ELEVENTH CIVIL DISTRICT TO FILL THE UNEXPIRED TERM OF ELMER
FRANKLIN.

000191

RESOLUTION NO. 467
30

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE
SULLIVAN COUNTY BOARD OF COMMISSIONERS IN ADJOURNED SESSION
THIS THE 26TH DAY OF JUNE, 1989.

RESOLUTION AUTHORIZING TELEVISED COUNTY COMMISSION MEETINGS

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 Adjourned Session on the 26th day
of June, 1989,

THAT the Sullivan County Commission meetings be televised through the appropriate
channels, estimated cost \$100,000. This will include the county obtaining television
equipment necessary for taping the meetings. Taping of meetings will provide accurate
and irrefutable recordings of the meeting. Public welfare demands it.

AMEND: Comm. DeVault Camcorders be added

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

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

Duly passed and approved this _____ day of _____, 19____.

ATTESTED:

APPROVED:

County Clerk Date: _____

County Executive Date: _____

INTRODUCED BY COMMISSIONER Ammons ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER Fortune FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE _____

| COMMITTEE ACTION: | APPROVED | DISAPPROVED | DATE |
|-------------------|----------|-------------|---------|
| EXECUTIVE | | X | 7/5/89 |
| Administrative | | X | 7/10/89 |

COMMENTS: FIRST READING 6/26/89 DEFERRED 7/17/89 DEFERRED 8/21/89
TABLED 9/18/89

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION

THIS THE 21st DAY OF AUGUST, 19 89.

RESOLUTION AUTHORIZING PUMP STATION BE INSTALLED AT MARY HUGHES SCHOOL AND GRAVITY LINE BE INSTALLED FROM THE SCHOOL TO EXISTING LINE ON HIGHWAY 11-E

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION , AUTHORIZES COUNTIES "O"

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in REGULAR Session on the 21st day of AUGUST, 19 89.

THAT WHEREAS, the sewage facilities at the Mary Hughes School are inadequate to take care of the needs of the facility; and

WHEREAS, the School Department and the Sullivan County Health Department have requested the Sullivan County Board of Public Utilities to investigate the cost of installing sewer lines to the school, now,

THEREFORE, be it Resolved that one pump station be installed at the Mary Hughes School and 3600 Ft. of 4" main, and 400 Ft. of gravity line be installed from the school to the existing line on Highway 11-E.

9/19/89 by McKamey AMEND: Subject to money being available after Blountville lines are completed.

NOTE: SEE ATTACHED SKETCH

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

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

Duly passed and approved this 18th day of September, 19 89.

ATTESTED: [Signature] Date: 9-18-89 County Clerk APPROVED: [Signature] Date: 9-18-89 County Executive

INTRODUCED BY COMMISSIONER John McKamey ESTIMATED COSTS:

SECONDED BY COMMISSIONER Sam Jones FUND:

COMMISSION ACTION: [aye] [nay] [absent] ROLL CALL 22 1 1 ICE VOTE

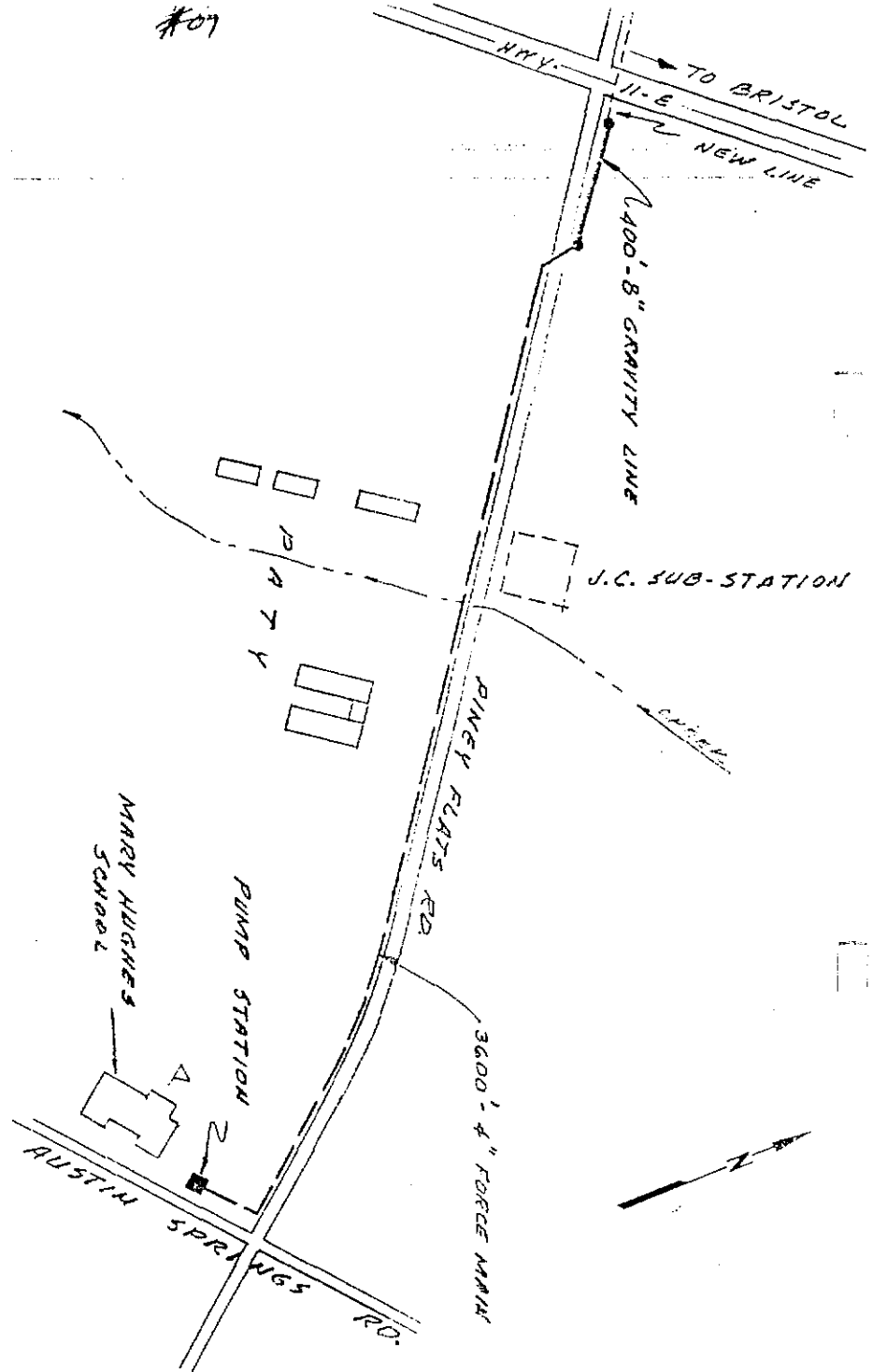
COMMITTEE ACTION: APPROVED DISAPPROVED DATE Executive (Deferred) 9/6/89 Budget (Deferred) 9/12/89

COMMENTS: FIRST READING 8/21/89 PASSED 9/18/89 ROLL CALL with admendment

000193

#07

SEWER SERVICE TO MARY HUGHES SCHOOL
EST. COST - \$75,000



TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF August, 1989.

RESOLUTION AUTHORIZING A MISDEMEANOR CHARGE FOR E911 CALLS PLACED ON AUTOMATIC DIALERS

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION , AUTHORIZES COUNTIES)

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of August, 1989,

THAT legislation be enacted making the use of E911 systems on automatic alarm dialers a misdemeanor.

(This should be done in conjunction with Bristol and Kingsport.)

BE IT FURTHER RESOLVED THAT the County Attorney be consulted on this matter.

BE IT FURTHER RESOLVED THAT the action of this Commission be passed on to the Legislators of Sullivan County.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: [Signature] County Clerk

APPROVED: [Signature] Date: 9-18-89 County Executive

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS:

SECONDED BY COMMISSIONER THOMAS FUND:

COMMISSION ACTION: [aye] [nay]

ROLL CALL

VOICE VOTE X

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

Executive (Deferred) 9/6/89

Administrative (Deferred) 9/12/89

COMMENTS: FIRST READING 8/21/89 PASSED 9/18/89 Voice Vote

000195

RESOLUTION NO. ¹⁰ 26

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21ST DAY OF AUGUST, 19 89.

RESOLUTION AUTHORIZING STATE LEGISLATURE ESTABLISH NO ANNEXATION ZONE AROUND THE TRI-COUNTY INDUSTRIAL PARK.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of August, 1989,

THAT WHEREAS, the Tri-County Industrial Park is jointly owned by Sullivan County (50%), Johnson City (25%), Elizabethton (12 1/2%) and Carter County (12 1/2%), and

WHEREAS, by ownership and by name the Tri-County Park is a Regional Industrial Park, and

WHEREAS, Sullivan County provides police protection, the Sullivan County Highway Department provides roads, the City of Johnson City provides water, and the City of Bristol provides sewer, and

WHEREAS, the Tri-County Industrial Park has rail service and natural gas service already in place in the park, and

WHEREAS, by letter, the owners of the Industries located in the park have requested that they not be annexed by any city.

NOW, THEREFORE, BE IT RESOLVED, That the Tri-County Industrial Park located in Piney Flats, Tennessee be protected by the State Legislature by establishing a no annexation zone around the Industrial Park.

BE IT FURTHER RESOLVED, That a copy of this Resolution be mailed to each State Representative and State Senator representing the Counties of Sullivan, Carter, and Washington and that the Sullivan County Planner, David Parker, provide a map and description of said boundary to each Legislator.

9/18/89 AMEND: MOTION BY: COMM. KING (which would be the boundaries of the Park)

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

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

Duly passed and approved this 18th day of September, 19 89.

ATTESTED:

Suzanne B. ... Date: 9-18-89
County Clerk

APPROVED:

_____ Date: 9-18-89
County Executive

INTRODUCED BY COMMISSIONER MCKAMEY ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER JONES FUND: _____

COMMISSION ACTION: Aye Nay ABSENT

ROLL CALL 19 3 2

VOICE VOIE

COMMITTEE ACTION APPROVED DISAPPROVED DATE

ecutive X 9/6/89

Administrative X 9/12/89

COMMENTS: FIRST READING 8/21/89 PASSED 9/18/89 ROLL CALL with Amendment

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF August, 1989.

RESOLUTION AUTHORIZING AMENDING THE SULLIVAN COUNTY ZONING ORDINANCE SECTION 1003

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in REGULAR Session on the 21st day of August, 1989.

THAT the Sullivan County Commission approved amending of the zoning resolution of Sullivan County, Tennessee, which became effective September 1, 1988.

BE IT RESOLVED THAT Section 1003 be amended by adding thereto the following:

"Any petition or request for re-zoning shall be accompanied with a filing fee of \$25.00.

This amendment shall become effective ~~September~~^{October} 1, 1989.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED:

Day B. Toacher
County Clerk

Date: 9-18-89

APPROVED:

Keith Westmoreland
County Executive

Date: 9-18-89

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER ANDERSON & DINGUS FUND: _____

COMMISSION ACTION: [aye] [nay] [Pass] [Absent]

ROLL CALL 14 8 1 1

VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

Executive X _____ 9/6/89

Administrative X _____ 9/12/89

COMMENTS: FAILED: ROLL CALL 8/21/89 PUT BACK ON FIRST READING 8/21/89

PASSED 9/18/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 21st DAY OF AUGUST, 1989.

RESOLUTION AUTHORIZING BUY-IN OF WATER/SEWER SYSTEM FOR AIRPORT AREA

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION , AUTHORIZES COUNTIES

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 21st day of August, 1989,

THAT Sullivan County buy into the sewer system for Airport area up to \$400,000.00 of the cost negotiated between the cities of Johnson City and Kingsport.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: [Signature] Date: 9/18/89 County Clerk APPROVED: [Signature] Date: 9-18-89 County Executive

INTRODUCED BY COMMISSIONER Russin ESTIMATED COSTS:

SECONDED BY COMMISSIONER Icenhour & Dingus FUND:

Table with columns: COMMISSION ACTION, [aye], [nay], [Pass], [Absent]. ROLL CALL: 20, 3, 1. ICE VOTE

Table with columns: COMMITTEE ACTION, APPROVED, DISAPPROVED, DATE. Rows: Administrative (Deferred) 9/12/89, Executive (Deferred) 9/6/89, Budget (Deferred) 9/12/89

COMMENTS: FIRST READING - 8/21/89 PASSED 9/18/89 ROLL CALL

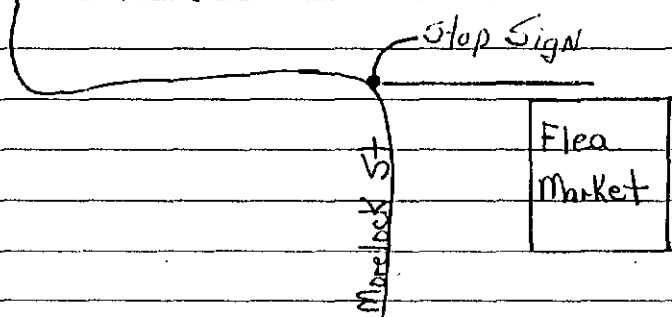
TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18TH DAY OF SEPTEMBER, 1989.

RESOLUTION AUTHORIZING STOP SIGN AT INTERSECTION OF MORELOCK STREET AND ROAD TO FLEA MARKET

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989,

THAT a stop sign be placed at the intersection of Morelock Street and road leading to area where flea market is located. This street is also known as Morelock Street, and the public welfare requiring it.



John B Dennis By-Pass

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: Ray B. Teachers
County Clerk

Date: 9-18-89

APPROVED: [Signature]
County Executive

Date: 9-18-89

INTRODUCED BY COMMISSIONER Carroll ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER Neil FUND: _____

COMMISSION ACTION: [aye] [nay]
ROLL CALL _____
VOICE VOTE X _____

| COMMITTEE ACTION: | APPROVED | DISAPPROVED | DATE |
|-----------------------|----------|-------------|----------------|
| <u>Administrative</u> | <u>X</u> | _____ | <u>9/12/89</u> |
| <u>Executive</u> | <u>X</u> | _____ | <u>9/6/89</u> |

COMMENTS: WAIVER OF RULES PASSED 9/18/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF September, 1989.

RESOLUTION AUTHORIZING 25 M. P. H. SPEED LIMIT SIGNS ON SHIPLEY FERRY ROAD

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989.

THAT 25 M.P.H. speed limit signs be placed on Shipley Ferry Road from Highway 36 to Lebanon Road, the public welfare requiring it.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: [Signature] Date: 9-18-89 APPROVED: _____ Date: 9-18-89
County Clerk County Executive

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DINGUS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE _____

| COMMITTEE ACTION: | APPROVED | DISAPPROVED | DATE |
|---------------------------|----------|-------------|---------|
| EXECUTIVE | X | | 9/6/89 |
| ADMINISTRATIVE (Deferred) | | | 9/12/89 |

COMMENTS: WAIVER OF RULES PASSED 9/18/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF September, 1989.

RESOLUTION AUTHORIZING Support of U.S. House of Representatives Bill No. 2230 to authorize the several states and the District of Columbia to impose taxes on the sales of tangible personal property by nonresidents.

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION, AUTHORIZES COUNTIES TO

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989,

THAT WHEREAS, nonresident companies making catalogue sales in states are not required under present law to collect sales tax for the nonresident state, resulting in the state of Tennessee losing approximately 49.1 million dollars annually due to this situation, and

WHEREAS, United States House of Representatives Bill No. 2230 as introduced would allow a state to require a nonresident to pay or collect a state sales tax, a local sales tax or both, imposed with respect to sales of tangible personal property when such sales annually exceed twelve and one-half million dollars in the United States or one-half million dollars in a particular state and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee in Regular session on this 18th day of September, 1989, that the members of Congress representing this county are strongly urged to support House of Representatives Bill No. 2230, authorizing the several States and the District of Columbia to impose taxes with respect to sales of tangible personal property by nonresidents of the state or district.

BE IT FURTHER RESOLVED that a copy of this resolution shall be mailed by the county clerk to the United States Senators representing the state of Tennessee and to the United States Representative representing the people of this county.

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

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

Duly passed and approved this 18th day of SEPTEMBER, 1989.

ATTESTED:
[Signature]
County Clerk Date: 9-18-89

APPROVED:
[Signature]
County Executive Date: 9-18-89

INTRODUCED BY COMMISSIONER Icenhour ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER RUSSIN FUND: _____

| | | | | |
|--------------------|-----------|----------|----------|----------|
| COMMISSION ACTION: | Aye | Nay | Pass | Absent |
| ROLL CALL | <u>14</u> | <u>5</u> | <u>4</u> | <u>1</u> |

VOICE VOTE _____

| COMMITTEE ACTION | APPROVED | DISAPPROVED | DATE |
|-----------------------|----------|-------------|----------------|
| <u>Administrative</u> | <u>X</u> | _____ | <u>9/12/89</u> |
| <u>Executive</u> | <u>X</u> | _____ | <u>9/6/89</u> |
| <u>Budget</u> | <u>X</u> | _____ | <u>9/12/89</u> |

COMMENTS: WAIVER OF RULES PASSED 9/18/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18TH DAY OF SEPTEMBER, 1989.

RESOLUTION AUTHORIZING SUPPORT OF AN ACCESS POINT ON TENNESSEE STATE ROUTE 394 (EASTERN BELTWAY)

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989,

THAT WHEREAS, the Tennessee Department of Transportation is proceeding with the planning and engineering for development of State Route 394 (Eastern Beltway), Phase II, between Weaver Pike (State Route 358) and U.S. Highway 11E/19 - State Route 34 (project number 82009-1203-34); and

WHEREAS, an access point in the vicinity of the Harr/Gaines property line at approximate station 390+00 (about one mile east of the intersection with Whitetop Road) on the south side of State Route 394 in Sullivan County has been identified as the point that would encourage substantial development; and

WHEREAS, an access road, designated as Mahaffey Road, is proposed to connect State Route 394 at this point with Whitetop Road to the south in order to aid in the development of the area.

NOW, THEREFORE, BE IT RESOLVED, by the Sullivan County Commission that the County will construct or cause to be constructed said Mahaffey Road, from State Route 394 to Whitetop Road, during the period of construction of State Route 394 or within a reasonable time thereafter.

AMEND: Motion by: Comm. Morrell } -Subject to property owners donating Right-of-Ways
Second By: Comm. Thomas } to County for this project.

Lined area for text entry, currently blank.

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

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

Duly passed and approved this 18th day of September, 19 89.

ATTESTED: Ray B. Towler Date: 9-18-89
County Clerk

APPROVED: _____ Date: 9-18-89
County Executive

INTRODUCED BY COMMISSIONER AMMONS ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DEVAULT & ICENHOUR FUND: _____

| COMMISSION ACTION: | Aye | Nay | Pass | Absent |
|--------------------|-----------|----------|----------|----------|
| ROLL CALL | <u>21</u> | <u>1</u> | <u>1</u> | <u>1</u> |
| VOICE VOTE | | | | |

| COMMITTEE ACTION | APPROVED | DISAPPROVED | DATE |
|------------------|----------|-------------|----------------|
| ADMINISTRATIVE | <u>X</u> | | <u>9/12/89</u> |
| Executive | <u>X</u> | | <u>9/6/89</u> |
| Budget | <u>X</u> | | <u>9/12/89</u> |

COMMENTS: WAIVER OF RULES PASSED 9/18/89 with Amendment

Lined area for additional comments or notes, currently blank.

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE
SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION
THIS THE 18th DAY OF SEPTEMBER, 19 89.

RESOLUTION AUTHORIZING APPROPRIATION OF \$543,228.00 TO THE GENERAL PURPOSE SCHOOL
BUDGET FOR 1989-90

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan
County, Tennessee, assembled in Regular Session on the 18th day
of September, 19 89,

THAT WHEREAS at budget preparation time, certain revenues could not be
accurately determined. Certain Federal, State and Local Revenues at the last
minute showed significant increases and needed to be reflected as additions to
the current operating school budget and

WHEREAS there was a lack of reconciliation of revenue accounts between
Accounts and Budgets and the School Department.

THEREFORE BE IT RESOLVED THAT The Sullivan County Department of Education
Budget be amended as follows in order to reflect the additional revenues and to
properly reconcile other revenues. The increases are as follows:

| | | |
|-------|------------------------------|--------------------|
| 40120 | Trustee Collection | \$ 67,824.00 |
| 40130 | Circuit Clerk/Prior Years | 6,924.00 |
| 40140 | Interest and Penalty | 20,199.00 |
| 40150 | Pick-up Taxes | - 1,222.00 |
| 40210 | Local Option Sales Tax | 154,164.00 |
| 40320 | Bank Excise Tax | 590.00 |
| 41110 | Marriage License | - 551.00 |
| 43511 | Tuition Req-day | 15,000.00 |
| 46510 | Tennessee Foundation Program | 114,000.00 |
| 46540 | Textbooks | 5,300.00 |
| 46565 | Teacher Group Insurance | 100,000.00 |
| 46580 | Capital Outlay | 11,000.00 |
| 47111 | Section 4 - Lunch | 50,000.00 |
| | | TOTAL \$543,228.00 |

EXPENDITURES:

| | | |
|-----------|-------------|--------------------|
| 73600.407 | Coal | 43,228.00 |
| 73600.415 | Electricity | 500,000.00 |
| | | TOTAL \$543,228.00 |

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED:
Ray B. ...
County Clerk Date: 9-18-89

APPROVED:

County Executive Date: 9-18-89

INTRODUCED BY COMMISSIONER DINGUS ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER JONES FUND: _____

| COMMISSION ACTION: | Aye | Nay | Pass | Absent |
|--------------------|-----------|-----|----------|----------|
| ROLL CALL | <u>16</u> | | <u>6</u> | <u>2</u> |
| VOICE VOTE | | | | |

| COMMITTEE ACTION | APPROVED | DISAPPROVED | DATE |
|------------------|----------|-------------|---------|
| BUDGET: | X | | 9/12/89 |
| ADMINISTRATIVE: | X | | 9/12/89 |
| EXECUTIVE: | X | | 9/6/89 |

COMMENTS: WAIVER OF RULES PASSED 9/18/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF September, 1989.

RESOLUTION AUTHORIZING 25 M. P. H. SPEED LIMIT SIGNS BE PLACED ON GRANT PLACE

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989,

THAT 25 M. P. H. speed limit signs be placed on Grant Place in the 13th Civil District, the public welfare requiring it.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED:

Ray B. Peckham
County Clerk

Date: 9-18-89

APPROVED:

Keith Westmoreland
County Executive

Date: 9-18-89

INTRODUCED BY COMMISSIONER _____ CHILDRESS ESTIMATED COSTS: _____
SECONDED BY COMMISSIONER _____ AMMONS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL

VOICE VOTE

X

COMMITTEE ACTION: ADMINISTRATIVE APPROVED DISAPPROVED DATE
X 9/12/89

COMMENTS: Waiver of Rules PASSED 9/18/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF SEPTEMBER, 1989. RESOLUTION AUTHORIZING 25 M. P. H. SPEED LIMIT SIGNS ON IVORY STREET

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989,

THAT 25 M. P. H. speed limit signs be placed on Ivory Street located in the 13th Civil District, the public welfare requiring it.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: [Signature] Date: 9-18-89 APPROVED: _____ Date: 9-18-89
County Clerk County Executive

INTRODUCED BY COMMISSIONER CHILDRESS ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER AMMONS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL
VOICE VOTE X

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
ADMINISTRATIVE X 9/12/89

COMMENTS: WAIVER OF RULES PASSED 9/18/89 2/3 Voice Vote

RESOLUTION OF THE COUNTY COMMISSION
OF THE COUNTY OF SULLIVAN, TENNESSEE

Pursuant to the recommendation of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee (the "Board"), a copy of which is attached hereto, seeking election of members to the Board of Directors, and pursuant to a duly called meeting of the County Commission of the County of Sullivan, Tennessee, held on September 18, 1989, and acting pursuant to the provisions of T.C.A. §48-3-307, and the Commission's due consideration of the attached recommendation, it is hereby DECLARED and RESOLVED as follows:

1. The County Commission of the County of Sullivan, Tennessee, has examined and considered the attached recommendation seeking election of members to the Board of Directors of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee and hereby approves and re-elects Foster Park of Kingsport, TN and Michael Danehy of Kingsport, TN, who are residents of Sullivan County, Tennessee for additional six-year terms.

2. These directors of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee are each hereby authorized to perform all statutory duties and as set out in the corporate charter and bylaws of the said corporation.

3. This Resolution reflects a finding by the County Commission that the election of the aforesaid members of the Board of Directors is necessary and advisable, and this Resolution is a true and correct record of the action taken and authorized by the County Commission of the County of Sullivan, Tennessee at a duly called meeting held on September 18, 1989.

DATED: September 18, 1989.

THE COUNTY COMMISSION OF THE
COUNTY OF SULLIVAN, TENNESSEE

Duly Passed and approved this 18th day of September, 1989.

COMM. MORRELL
Commissioner (1st)

By: _____ 9/18/89
County Executive

COMM. MCKAMEY
Commissioner (2nd)

By: Ray B. Teathers 9/18/89
County Clerk

Administrative Committee Approved: 9/12/89

COMMENTS: WAIVER OF RULES PASSED: 9/18/89 2/3 Voice Vote

Comm. Arrington Voted No

APPLICATION FOR ELECTION OF REPLACEMENT TO BOARD OF DIRECTORS
OF
THE HEALTH, EDUCATIONAL AND HOUSING FACILITIES BOARD
OF
THE COUNTY OF SULLIVAN, TENNESSEE

We, the undersigned, being duly qualified electors of and taxpayers in Sullivan County, Tennessee, and incorporators of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee, hereby make application to the County Commission of Sullivan County, Tennessee, pursuant to Chapter 333 of the 1969 Public Acts of Tennessee for the election of members of the Board of Directors of The Health, Educational and Housing Facilities Board of the County of Sullivan, Tennessee.

We would submit Foster Park and Michael Danehy for re-election to a six-year term of their directorships to serve until August, 1995.

WITNESS our signatures this the 6th day of September, 1989.

THE HEALTH, EDUCATIONAL AND HOUSING
FACILITIES BOARD OF THE COUNTY
OF SULLIVAN, TENNESSEE

BY [Signature]
JOHN S. MCLELLAN, III
Counsel to the Board

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF September, 1989.

RESOLUTION AUTHORIZING RECOGNITION OF ROGER MATTHEW WILLIAMS AND TERRY HURT AS MEMBERS OF THE 1989 SPIRIT OF ATLANTA BAND AND BUGLE CORP

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989,

THAT Roger Matthew Williams, a student at Sullivan South High School and Terry Hurt, a graduate of Sullivan East High School, are two outstanding young men accepted as members in the Spirit of Atlanta Drum and Bugle Corp for 1989, and

WHEREAS, Matt and Terry spent the entire summer of 1989 touring the United States and Canada with the band, and

WHEREAS, these two young men have been outstanding and brought great pride, not only to their respective schools, but to all of Sullivan County.

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Commission tender their "CONGRATULATIONS" to Matt Williams and Terry Hurt for their outstanding accomplishment of being accepted in the SPIRIT OF ATLANTA BAND AND BUGLE CORP for 1989.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: Ray B. Feather Date: 9-18-89 County Clerk APPROVED: [Signature] Date: 9-18-89 County Executive

INTRODUCED BY COMMISSIONER ANDERSON ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER CHILDRESS - MCKAMEY FUND: _____

COMMISSION ACTION: [aye] [nay] [Absent] ROLL CALL 22 2 VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE _____

COMMENTS: WAIVER OF RULES PASSED 9/18/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE
SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION
THIS THE 18th DAY OF SEPTEMBER, 1989.

RESOLUTION AUTHORIZING RECOGNITION OF SULLIVAN NORTH HIGH SCHOOL'S "9-1-1 LITTLE
HERO PROGRAM" UNDER THE DIRECTION OF TEACHER, PATSY BLALOCK

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan
County, Tennessee, assembled in Regular Session on the 18th day
of September, 1989.

THAT WHEREAS, Sullivan North High School's "9-1-1 Little Hero Program", under
the direction of Teacher, Patsy Blalock, placed first in Regional Competition,
first in Tennessee State Competition and placed first with a superior rating
in the National Competition in Anaheim, California,

WHEREAS, honor goes to the Teacher and the Students, Renee Barker, Pam Gallou
and Sherry Parson, and we, the Sullivan County Commission, wish the BEST
OF LUCK as they undertake the challenge of the future leaders of Sullivan
County.

BE IT FURTHER RESOLVED THAT we tender our "CONGRATULATIONS" to Patsy Blalock
and the "Little Hero" students and forward a copy of this resolution to
the officials of the school.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: [Signature] Date: 9-18-89
County Clerk County Executive

INTRODUCED BY COMMISSIONER Nick Russin ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER Don Barger - Richard Carroll FUND: _____

COMMISSION ACTION: [aye] [nay] [Absent]
ROLL CALL 22 2
V CE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 9/18/89 ROLL CALL

000213

RESOLUTION NO. 24

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18 DAY OF September, 1989.

RESOLUTION AUTHORIZING Appropriate funds for Federal Project Exemplary Program "Computer-Aided Drafting Program Proposal"

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 _____ Session on the _____ day of _____, 19____.

THAT WHEREAS a Grant Contract between the State of Tennessee, Department of Education and the Sullivan County Schools to operate an Exemplary program entitled "Computer-Aided Drafting Program Proposal has been funded. THEREFORE, BE IT RESOLVED that the Federal Project Fund budget to be amended as follows:

| | | |
|----------|-----------|-------------|
| REVENUE: | 47590.000 | \$30,000.00 |
| EXPENSE: | 76000.730 | 30,000.00 |

No local funds involved.

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: Ray B. Leach Date: 9-18-89
 County Clerk

APPROVED: [Signature] Date: 9-18-89
 County Executive

INTRODUCED BY COMMISSIONER BLALOCK ESTIMATED COSTS: _____
 SECONDED BY COMMISSIONER DINGUS FUND: _____

COMMISSION ACTION: [aye] [nay] [Absent]
 ROLL CALL 22 2
 VOICE VOTE _____

| COMMITTEE ACTION: | APPROVED | DISAPPROVED | DATE |
|-------------------|----------|-------------|----------------|
| <u>Budget</u> | <u>X</u> | | <u>9/12/89</u> |

COMMENTS: WAIVER OF RULES PASSED 9/18/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION

THIS THE 18th DAY OF SEPTEMBER, 1989.

RESOLUTION AUTHORIZING McCLEAN ROAD TO BE CHANGED BACK TO McLEAN DRIVE

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 1989,

THAT WHEREAS, 911 changed McLean Drive to McClean Road and the residents on said road wish it changed back to McLean Drive located in the 12th Civil District, the public welfare requiring it.

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

This resolution shall become effective on _____, 1989, the public welfare requiring it.

Duly passed and approved this 18th day of September, 1989.

ATTESTED: May B. Leather Date: 9-18-89 APPROVED: _____ Date: 9-18-89
County Clerk County Executive

INTRODUCED BY COMMISSIONER McCONNELL ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER FERGUSON & ARRINGTON FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

ICE VOTE X _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 9/18/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN General SESSION THIS THE 18th DAY OF September, 19 89. RESOLUTION AUTHORIZING employment of WIC Store Monitor for Sullivan County Health Department

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioner of Sullivan County, Tennessee assembled in General Session on the 18th day of September, 19 89.

THAT whereas, it is mandatory that grocery stores in Sullivan County, that receive WIC Vouchers, must be monitored monthly and taught the proper procedure for receiving and handling WIC Vouchers and whereas, the State of Tennessee, thru the WIC program, has given Sullivan County funds for salary, benefits and travel for this position, so therefore be it resolved that the Sullivan County Commission approve this position effective October 1, 1989. There will be no county funds necessary for this request.

(Waiver of Rules requested)

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

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

Duly passed and approved this 18th day of September, 19 89.

ATTESTED:

APPROVED:

Ray B. Feathers date: 9-18-89
County Clerk

Keith Westmoreland date: 9-18-89
County Executive

INTRODUCED BY COMMISSIONER JONES ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DEVAULT - DINGUS FUND: _____

COMMISSION ACTION: Aye 22 , Nay _____ Absent _____
ROLL CALL

| COMMITTEE ACTION | APPROVED | DISAPPROVED | DATE |
|-----------------------|----------|-------------|----------------|
| <u>Budget</u> | <u>X</u> | _____ | <u>9/12/89</u> |
| <u>Administrative</u> | <u>X</u> | _____ | <u>9/12/89</u> |

COMMENTS: WAIVER OF RULES PASSED 9/18/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF September, 19 89.

RESOLUTION AUTHORIZING PROJECT NO: 82099-2206-04
SR-394 FROM SR 34 (U.S. 11E) to SR 358 (WEAVER PIKE)

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of September, 19 89.

THAT the Sullivan County Commission approves the attached proposal from the State of Tennessee to construct a project designated as No. 82099-2206-04; State Route 394 from State Route 34 (U.S. 11E) to State Route 358 (Weaver Pike), 5.671 miles.

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

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

Duly passed and approved this 18th day of September, 19 89.

ATTESTED: Ray C. Feather Date: 9/18/89
County Clerk County Executive APPROVED: _____ Date: 9/18/89

INTRODUCED BY COMMISSIONER MORRELL ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER ANDERSON - THOMAS FUND: _____

COMMISSION ACTION: [aye] [nay] [Absent]
ROLL CALL 23 1
ICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 9/18/89 ROLL CALL

000217

attach. Kes # 27

P R O P O S A L

OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE
TO THE COUNTY OF SULLIVAN, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter called "DEPARTMENT", proposes to construct a project designated as No. 82099-2206-04; State Route 394 from State Route 34 (U.S. 11E) to State Route 358 (Weaver Pike), (5.671 Miles) in the COUNTY of SULLIVAN, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in cross- eminent domain or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, the COUNTY will notify in writing the Attorney General of the State, whose address is Room 230, 450 James Robertson Parkway, Nashville, Tennessee 37219, of the institution of each civil action, the complaint and all subsequent pleadings, within seven (7) days after service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and
2. To close or otherwise modify any of its roads, or other public ways as indicated on the project plans, as provided by law; and
3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. That any frontage road(s) to be constructed by the DEPARTMENT will be maintained by the COUNTY in the same manner as its roads are maintained, without cost to the DEPARTMENT; and

6. That no provision hereof shall be construed as changing the maintenance responsibility of the COUNTY for such part of the project as may presently be on its highway, street, road or bridge system; and

7. It is understood and agreed by the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the

jurisdiction of the COUNTY and located within the DEPARTMENT's right of way shall be maintained and replaced by the COUNTY.

The acceptance of this proposal shall be evidenced by the passage of a Resolution which shall incorporate the same verbatim, or by reference thereto; then

Following the acceptance of this proposal, the DEPARTMENT will acquire the rights of way and easements, construct the project and defend any cross-eminent domain or damage civil actions of which the Attorney General has received the pleadings provided for herein.

The project plans hereinbefore identified by number and description are incorporated by reference thereto and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

IN WITNESS WHEREOF, the DEPARTMENT has caused this instrument to be executed by its duly authorized officials on this the 30th day of August, 1989.

STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

BY: [Signature]
Commissioner

BY: [Signature]
State Transportation Engineer

APPROVED:

[Signature]
Staff Attorney

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18TH DAY OF SEPTEMBER, 19 89.

RESOLUTION AUTHORIZING THE APPROPRIATION OF \$35,000 TO IMPROVE SECURITY OF A TRUSTY BAY AREA AT THE SULLIVAN COUNTY JAIL FACILITY.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in REGULAR Session on the 18TH day of SEPTEMBER, 19 89.

THAT BE IT RESOLVED THAT THE SULLIVAN COUNTY COMMISSION APPROPRIATE \$35,000. TO IMPROVE THE SECURITY OF A TRUSTY BAY AREA AT THE SULLIVAN COUNTY JAIL FACILITY.

DUE TO THE HOUSING OF STATE PRISONERS AT THE JAIL FACILITY, IT HAS BECOME NECESSARY TO HOUSE FELLOWS IN A TRUSTY WING AND DUE TO RECENT ESCAPES IT IS NOW IMPERATIVE THAT ADDED SECURITY MEASURES BE TAKEN. INSTALLATION OF METAL WILL BE REQUIRED ON ALL INTERIOR AND EXTERIOR WALLS AND THE CEILING IN THIS AREA. ESTIMATED COST FOR THIS JOB IS APPROXIMATELY \$30,000. WITH A THREE (3) WEEKS CONSTRUCTION TIME. ALSO, CHANGE IN THE FENCING AREA FOR THIS AREA IS NECESSARY WITH AN ESTIMATED COST OF APPROXIMATELY \$5,000.

GRAND TOTAL APPROPRIATION REQUEST \$35,000.00

WE REQUEST WAIVER OF RULE BY 2/3 VOTES!

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

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

Duly passed and approved this 18th day of September, 1989.

ATTESTED: Way B. Butcher Date: 9-18-89 County Clerk APPROVED: _____ Date: 9-18-89 County Executive

INTRODUCED BY COMMISSIONER DINGUS ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER ANDERSON FUND: _____

COMMISSION ACTION: [aye] [nay] [Absent]
ROLL CALL 22 2
VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 9/19/89 ROLL CALL

REZONING REQUESTS

SULLIVAN COUNTY COMMISSION

September 18, 1989

(1) Consider a request by Linda Quillian to rezone a tract of land located on the west side of Bancroft Chapel Road approximately 1100 feet north of Hicks Hollow Road in the Tenth Civil District from R-1 to R-3 to permit the location of a mobile home park.

MOTION BY: MCKAMEY
 SECOND BY: AMMONS ---
 Defer and take back to Plannin Commission. Passed/Roll Call 22 Aye 2 Absent
File No. 7/89-3, Linda Quillen Request. Mrs. Linda Quillen and her husband appeared before the commission and requested that a tract of land located on the west side of Bancroft Chapel Road be rezoned from R-1 (Residential) to R-3 to permit the location of a mobile home. Mr. Quillen stated that he had recently spent \$7,000 to improve his subsurface sewage disposal system and that he would like to expand his mobile home park. Several residents appeared in opposition to the rezoning. Mrs. Louise Harrison and Aaron Hawkins opposed the rezoning for the mobile home park, and a letter was read from Robert L. Carter opposing the rezoning. They stated that the present park was in poor condition, that questionable persons lived in the mobile home park, and that there had been continuing problems with septic tanks. Mr. Hawkins read a letter from the health department which stated that soil problems were questionable for septic tank usage. The commission determined that they did not have enough facts concerning the subsurface sewage disposal system to make a decision concerning this request. Mr. Brumit made a motion, seconded by Mr. Russin to postpone action on this request and give Mr. Quillen time to determine if his subsurface sewage disposal system would work. Motion carried.

(2) Consider a request by the Capitol Group to rezone a tract of land located at the intersection of Rock Springs Road and Westfield Drive in the Thirteenth Civil District from R-1 to M-1 to permit the location of industrial or commercial development.

MOTION BY: AMMONS
 SECOND BY: DINGUS
 -----To Approve PASSED/Roll Call 22 Aye 2 Absent
File No. 7/89-4, Capitol Group Request. Mr. Clyde Manis appeared before the planning commission and requested that a tract of land which he owns at the intersection of Rock Springs Road and Westfield Drive be rezoned from R-1 (Residential) to M-1 (Industrial) to permit the location of industrial or commercial development. Mr. Manis stated that he would like to withdraw his request for the final 200 feet or so on the southwest side of Rock Springs Road and that he would like to extend his request for three lots across the road from Rock Springs which includes Lots No. 8, 9 and 10 of the Capitol Group Subdivision property. Several adjacent property owners were present and stated that they had worked this situation out with Mr. Manis. Staff noted that there was commercial and industrial development immediately northwest of this property, that it was at an intersection of Highway 93 and I-81 and recommended the request be approved. Mr. Nichols made a motion, seconded by Mr. Guthrie to approve the rezoning. Motion to approve carried.

and - This property owned by Kingport

(3) Consider a request by the Capitol Group to rezone a tract of land located on the west side of Lynn Garden Drive at Adams Avenue in the Twelfth Civil District from R-1 to R-3 to permit the location of a mobile home park.

File No. 7/89-5, Capitol Group Request. Mr. Clyde Manis requested that a tract of land located on the west side of Lynn Garden Drive be rezoned from R-1 (Residential) to R-3 to permit the location of a mobile home park. No one appeared in opposition to Mr. Manis' request. Staff noted that the request was in an area which was totally secluded along a highway, that there was one nice home in the area and it was part of the rezoning request. Staff recommended that the request be approved. Mr. Russin made a motion, seconded by Mr. Nichols to approve the request. Motion to approve carried.

MOTION BY: (4) Consider a request by Virginia Hyatt to rezone a tract of land located on the north side of Hoffman Hill Road approximately 600 feet off of Piney Flats Road in the Ninth Civil District from R-1 to R-2 to permit the location of a mobile home.
MCKAMEY
SECOND BY: Y
JONES -----

To Approve PASSED/Roll Call 22 Aye 2 Absent
File No. 7/89-8, Virginia Hyatt Request. Mrs. Virginia Hyatt requested that a tract of land located on the north side of Hoffman Hill Road in Piney Flats be rezoned from from R-1 (Residential) to R-2 (Residential) to permit the location of a mobile home. No one appeared in opposition to this rezoning. Staff noted that there was a small house located on the lot, that it was along a small gravel road along the railroad track, well off the road and would be very secluded. Staff recommended that the request be approved. Mr. Nichols made a motion, seconded by Mr. Russin to approve the request. Motion carried.

MOTION BY: (5) Consider a request by B. G. East and Todd East to rezone a tract of land located on the east side of Fort Henry Drive near Hemlock Drive in the Fourteenth Civil District from R-1 and B-4 to B-3 to permit the location of block & commercial development.
Russin
SECOND BY: Y
Dingus-----

To Approve PASSED/Roll Call 22 Aye 2 Absent
File No. 7/89-9, B. G. East and Todd East Request. Mr. B. G. East appeared before the commission and requested that a tract of land located on the east side of Fort Henry Drive be rezoned from R-1 (Residential) and B-4 (Business) to B-3 to permit the location of commercial development. No one appeared in opposition to the rezoning. Staff noted that this tract was very steep and rough, however, there were business and business zones located immediately across the street and to either side of this request. Staff recommended that it be approved. Mr. Russin made a motion, seconded by Mr. Nichols to approve the request. Motion to approve carried.

MOTION BY: (6) Consider a request by the Liddie Allen Heirs to rezone a tract of land located on the east side of State Route 36 approximately 150 feet north of Brookfield Drive in the Fourteenth Civil District from R-1 to B-3 to permit the location of commercial development.
Dingus
SECOND BY: Y
Russin -----

To Approve PASSED/Roll Call 22 Aye 2 Absent
File No. 7/89-11, Liddie Allen Heirs Request. A request was made to rezone a tract of land located on the south side of U. S. 11-W from R-1 (Residential) to B-3 (Business) to permit the location of commercial development. Mrs. Willie Livesay appeared in opposition to the

rezoning. She stated that she had a nice house beside of this request, that the businesses which were located across the street were quite businesses and she felt that this rezoning would be detrimental to her property. She stated that at the present time she had a sell purchase agreement to sell her property. Mr. Ken Tagett who is purchasing the property, spoke in favor of the rezoning. He noted that there were businesses located within the area immediately across the street from the rezoning and that it was adjacent to an existing B-3 (Business) zone. Staff noted that there were businesses and a business zone immediately across the street from this request, that the area immediately to the southeast of this request was zoned for business, that it was along a major state highway, and recommended that the request be approved. Mr. Russin made a motion, seconded by Mr. Guthrie to approve the rezoning. Motion to approved carried, with Mr. Nichols passing.

MOTION BY: (7) Consider a request by Lane Newsome to rezone a tract of land located on the north side of Springwood Lane approximately 400 feet east of Packinghouse Road in the Tenth Civil District from R-1 to R-2 to permit the location of a mobile home.

SECOND BY: Morrell R-2 To Approve PASSED/Roll Call 21 Aye 3 Absent

File No. 7/89-12, Lane Newsome Request. Mr. Lane Newsom requested that a tract of land located on the north side of Springwood Lane be rezoned from R-1 (Residential) to R-2 (Residential) to permit the location of a mobile home. No one appeared in opposition to this rezoning. Staff noted that there were presently mobile homes located within the immediate area, that there was a mobile home park located on this street and recommended that the request be approved. Mr. Nichols made a motion, seconded by Mr. Brumit, to approve the rezoning. Motion to approve carried.

MOTION BY: (8) Consider a request by Albert Pickle to rezone a tract of land located on the south side of Massengill Road approximately 1200 feet north of County Home Road in the Fifth Civil District from R-1 to R-2 to permit the location of a mobile home.

SECOND BY: Fortune R-2 To Approve PASSED/Roll Call 21 Aye 3 Absent

File No. 7/89-13, Albert Pickle Request. Mr. Albert Pickle requested that a tract of land he owns located on the south side of Massengill Road be rezoned from R-1 (Residential) to R-2 (Residential) to permit the location of a mobile home. No one appeared in opposition to this rezoning. Staff noted that there were several mobile homes located near the area and along this road, and recommended that the request be approved. Mr. Nichols noted that he wanted to be reported absent from voting on this rezoning request. Mr. Russin made a motion, seconded by Mr. Guthrie to approve the rezoning. Motion to approve carried with the notation that Mr. Nichols did not vote.

MOTION BY: (9) Consider a request by Janice Osborne to rezone a tract of land located on the north side of Meadowview Road in the Fifth Civil District from R-1 to A-1 to permit the location of a mobile home.

SECOND BY: Morrell R-2 To Approve PASSED/Roll Call 21 Aye 3 Absent

File No. 7/89-16, Janice Osborne Request. A request was made to rezone a tract of land located on the north side of Meadowview Road from R-1 (Residential) to A-1 (Agriculture) to permit the location of a mobile

home. Several residents appeared in opposition to this rezoning. Mr. A. Dobson and Mr. Ernest Casteel stated that they did not necessarily oppose the location of one mobile home being located on this property, however, they felt that because of its size they felt a mobile home park could be located there which would be detrimental to their property. The tract contains a total of 14.5 acres. Mr. Pat Lowrey appeared in behalf of the property owner, Ms. Osborne, requesting the rezoning. He stated that Ms. Osborne was now living in Florida but she wanted to locate a mobile home on the property and eventually build her home on it. Staff stated that they could not support an A-1 zone because it was located around several real nice residential structures. However, staff did note there was a mobile home park beside the property which was secluded from the residential area, and there were other mobile homes located in the area which were well landscaped and recommended that it be rezoned R-2 rather than A-1 in order to preclude a mobile home park development. Mr. Nichols made a motion, seconded by Mr. Russin to approve the request for R-2. Motion to approve carried.

MOTION BY: (10) Consider a request by Richard Carlyle Smith and Etta Louise Smith to
 Russin rezone a tract of land located on the east side of Weaver Pike across from
 SECOND BY: East High School in the Twenty-first Civil District from R-2 to R-1 to permit
 Fortune --- the location of a mobile home.

To Approve PASSED/Roll Call 21 Aye 3 Absent
File No. 12/88-4, Richard Carlyle Smith and Etta Louise Smith Request.
 This request was brought to the planning commission as a result of a rezoning which was considered at the June meeting. This tract of land is located on the east side of Weaver Pike across the street from Sullivan East High School. It was noted that in December 1988 this particular lot was rezoned from R-1 to R-2 when in fact another lot should have been rezoned as advertised. The commission noted that this rezoning was merely a housekeeping measure since no one had ever requested that this lot be rezoned. Mr. Russin made a motion, seconded by Mr. Barger to approve this rezoning. Motion to approve carried.

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET AGAIN IN
REGULAR SESSION, OCTOBER 16, 1989.



KEITH WESTMORLAND, COUNTY EXECUTIVE