

JANUARY 15, 1990

MONDAY MORNING, JANUARY 15, 1990

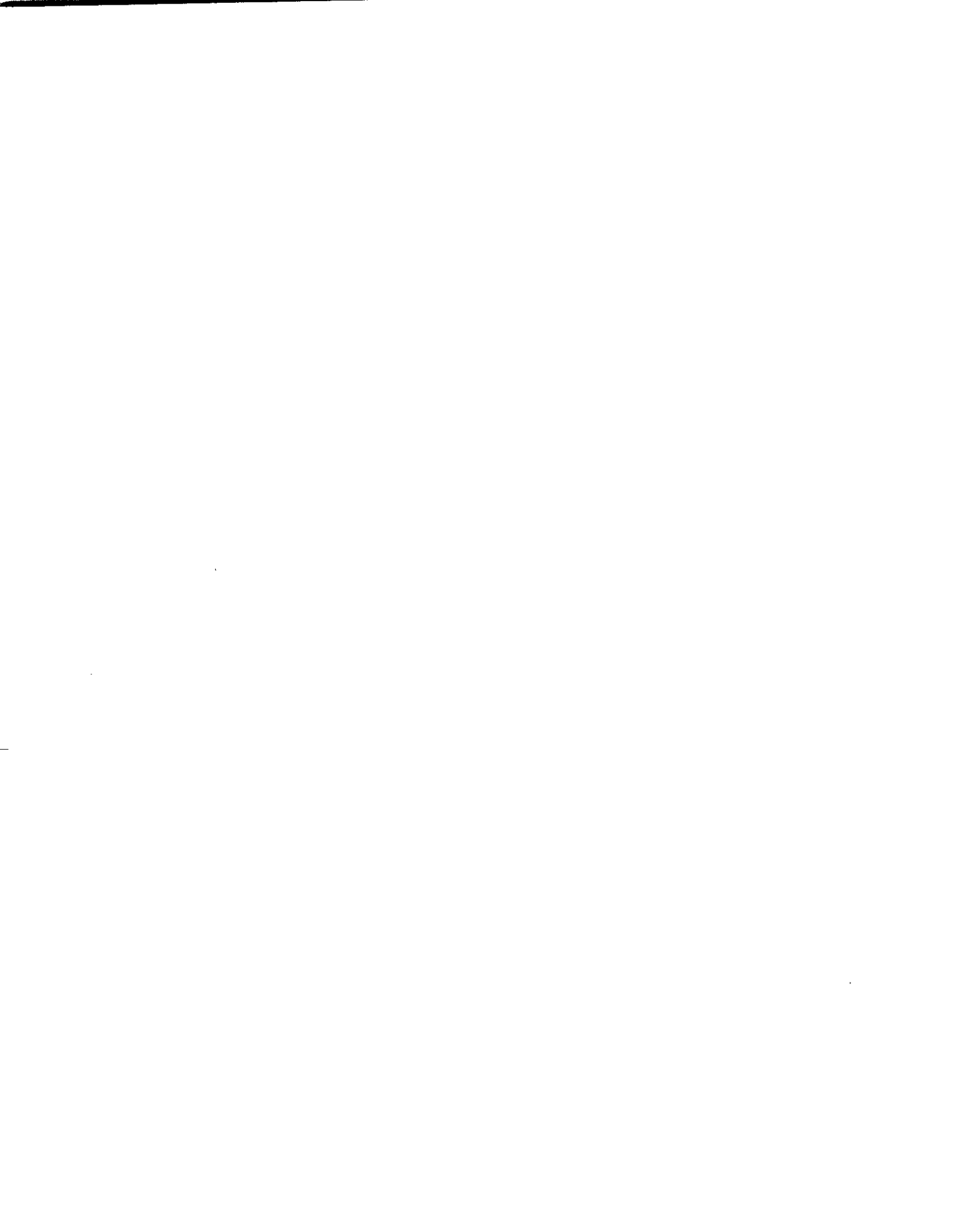
BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT FOR A REGULAR SESSION OF COUNTY COMMISSIONERS IN SESSION THIS MONDAY MORNING, JANUARY 15, 1990, BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK, AND KEITH CARR, COUNTY 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, McCONNELL, McKAMEY, MILHORN, MORRELL, NEIL, NICHOLS, ROCKETT, AND RUSSIN.

ABSENT: THOMAS



STATE OF TENNESSEE
 COUNTY OF SULLIVAN

January 15, 1990

Election of Notaries

Janice Addington

Elizabeth M. Adkins

Anna D. Bacon

Evelyn B. Bailey

Sherry Davis

Clinton N. Edwards

Frances L. Forbush

Sarah Lee Frost

Joseph F. Harrison

Sandra Killebrew

Carrie Madzinski

Mary Lou Strickler

Charlene B. Theile

Lisa G. Vines

Ernest B. Wallen

Kelli L. Young

Martina H. Smith

(Upon motion made by Commissioner Morrell
 (and second by Commissioner Dingus, the names
 (listed hereon were read before County Commission
 (and elected by roll call vote of the Commission
 (to serve as Notary Public for a term of four
 (years.

AYE 22 ABSENT 2

STATE OF TENNESSEE }
 COUNTY OF SULLIVAN }

JANUARY 15, 1990

QUARTERLY REPORTS

- ✓ 1. COUNTY EXECUTIVE
KEITH WESTMORELAND
- ✓ 2. ACCOUNTS & BUDGETS
HARRY TRENT, DIRECTOR
- ✓ 3. HIGHWAY DEPARTMENT-SAFETY CO-ORD.
J. D. WILSON
4. SCHOOL DEPARTMENT
WALLACE KETRON
5. HEALTH DEPARTMENT & ANIMAL WARDEN
BILLY RAY, ADM.
- ✓ 6. SHERIFFS DEPT., JAIL, & WORKHOUSE
MIKE GARDNER
7. AGRICULTURE AGENT & HOME DEM. AGENT
HUBERT LAMBERT
- ✓ 8. PURCHASING AGENT, CENTRAL STORES & PRINT DEPT.
JOE MIKE AKARD
9. PROBATION OFFICER
ROBERT FRAZIER
10. VETERANS SERVICE OFFICER
BRISTOL & KINGSPORT
11. ELECTION COMMISSION
MARGARET MILHORN, REGISTRAR
12. CIVIL DEFENSE
GARY MAYES
- ✓ 13. LIBRARY
KAY HAMRICK

APPROVAL OF QUARTERLY REPORTS Upon motion made by Commissioner Jones
 and second by Commissioner Icenhour, the
 Quarterly Reports of the Departments marked above were received and
 adopted by roll call vote of the County Commission and filed in the County
 Clerk's Office as a matter of record.

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 DECEMBER, 1989.

RESOLUTION AUTHORIZING TRANSFER OF DEED OF THE UNOPENED SECTION OF GREENBRIAR ROAD TO J. P. JOHNSON AND L. A. JOHNSON, C. E. MOORE AND D. MOORE AND FIRST TENNESSEE BANK NATIONAL ASSOCIATION

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 18th day of December, 1989.

THAT approval be given for Sullivan County to transfer by deed to J. P. Johnson and wife, L. A. Johnson, C. E. Moore and wife, D. Moore and First Tennessee Bank National Association, owners of property on Fort Henry Drive, State Route 36, site of the future Perkins Family Restaurant, the unopened extension of Greenbriar Road adjacent on the northeast side of the owners' property. Greenbriar Road is at the end of Fairlane Drive in the 14th Civil District of Sullivan County, Tennessee.

BE IT FURTHER RESOLVED that any cost related to this transfer be assessed to those to whom the deed is transferred.

(See attached drawing for details)

MEMO: 1/15/90 - Comm. Russin
BE IT RESOLVED THAT A TRANSFER BY QUIT CLAIM DEED BE MADE TO THE ABOVE NAMED PARTIES AND THE COUNTY EXECUTIVE BE AUTHORIZED TO SIGN SAID DEEDS.

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 15th day of January, 1990.

ATTESTED:
Jay B. Feathers

County Clerk

Date: 1-15-90

APPROVED:

[Signature]
County Executive

Date: 1-15-90

INTRODUCED BY COMMISSIONER N. C. RUSSIN ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER R. DINGUS FUND: _____

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

ROLL CALL 18 2 3 1

VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
Executive X X 12-6-89 & 1/3/90
Administrative X 1/10/90

COMMENTS: FIRST READING 12/18/89

PASSED AS AMENDED - 1/15/90 ROLL CALL

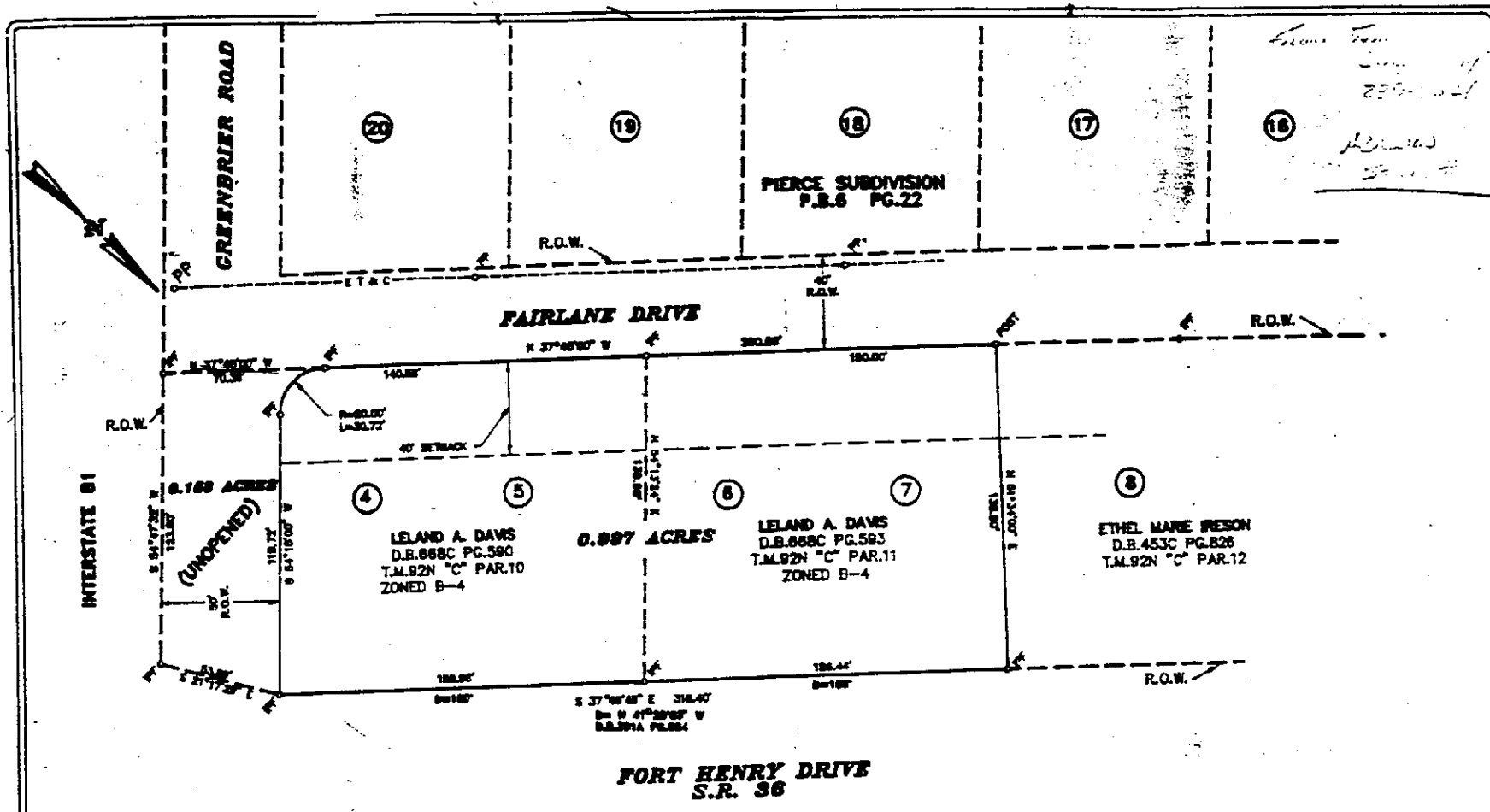
ALICE JOHNSON
DIE MATEL

Home Farm
Sept 17
250-11-24
Revised
5-1-77

DATE: SEPT. 15, 1989
SCALE: 1" = 50'

PERKINS FAMILY RESTAURANTS
COLORADO HEIGHTS-SULLIVAN COUNTY TENNESSEE

BY FREDERICK CHRISTENSEN
REGISTERED SURVEYOR
TENN. REG. NO. 117



322

NOTES:

SETBACK LINES TO CONFORM TO ZONING REGULATIONS.

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP 470181 0110 B AND FOUND THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.

BOUNDARY SURVEY
JEFFREY P. JOHNSON & wife LISA ANNE JOHNSON
CHARLES E. MOORE & wife DOROTHY MOORE
FIRST TENNESSEE BANK NATIONAL ASSOCIATION
 0.997 ACRES (43,429.3 SQ. FT.)
 14TH CIVIL DISTRICT
 SULLIVAN COUNTY, TENNESSEE



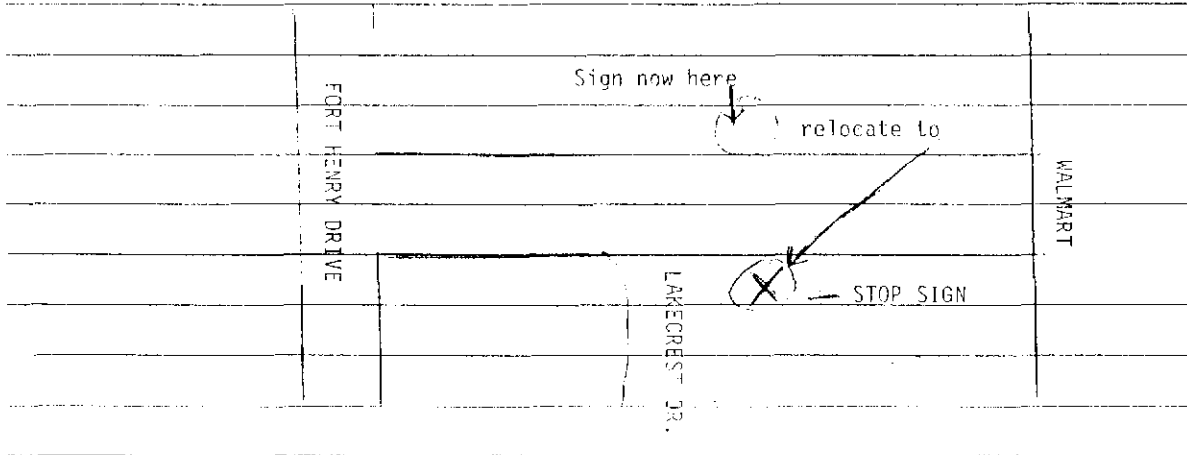
TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 18th DAY OF December, 19 89.

RESOLUTION AUTHORIZING INSTALLATION OF STOP SIGN ON LAKECREST 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 December, 19 89,

THAT a stop sign be relocated on Lakecrest Drive as per drawing.



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 15th day of January, 19 90.

ATTESTED: Ray B. Teachers
County Clerk

Date: 1-15-90

APPROVED: [Signature]
County Executive

Date: 1-15-90

INTRODUCED BY COMMISSIONER N. RUSSIN

ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER R. DINGUS

FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL

VOICE VOTE X

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Executive	X		1/3/90
Administrative	X		1/10/90

COMMENTS: FIRST READING 12/18/89 PASSED 1/15/90 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 December, 19 89.

RESOLUTION AUTHORIZING STOP SIGN ON CHIPPENDALE ROAD

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 December, 19 89,

THAT a stop sign be placed on Chippendale Road at the corner of Chippendale and Ambleside 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 _____, 19____, the public welfare requiring it.

Duly passed and approved this 15th day of January, 19 90.

ATTESTED:
Gay B. Teahus
County Clerk

Date: 1-15-90

APPROVED:
Keith Westmoreland
County Executive

Date: 1-15-90

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
<u>Executive</u>	<u>X</u>		<u>1/3/90</u>
<u>Administrative</u>	<u>X</u>		<u>1/10/90</u>

COMMENTS: FIRST READING 12/18/89 PASSED 1/15/90 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 DECEMBER, 19 89.

RESOLUTION AUTHORIZING CLOSING PART OF OLD BARGER HOLLOW ROAD ALONG THE KIDD, BARGER AND KNIEDLER PROPERTIES

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 December, 19 89.

THAT WHEREAS, At the request of the adjoining property owners and since the new Barger Hollow Road is now built and opened;

NOW THEREFORE BE IT RESOLVED That a section of old Barger Hollow Road along the Kidd, Barger and Kniedler properties, be closed and that any rights or interest that Sullivan County may have in said road be deeded to the adjoining property owners as shown on the attached drawing E-58 dated 11-3-89, and that this transaction be at no cost to the County.

AMEND: 1/15/90 - Comm. Barger

BE IT RESOLVED THAT a transfer by quit claim deed be made to the property owners and the County Executive be authorized to sign said deeds.

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 15th day of January, 19 90.

ATTESTED: Jay B. Feathers Date: 1-15-90
County Clerk
APPROVED: Keith Westmoreland Date: 1-15-90
County Executive

INTRODUCED BY COMMISSIONER BARGER ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER NICHOLS FUND: _____

COMMISSION ACTION:	[aye]	[nay]	[absent]	[pass]
ROLL CALL	<u>20</u>	<u>1</u>	<u>2</u>	<u>1</u>
VOICE VOTE				

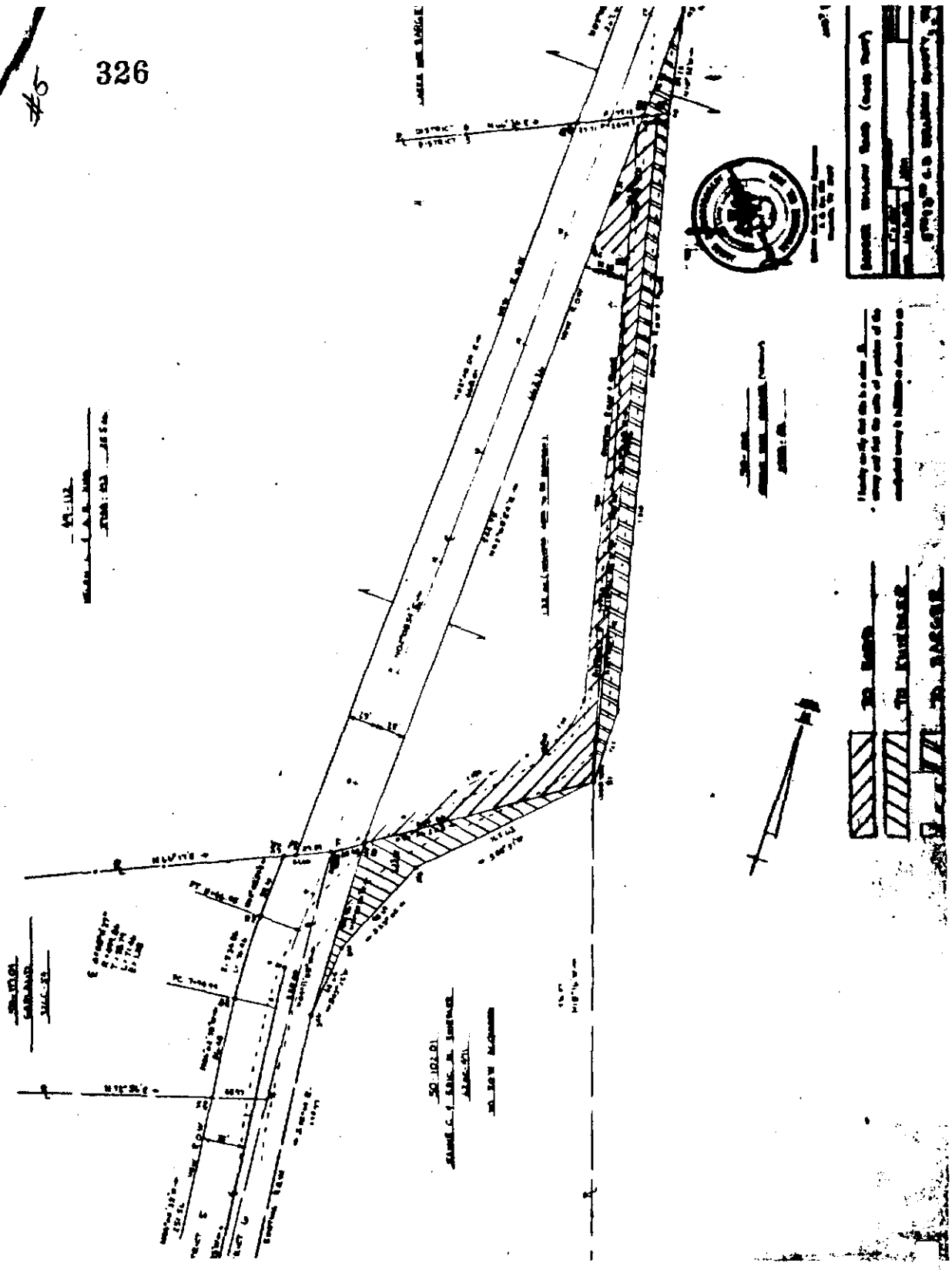
COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Executive	<u>X</u>		<u>1/3/90</u>
Administrative	<u>X</u>		<u>1/10/90</u>

COMMENTS: FIRST READING 12/18/89

PASSED AS AMENDED - 1/15/90 ROLL CALL

45

326



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 6. 100' x 100' x 100'
 7. 100' x 100' x 100'
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- 100' x 100'
 - 100' x 100'
 - 100' x 100'

JAMES W. BURGESS

50 101 01
 JAMES W. BURGESS
 ALASKA
 JAMES W. BURGESS



Project Name (Name)	
Date	
Scale	
Sheet No.	
Sheet Total	

1. 100' x 100' x 100'
 2. 100' x 100' x 100'
 3. 100' x 100' x 100'
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 5. 100' x 100' x 100'
 6. 100' x 100' x 100'
 7. 100' x 100' x 100'
 8. 100' x 100' x 100'
 9. 100' x 100' x 100'
 10. 100' x 100' x 100'



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 DECEMBER, 19 89.

RESOLUTION AUTHORIZING APPOINTMENT OF PROBATION OFFICER SUZANNE SIMPSON TO THE COMMUNITY CORRECTIONS PROGRAM ADVISORY BOARD IN KINSPORT-BASED HAY HOUSE

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 December, 19 89,

THAT WHEREAS Sullivan County has a community corrections program in the Kingsport-based Hay House, and

WHEREAS, Under the provisions of T.C.A. 40-36-201 (7), a state probation officer is to be a member of the Community Corrections Program Advisory Board, and

WHEREAS, the Department of Corrections Commissioner W. Jeff Reynolds has nominated Probation Officer Suzanne Simpson to this Advisory Board;

NOW THEREFORE BE IT RESOLVED, That Probation Officer Suzanne Simpson be appointed to the Community Corrections Program Advisory Board in the Kingsport-based Hay House.

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 DEVAULT ESTIMATED COSTS:

SECONDED BY COMMISSIONER Icenhour FUND:

COMMISSION ACTION: [aye] [nay]

ROLL CALL

V CE VOTE

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Administrative	X		1/10/90

COMMENTS: FIRST READING 12/18/89
WITHDRAWN 1/15/90

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 December, 19 89.

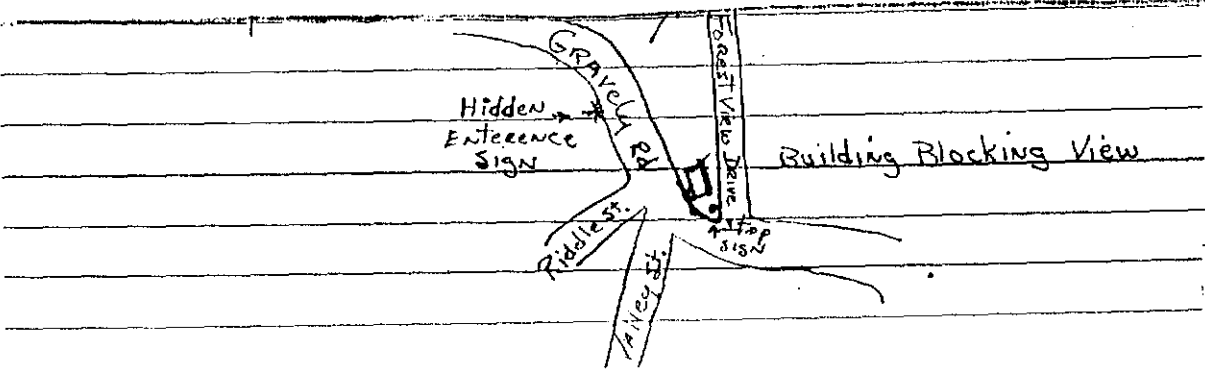
RESOLUTION AUTHORIZING HIDDEN ENTRANCE AND STOP SIGN BE PLACED IN THE 11TH CIVIL DISTRICT. (GRAVELY ROAD & FOREST VIEW DRIVE)

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 December, 1989.

THAT a Hidden Entrance sign be placed on Gravelly Road West of its intersection with Forest View Drive and,

Also, a stop sign on Forest View Drive at its intersection with Gravelly Road.



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 15th day of January, 19 90.

ATTESTED: Gay B. Feathers Date: 1-15-90
 County Clerk

APPROVED: Keith Westmoreland Date: 1-15-90
 County Executive

INTRODUCED BY COMMISSIONER MCCONNELL ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER ARRINGTON FUND: _____

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

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>Executive</u>	<u>X</u>		<u>1/3/90</u>
<u>Administrative</u>	<u>X</u>		<u>1/10/90</u>

COMMENTS: FIRST READING 12/18/89 PASSED 1/15/90 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 DECEMBER, 19 89.

RESOLUTION AUTHORIZING INSTALLATION OF STOP SIGNS ON STREETS DESIGNATED BELOW IN THE 7TH CIVIL DISTRICT

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 December, 19 89.

THAT Stop signs be installed at the following intersections:

1. On Shannon Street entering Dublin Road
2. On Waterford Drive entering Dublin Road
3. On Cork Lane entering Waterford Drive
4. On Cork Lane entering Blarney Road
5. On Moody Drive entering Springview Street
6. On Foxwood Lane entering Moody Drive

The public welfare requiring it.

These streets exist in Fall Creek East and West Subdivisions and have been evaluated for this need by the Sullivan County Traffic Coordinator.

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 15th day of Janaury, 19 90.

ATTESTED: *Gay B. Feathers* Date: 1-15-90
 County Clerk

APPROVED: *Keith Westmoreland* Date: 1-15-90
 County Executive

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER BLALOCK FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL
ICE VOTE _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Executive	X		1/3/90
Administrative	X		1/10/90

COMMENTS: FIRST READING 12/18/89 PASSED 1/15/90 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 DECEMBER, 1989.

RESOLUTION AUTHORIZING FINANCING OF SEWER LINES AT EXIT 69, INTERSTATE 81 AND STATE ROUTE 37 (BLOUNTVILLE EXIT)

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 DECEMBER, 1989.

THAT WHEREAS, there is interest in developing property at the Intersection (Exit 69) and:

WHEREAS, this property has been rezoned for commercial development, and all development is contingent on availability of sewers,

THEREFORE BE IT RESOLVED, that this Sullivan County Commission approve ^{up to} the expenditure of \$350,000 for the engineering and construction of said sewer line.

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.

It was passed and approved this 15th day of January, 1990.

TESTED: Jay B. Feathers Date: 1-15-90 APPROVED: Keith Westmoreland Date: 1-15-90
County Clerk County Executive

INTRODUCED BY COMMISSIONER Don Barger ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER Kammie Nichols FUND: _____

COMMISSION ACTION: [aye] [nay] [Absent] [Pass]
ROLL CALL 17 3 2 2
UNICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
BUDGET X _____ 1/9/90
ADMINISTRATIVE (DEFERRED) _____ 1/10/90

COMMENTS: FIRST READING 12/18/89

PASSED 1/15/90 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 DECEMBER, 19 89.

RESOLUTION AUTHORIZING COUNTY ATTORNEY REQUEST THE CITY OF KINGSPORT TAKE THE NECESSARY LEGAL ACTION REQUIRED FOR THE REPAIR OF ROADS TORN UP FOR SEWER LINES IN THE 14TH CIVIL DISTRICT.

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 December, 19 89,

THAT the Sullivan County Attorney request the City of Kingsport take necessary legal action to repair the streets torn up while laying sewer lines in the Colonial Heights area.

BE IT FURTHER RESOLVED that Farrell Drive is especially in need of repair.

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 BLALOCK ESTIMATED COSTS:

SECONDED BY COMMISSIONER GROSECLOSE FUND:

COMMISSION ACTION: [aye] [nay]

ROLL CALL

ICE VOTE

COMMITTEE ACTION: APPROVED DISAPPROVED DATE Executive (Deferred) 1/3/90

COMMENTS: First Reading 12/18/89 WITHDRAWN 1/15/90

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 DECEMBER, 19 89.

RESOLUTION AUTHORIZING FULL TIME COUNTY ATTORNEY

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 December, 19 89,

THAT the Sullivan County Commission go on record as favoring a full time County Attorney and that the Sullivan County Legislative delegation to the Tennessee Legislature be requested to introduce an act enabling Sullivan County to have a full time County Attorney effective September 1, 1990.

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: _____ Date: _____ APPROVED: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER KING ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER ANDERSON FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: FIRST READING 12/18/89 After Roll Call vote/failed, Resolution Comm. King Withdrew Resolution
WITHDRAWN 1/15/90

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANURAY, 1990.

RESOLUTION AUTHORIZING NO PARKING SIGN BE PLACED ON WINESAP ROAD IN THE 14th CIVIL DISTRICT

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 15th day of January, 1990,

THAT No Parking Signs be placed on both sides of Winesap Road located in the 14th Civil District from Crabapple Lane to the end of culdesac, 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 15th day of January, 1990.

ATTESTED: Gay B. Teachers Date: 1-15-90
County Clerk

APPROVED: [Signature] Date: 1-15-90
County Executive

INTRODUCED BY COMMISSIONER BLALOCK ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DINGUS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

V CE VOTE X _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Executive (Deferred)			1/3/90
Administrative	X		1/10/90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 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 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING REGISTRATION OF ADULT-ORIENTED ESTABLISHMENTS

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 15th day of January, 1990,

THAT The Sullivan County Board of Commissioners hereby adopt the provisions of the State of Tennessee Adult-Oriented Establishment Registration Act, a copy of which is attached hereto, and is adopted as if stated verbatim.

*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 15th day of January, 1990.

ATTESTED: Gay B. Feathers
County Clerk

Date: 1-15-90

APPROVED: Keith Westmoreland
County Executive

Date: 1-15-90

INTRODUCED BY COMMISSIONER DeVAULT ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER Milhorn FUND: _____

COMMISSION ACTION: [aye] [nay] [absent]

ROLL CALL 22 1 1

VOICE VOTE _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>Executive</u>	<u>X</u>		<u>1/3/90</u>
<u>Administrative</u>	<u>X</u>		<u>1/10/90</u>
<u>Budget</u>	<u>X</u>		<u>1/9/90</u>

COMMENTS: _____

WAIVER OF RULES PASSED 1/15/90 ROLL CALL

Short title. — The part shall be known and cited as the "Adult-Oriented Establishment Registration Act

Definitions. — As used in this part, unless the context otherwise requires:

(1) "Adult bookstore" means an establishment having as a substantial or significant portion of its stock and trade in books, films, video cassettes, or magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specific sexual activities" or "specific anatomical areas" as defined below, and in conjunction therewith have facilities for the presentation of adult entertainment, as defined below, and including adult-oriented films, movies, or live entertainment, for observation by patrons therein;

(2) "Adult cabaret" means a cabaret which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers;

(3) "Adult entertainment" means any exhibition of any adult-oriented motion picture, live performance, display or dance of any type, which has as a significant or substantial portion of such performance, any actual or simulated performance of specified sexual activities of exhibition and viewing of specified anatomical areas, removal of articles of clothing or appearing unclothed, pantomime, modeling, or any other personal service offered customers;

(4) "Adult mini-motion picture theater" means an enclosed building with a capacity of less than fifty (50) persons regularly used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as defined below, for observation by patrons therein;

(5) "Adult motion picture theater" means an enclosed building with a capacity of fifty (50) or more persons regularly used for presenting material having as a dominant theme or presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as defined below, for observation by patrons therein;

(6) "Adult-oriented establishments", includes but not be limited to, "adult bookstores", "adult motion picture theaters", "adult mini-motion picture establishments", or "adult cabaret" and further means any premises to which the public patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. An "adult-oriented establishment" further includes, without being limited to, any "adult entertainment studio" or any premises that is physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, model studio, escort service, escort or any other term of like import:

(e) Failure or refusal of the applicant to give any information relevant to the investigation of the application or his or her refusal or failure to appear at any reasonable time and place for examination under oath regarding the application or his or her refusal to submit to or cooperate with any investigation required by this part shall constitute an admission by the applicant that he or she is ineligible for such permit and shall be grounds for denial thereof by the board.

Entertainers or escorts — Permits — Qualifications — Investigations. — (a) To receive a permit as an entertainer or escort, an applicant must meet the following standards:

- (1) The applicant shall be at least eighteen (18) years of age;
- (2) The applicant shall not have been convicted of or pleaded no contest to a felony or any crime involving moral turpitude within five (5) years immediately preceding the date of the application; and
- (3) The applicant shall not have been convicted of or pleaded nolo contendere to any violation of this part.

(b) No permit shall be issued until the board or sheriff's department has investigated the applicant's qualifications to receive a permit. The results of that investigation shall be filed in writing with the board no later than thirty (30) days after the date of the application.

Entertainers and escorts — Permits — Fees. — (a) A license fee of one thousand dollars (\$1,000) shall be submitted with the application for a license. If the application is denied, one-half ($\frac{1}{2}$) of the fee shall be returned.

(b) A permit fee of five hundred dollars (\$500) shall be submitted with the application for a permit. If the application is denied, one-half ($\frac{1}{2}$) of the fee shall be returned.

Penalties for violation of part. — (a) Any person, partnership or corporation who is found to have violated this part shall be fined a definite sum not exceeding fifty dollars (\$50.00) and shall result in the suspension or revocation of any license.

(b) Each violation of this part shall be considered a separate offense, and any violation continuing more than one (1) hour of time shall be considered a separate offense for each hour of violation.

Referendum on adoption of part. — This part shall be local in effect and shall become effective in Sullivan County upon the contingency of a two-thirds ($\frac{2}{3}$) vote of the county legislative body adopting this part.

- (7) "Board" means the adult-oriented establishment board, or, if there is in existence in the county a massage registration board appointed by the county executive, such board may be substituted for the board;
- (8) "County" as applied to metropolitan forms of government, means that portion of the general services district which lies outside of the urban services district;
- (9) "Employee" means any and all persons, including independent contractors, who work in or at or render any services directly related to the operation of an adult-oriented establishment;
- (10) "Entertainer" means any person who provides entertainment within an adult-oriented establishment as defined in this section, whether or not a fee is charged or accepted for entertainment and whether or not entertainment is provided as an employee, escort or an independent contractor;
- (11) "Escort" means a person who, for monetary consideration in the form of a fee, commission, salary or tip, dates, socializes, visits, consorts with, accompanies, or offers to date, consort, socialize, visit or accompany to social affairs, entertainment or places of amusement or within any place of public resort or within any private quarters of a place of public resort;
- (12) "Escort service" means a person as defined herein, who, for a fee, commission, profit, payment or other monetary consideration, furnishes or offers to furnish escorts or provides or offers to introduce patrons to escorts;
- (13) "Open office" means an office at the escort service from which the escort business is transacted and which is open to patrons or prospective patrons during all hours during which escorts are working which is managed or operated by an employee, officer, director or owner of the escort service having authority to bind the service to escort and patron contracts and adjust patron and consumer complaints;
- (14) "Specified anatomical areas" means:
- (A) Less than completely and opaquely covered:
 - (i) Human genitals;
 - (ii) Pubic region;
 - (iii) Buttocks; and
 - (iv) Female breasts below a point immediately above the top of the areola; and
 - (B) Human male genitals in a discernibly turgid state, even if completely opaquely covered;
- (15) "Operator" means any person, partnership, or corporation operating, conducting or maintaining an adult-oriented establishment;
- (16) "Specified sexual activities" means:
- (A) Human genitals in a state of sexual stimulation or arousal;
 - (B) Acts of human masturbation, sexual intercourse or sodomy; or
 - (C) Fondling or erotic touching of human genitals, pubic region, buttocks or female breasts; and
- (17) "Person" means an individual, partnership, limited partnership, firm, corporation or association.

Adult-oriented established board -- Massage registration board as substitute.-- (a) There shall be established in Sullivan County, a massage registration board. (b) The board shall consist of five (5) members appointed by the county executive. The massage registration board appointed by the county executive may be used for adult-oriented establishments, as determined by the county executive.

Board members shall be coextensive with the terms of the massage registration board with no member serving after the expiration of his term or removal from the massage registration board. If the board consists of five (5) members appointed by such county executive, the terms of the board members shall be for four (4) years.

(d) A majority of the members to which the board is entitled shall constitute a quorum.

(e) The board shall serve without compensation but the members shall receive their actual expenses for attending adult-oriented establishment board meetings.

(f) The board shall select a chairman from among its members and the chairman shall notify interested persons and members of board meetings.

(g) The board shall adopt such rules and procedures for the issuance, renewal, revocation and suspension of licenses and permits as it deems appropriate to fulfill the purposes of this legislation.

(h) The board shall meet as often as required to carry out the provisions of this part.

License to operate — Required. — (a) Except as provided in subsection (e) from and after the effective date of this part, no adult-oriented establishment shall be operated or maintained in any applicable county without first obtaining a license to operate issued by the county adult-oriented establishment board.

(b) A license may be issued only for one (1) adult-oriented establishment located at a fixed and certain place. Any person, partnership or corporation which desires to operate more than one (1) adult-oriented establishment must have a license for each.

(c) No license or interest in a license may be transferred to any person, partnership or corporation.

(d) It shall be unlawful for any entertainer, employee, escort or operator knowingly work in or about, or to knowingly perform any service directly related to or at the request of the operation of any unlicensed adult-oriented establishment or escort service.

(e) All existing adult-oriented establishments at the time of the passage of this part must submit an application for a license within one hundred twenty (120) days of the effective date of this part. If a license is not issued within such one hundred twenty-day period, then such existing adult-oriented establishment shall cease to operate.

(f) No license shall be issued by the board unless the applicant certifies, by proof satisfactory to the board, that the applicant has satisfied the rules, regulations and provisions of the applicable zoning requirements in the county. Any zoning requirement shall be in addition to and not an alternative to any requirement of this legislation.

License to operate — Application. — (a) Any person, partnership, or corporation desiring to secure a license shall make application to the adult-oriented establishment board. The board shall establish procedures and criteria for the issuance of a license. A copy of the application shall be distributed promptly to the county sheriff's department.

(b) The application for a license shall be upon a form provided by the board. An applicant for a license, including any partner or limited partner of the partnership applicant, and any officer or director of the corporate applicant and any stockholder holding more than five percent (5%) of the stock of a corporate applicant, or any other person who is interested directly in the ownership or operation of the business shall furnish the following information under oath:

- (1) Name and address, including all aliases;
- (2) Written proof that the individual is at least eighteen (18) years of age;
- (3) All residential addresses of the applicant for the past three (3) years;
- (4) The applicant's height, weight, color of eyes and hair;
- (5) The business, occupation or employment of the applicant for five (5) years immediately preceding the date of the application;
- (6) The adult-oriented establishment or similar business license history of the applicant; whether such applicant, in previously operating in this or any other county, city or state under license, has had such license revoked or suspended, the reason therefor, and the business activity or occupation subject to such action of suspension or revocation;
- (7) All criminal statutes, whether federal or state, or city ordinance violations, for which conviction, forfeiture of bond or pleadings of nolo contendere have occurred, except minor traffic violations;
- (8) Two (2) portrait photographs at least two inches (2") by two inches (2") of the applicant;
- (9) The address of the adult-oriented establishment to be operated by the applicant;
- (10) The names and addresses of all persons, partnerships, or corporations holding any beneficial interest in the real estate upon which such adult-oriented establishment is to be operated, including but not limited to, contract purchasers or sellers, beneficiaries of land trust or lessees subletting to applicant;
- (11) If the premises are leased or being purchased under contract, a copy of such lease or contract shall accompany the application;
- (12) The length of time the applicant has been a resident of the county or its environs, immediately preceding the date of the application;
- (13) If the applicant is a corporation, the name of the corporation and the date and state of incorporation, and the name and address of the registered agent; and
- (14) A statement by the applicant that he or she is familiar with the provisions of this legislation and is in compliance with them.

(c) Within ten (10) days, or a reasonable time thereafter of receiving the results of the investigation conducted by the board and/or the sheriff's department, the board shall notify the applicant that his application is granted, denied or held for further investigation. Such additional investigation shall not exceed an additional thirty (30) days unless otherwise agreed to by the applicant. Upon the conclusion of such additional investigation, the board shall advise the applicant in writing whether the application is granted or denied.

34 (d) Whenever an application is denied or held for further investigation, the board shall advise the applicant in writing of the reasons for such action. If the applicant requests a hearing within ten (10) days of receipt of notification of denial, a public hearing shall be held thereafter before the board, at which time the applicant may present evidence bearing upon the question.

(e) Failure or refusal of the applicant to give any information relevant to the investigation of the application or his or her refusal or failure to appear at any reasonable time and place for examination under oath regarding the application or his or her refusal to submit to or cooperate with any investigation required by this part shall constitute an admission by the applicant that he or she is ineligible for such license and shall be grounds for denial thereof by the board.

License to operate — Qualifications. — (a) To receive a license to operate an adult-oriented establishment, an applicant must meet the following standards:

(1) If the applicant is an individual:

(A) The applicant shall be at least eighteen (18) years of age;

(B) The applicant shall not have been convicted of or pleaded nolo contendere to a felony or any crime involving moral turpitude within five (5) years immediately preceding the date of the application; and

(C) The applicant shall not have been convicted of or pleaded nolo contendere to any violation of this part.

(2) If the applicant is a corporation:

(A) All officers, directors and stockholders required to be named under (b) shall be at least eighteen (18) years of age;

(B) No officer, director or stockholder required to be named under (b) shall have been convicted of or pleaded nolo contendere to a felony or any crime involving moral turpitude within five (5) years immediately preceding the date of the application; and

(C) No officer, director, or stockholder required to be named under (b) shall have been convicted of or pleaded nolo contendere to any violation of this part;

(3) If the applicant is a partnership, joint venture or any other type of organization where two (2) or more persons have a financial interest:

(A) All persons having a financial interest in the partnership, joint venture or other type of organization shall be at least eighteen (18) years of age;

(B) No persons having a financial interest in the partnership, joint venture or other type of organization shall have been convicted of or pleaded nolo contendere to a felony or any crime involving moral turpitude within five (5) years immediately preceding the date of the application;

(C) No persons having a financial interest in the partnership, joint venture or other type of organization shall have been convicted of or pleaded nolo contendere to any violation of this legislation; and

(4) No license shall be issued unless the board or sheriff's department has investigated the applicant's qualifications to be licensed. The results of that investigation shall be filed in writing with the board no later than twenty (20) days after the date of the application.

Inspections — Notice of results. — (a) In order to effectuate the provisions of this part, the board, its authorized representative or sheriff shall be empowered to conduct investigations of persons engaged in the operation of any adult-oriented establishment and inspect the license of the operators and establishment for compliance. Refusal of an operation or establishment to permit inspections shall be grounds for revocation, suspension or refusal to issue licenses provided by this part.

(b) Within ten (10) days, or a reasonable time thereafter of receiving the results of the investigation, the board shall notify the applicant that his application is granted, denied or held for further investigation. Such additional investigation shall not exceed an additional thirty (30) days unless otherwise agreed to by the applicant. Upon the conclusion of such additional investigation, the board shall advise the applicant in writing whether the application is granted or denied.

Injunctions — Contempt. — (a) The board shall have the power and authority to enter into any court of the state of Tennessee having proper jurisdiction to seek an injunction against any person or adult-oriented establishment not in compliance with the provisions of this part and is further empowered to enter into any such court to enforce the provisions of this part in order to ensure compliance with such provisions.

(b) Any violation of an injunction obtained under this section shall be contempt with a fine of fifty dollars (\$50.00).

(c) Each day in contempt of such injunction shall be considered a separate offense.

Revocation, suspension or annulment of licenses. — (a) The board shall revoke, suspend or annul a license for any of the following reasons:

(1) Discovery that false or misleading information or data was given on any application or material facts were omitted from any application;

(2) The operator or entertainer, or any employee of the operator, violates any provision of this legislation or any rule or regulation adopted by the board pursuant to this legislation; provided, however, in the case of a first offense by an operator where the conduct was solely that of an employee, the penalty shall not exceed a license suspension of thirty (30) days if the board shall find that the operator had no actual or constructive knowledge of such violation and could not, by the exercise of due diligence, have had such actual or constructive knowledge;

(3) The operator becomes ineligible to obtain a license;

(4) Any cost or fee required to be paid by this part is not paid; or

(5) Any intoxicating liquor or malt beverage is served or consumed on the premises of the adult-oriented establishment.

(b) The board, before revoking or suspending any license, shall give the operator at least ten (10) days' written notice of the charges against him or

342 her and the opportunity for a public hearing before the board, at which time the operator may present evidence bearing upon the question. In such cases, the charges shall be specific and in writing.

(c) The transfer of a license or any interest in a license shall automatically and immediately revoke the license. The transfer of any interest in a non-individual operator's license shall automatically and immediately revoke the license held by the operator.

(d) Any operator whose license is revoked shall not be eligible to receive a license for five (5) years from the date of revocation. No location or premises for which a license had been issued shall be used as an adult-oriented establishment for two (2) years from the date of revocation of the license.

Hearings on disciplinary actions — Judicial review —

Prohibition on operation of business. — (a) The board shall provide applicants denied issuance of a license or operators whose licenses are revoked or not renewed, a hearing on such refusal, revocation or nonrenewal, which is consistent with due process of law.

(b) All decisions of the board on the revocation, refusal to issue, or nonrenewal of licenses, shall be reviewable in the chancery courts of the county wherein the board is located only as to the existence of any substantial evidence upon which the board could base its decision.

(c) Upon a decision of the board to refuse to issue, revoke or not to renew a license, the operator or establishment shall be prohibited from operating the establishment until the board's decision is overturned.

Termination and renewal of licenses — Applications —

Fees. — (a) Every license issued under this part will terminate at the expiration of one (1) year from the date of issuance, unless sooner revoked, and must be renewed before operation is allowed in the following year. Any operator desiring to renew a license shall make application to the board. The application for renewal must be filed not later than sixty (60) days before the license expires. The application for renewal shall be filed in triplicate with and dated by the board. A copy of the application for renewal shall be distributed promptly by the chairman of the board to the applicable county sheriff. The application for renewal shall contain such information and data, given under oath or affirmation, as may be required by the board, but not less than the information contained in the original application.

(b) A license renewal fee of one thousand dollars (\$1,000) shall be submitted with the application for renewal. In addition to the renewal fee, a late penalty of one hundred dollars (\$100) shall be assessed against the applicant who files for a renewal less than thirty (30) days before the license expires. If the application is denied, one-half (1/2) of the fee shall be returned.

(c) If the sheriff's department is aware of any information bearing on the operator's qualifications, the information shall be filed in writing with the board not later than ten (10) days after the date of the application for renewal.

(d) Every permit issued under this part will terminate at the expiration of one (1) year from the date of issuance, unless sooner revoked and must be renewed before an entertainer is allowed to provide entertainment in an adult-oriented establishment in the following calendar year. Any entertainer desiring to renew a permit shall make application to the board. The application for renewal must be filed not later than thirty (30) days before the permit expires. The application for renewal shall be filed in triplicate with and dated by the board. A copy of the application for renewal shall be distributed promptly by the board to the sheriff. The application for renewal shall be upon a form provided by the board and shall contain such information and data, given under oath or affirmation, as may be required by the board.

(e) A permit renewal fee of five hundred dollars (\$500) shall be submitted with the application for renewal. In addition to the renewal fee, a late penalty of fifty dollars (\$50.00) shall be assessed against the applicant who files for renewal less than thirty (30) days before the license expires. If the application is denied, one-half ($\frac{1}{2}$) of the fee shall be returned.

(f) If the sheriff's department is aware of any information bearing on the entertainer's qualifications, that information shall be filed in writing with the board not later than ten (10) days after the date of the application for renewal.

Prohibited hours of operation — Hours open for inspection. — (a) No adult-oriented establishment shall be open between the hours of three-o'clock a.m. (3:00 a.m.) and eight-o'clock a.m. (8:00 a.m.) on weekdays or between the hours of three-o'clock a.m. (3:00 a.m.) and twelve-o'clock noon (12:00 p.m.) on Sundays.

(b) All adult-oriented establishments shall be open to inspection at all reasonable times by the applicable sheriff's department or such other persons as the board may designate.

Duties and responsibilities of operators, entertainers, and employees. — (a) The operator shall maintain a register of all employees, showing the name, the aliases used by the employee, home address, age, birthdate, sex, height, weight, color of hair and eyes, telephone number, social security number, driver's license number, date of employment and termination, and duties of each employee and such other information as may be required by the board. The above information on each employee shall be maintained in the register on the premises for a period of three (3) years following termination.

(b) The operator shall make the register of employees available immediately for inspection by the board and/or sheriff's department upon demand of a member of the board or sheriff's department at all reasonable times.

(c) Every act or omission by an employee constituting a violation of the provisions of this part shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge, or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct, and the operator shall be punishable for

such act or omission in the same manner as if the operator committed the act or caused the omission.

(d) An operator shall be responsible for the conduct of all employees while on the licensed premises and any act or omission of any employee constituting a violation of the provisions of this part shall be deemed the act or omission of the operator for purposes of determining whether the operator's license shall be revoked, suspended or renewed.

(e) There shall be posted and conspicuously displayed in the common areas of each adult-oriented establishment a list of any and all entertainment provided on the premises. Viewing adult-oriented motion pictures shall be considered as entertainment. The operator shall make the list available immediately upon demand of the board or sheriff's department at all reasonable times.

(f) No employee of an adult-oriented establishment shall allow any minor to loiter around or to frequent an adult-oriented establishment or to allow any minor to view adult entertainment as defined herein.

(g) Every adult-oriented establishment shall be physically arranged in such a manner that the entire interior portion of the booths, cubicles, rooms or stalls, wherein adult entertainment is provided, shall be visible from the common area of the premises. Visibility shall not be blocked or obscured by doors, curtains, partitions, drapes or any other obstruction whatsoever. It shall be unlawful to install booths, cubicles, rooms or stalls within adult-oriented establishments for whatever purpose, but especially for the purpose of secluded viewing of adult-oriented motion pictures or other types of adult entertainment.

(h) The operator shall be responsible for and shall provide that any room or area used for the purpose of viewing adult-oriented motion pictures or other types of live adult entertainment shall be readily accessible at all times and shall be continuously opened to view in its entirety.

(i) No operator, entertainer or employee of an adult-oriented establishment shall demand or collect all or any portion of a fee for entertainment before its completion.

(j) The license shall be conspicuously displayed in the common area of the premises at all times.

Prohibited activities. — (a) No operator, entertainer or employee of an adult-oriented establishment shall permit to be performed, offer to perform, perform or allow, patrons to perform sexual intercourse or oral or anal copulation or other contact stimulation of the genitalia.

(b) No operator, entertainer or employee of an adult-oriented establishment shall encourage or permit any person upon the premises to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person.

(c) No operator, entertainer or employee of an adult-oriented establishment shall be unclothed or in such attire, costume or clothing so as to expose to view any portion of the sex organs, breasts or buttocks of the operator, entertainer or employee with the intent to arouse or gratify the sexual desires of the operator, entertainer, employee or customer.

Entertainers or escorts — Permits — Required. — No person shall be an entertainer or escort in an adult-oriented establishment without a valid permit issued by the board.

Entertainers or escorts — Permits — Application. — (a) Any person desiring to secure a permit shall make application to the board. The board shall establish procedures and criteria for the issuance of a permit. The application shall be filed in triplicate with and dated by the board. A copy of the application shall be distributed promptly by the board to the sheriff's department.

(b) The application for a permit shall be upon a form provided by the board. An applicant for a permit shall furnish the following information under oath:

- (1) Name and address, including all aliases;
- (2) Written proof that the individual is at least eighteen (18) years of age;
- (3) All residential addresses of the applicant for the past three (3) years;
- (4) The applicant's height, weight, color of eyes, and hair;
- (5) The business, occupation or employment of the applicant for five (5) years immediately preceding the date of the application;
- (6) The adult-oriented establishment or similar business permit history of the applicant; whether such person, in previously operating in this or any other city or state under permit, has had such permit revoked or suspended, the reason therefor, and the business activity or occupation subject to such action of suspension or revocation;
- (7) All criminal statutes, whether federal or state, or city ordinance violation for which a conviction, forfeiture of bond and pleadings of nolo contendere have occurred, except minor traffic violations;
- (8) Two (2) portrait photographs at least two inches (2") by two inches (2") of the applicant;
- (9) The length of time the applicant has been a resident of the county or its environs immediately preceding the date of the application; and
- (10) A statement by the applicant that he or she is familiar with the provisions of this legislation and is in compliance with them.

(c) Within ten (10) days of receiving the results of the investigation conducted by the board or sheriff's department, the board shall notify the applicant that his application is granted, denied, or held for further investigation. Such additional investigation shall not exceed an additional thirty (30) days unless otherwise agreed to by the applicant. Upon the conclusion of such additional investigations, the board shall advise the applicant in writing whether the application is granted or denied.

(d) Whenever an application is denied or held for further investigation, the board shall advise the applicant in writing of the reasons for such action. If the applicant requests a hearing within ten (10) days of receipt of notification of denial, a public hearing shall be held thereafter before the board of commissioners, at which time the applicant may present evidence bearing upon the question.

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

THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING THE 700 BLOCK OF POOR HOLLOW ROAD BE CHANGED TO HARBOR SPRINGS ROAD

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 15th day of January, 1990.

THAT The 700 block of Poor Hollow Road be changed to Harbor Springs Road as per the attached petition.

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: Day B. Feathers Date: 1-15-90 APPROVED: Keith Westmoreland Date: 1-15-90
County Clerk County Executive

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DINGUS FUND: _____

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

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
Executive X _____ 1-3-90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 2/3 Voice Vote

December 4, 1989

TO: Sullivan County Court

We petition to change the 700 block of Poor Hollow Road to Harbor Springs Road:

<u>Virginia Carter</u>	<u>D. Susan Hosler</u>
<u>Hewley Carter</u>	<u>Edith B. Clark</u>
<u>Philip C. Rucker</u>	<u>Bruce B. Bous</u>
<u>Brenda Ricker</u>	_____
<u>C. Ann Hone</u>	<u>Catherine Ford Kilgore</u>
<u>Sharon Ricker</u>	_____
<u>Daniel E. Rucker</u>	_____
<u>Catherine Long</u>	_____
<u>Lewance M. Long</u>	_____

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING YOAKLEY GOTTLAND SHOALS ROAD BE CHANGED TO
GOTTLAND SHOALS ROAD

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 15th day of January, 1990.

THAT Yoakley Gottland Shoals Road be changed to Gottland Shoals Road
as per the attached petition.

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 15th day of January, 1990.

ATTESTED:
Ray B. Feathers
County Clerk

Date: 1-15-90

APPROVED:
Keith Westmoreland
County Executive

Date: 1-15-90

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DINGUS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE X _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
Executive X 1-3-90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 2/3 Voice Vote

Rec. 12/1/59 the

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DEAR SIRS,

We, the residents of Moakley Gottland Shoals Rd., would like to delete Moakley from our address. We feel the address is too long & confusing since there is another Moakley Rd. in Sullivan Co. We would like to use only Gottland Shoals Rd. as our address. We will appreciate your consideration of this.

Thank you -
Judy Admerson

Steve + Judy Admerson	House # 711
Neil Stratto	House # 959
W. Corle	# 1077
Ernest Johns	1050
W. Mrs. Curry	
Bob Koontz	1034
George + Carol Patrick	399
Lon + Shirley Williams	# 1085
Brenda J. + Marvin K. Brown	# 1069
Clyde Peter + Ellen V. Peter	# 1072
Tom E. Bradley	1078
Red + Teresa Ogan	980
Charles Bradley	

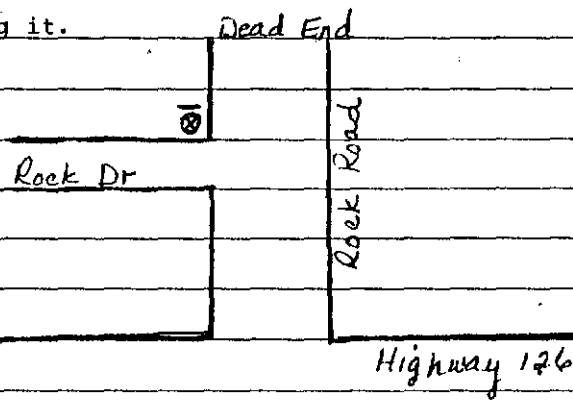
TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING STOP SIGN BE PLACED ON ROCK ROAD IN THE 5th CIVIL DISTRICT

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 15th day of January, 1990.

THAT A stop sign be placed on Rock Road in the 5th 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 15th day of January, 1990.

ATTESTED: Ray B. Feather Date: 1-15-90
County Clerk

APPROVED: Keith Westmoreland Date: 1-15-90
County Executive

INTRODUCED BY COMMISSIONER BARGER ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER NICHOLS FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE X _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>Administrative</u>	<u>X</u>	_____	<u>1/10/90</u>

COMMENTS: WAIVER OF RULES 1/15/90 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 15th DAY OF JANUARY, 19 90.

RESOLUTION AUTHORIZING APPOINTMENT OF FOUR MEMBERS TO THE
AGRICULTURAL EXTENSION COMMITTEE

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 15th day of January, 19 90,

THAT Rita Groseclose and Fred Childress be reappointed as Commission
members to the Sullivan County Agricultural Extension Committee and
Harold Wagner and Joann Newland be reappointed as Farm Man and Farm Woman
to the Sullivan County Agricultural Extension Committee for two (2) year
terms.

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 15th day of January, 19 90.

ATTESTED: [Signature] Date: 1-15-90
County Clerk - Feather
APPROVED: [Signature] Date: 1-15-90
County Executive

INTRODUCED BY COMMISSIONER MORRELL ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER ICENHOOR FUND: _____

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

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 1/15/90 2/3 Voice Vote

TO THE HONORABLE KEITH WESTHORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15TH DAY OF JANUARY, 19 90.

RESOLUTION AUTHORIZING THAT RESOLUTION NO. 23 [DATED DECEMBER 18, 1989] BE RESCINDED AND BE SUPERSEDED BY THIS RESOLUTION.

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 15TH day of JANUARY, 19 90,

THAT THIS RESOLUTION SUPERSEDES RESOLUTION NO. 23 [DATED DECEMBER 18, 1989] REQUEST FOR SEVEN (7) PART-TIME COUNTY MAINTENANCE EMPLOYEES BE GRANTED FULL-TIME EMPLOYEE POSITIONS SHOULD HAVE FURTHER STATED THAT FULL-TIME POSITIONS WILL BEGIN ON JANUARY 1, 1990 AND THAT THE EMPLOYEES BE GRANTED THE FULL-TIME POSITIONS, BASED ON THEIR CURRENT RATES OF PAY, WITH AN ADDITIONAL TEN THOUSAND DOLLARS (\$10,000.) TO BE APPROPRIATED INTO THE EMPLOYEE BENEFITS FUND (58600.200) TO COVER COSTS OF FULL-TIME EMPLOYEE BENEFITS FOR SAME.

*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.

Do hereby passed and approved this 15th day of January, 1990.

ATTESTED: Gay B. Feathers
County Clerk

APPROVED: Keith Westhoreland
County Executive

Date: 1-15-90

INTRODUCED BY COMMISSIONER Anderson ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER Barger FUND: _____

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

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
Administrative x _____ 1/10/90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 ROLL CALL

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

THIS THE 15th DAY OF JANUARY, 19 90.

RESOLUTION AUTHORIZING ASSISTANT SUPERINTENDENT OF THE PLANNING AND ZONING DEPARTMENT
BE DESIGNATED AS THE SULLIVAN COUNTY BUILDING COMMISSIONER

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION _____, AUTHORIZES COUNTIES

1

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 15th day of January, 19 90,

THAT WHEREAS, The Zoning Resolution for Sullivan County, the Sullivan County Flood Damage Prevention Ordinance and Tennessee Code Annotated 13-7-110 requires the position of County Building Commissioner, and

WHEREAS, The Assistant Superintendent of the Planning and Zoning Department is currently fulfilling these duties, and

WHEREAS, To prevent confusion and to conform with the Zoning Resolution, the Flood Ordinance and Tennessee Code Annotated 13-7-110,

NOW THEREFORE BE IT RESOLVED That the Assistant Superintendent of the Planning and Zoning Department is ~~also~~ hereby designated as the Sullivan County Building Commissioner with all rights, duties and authority commensurate with the position of Building Commissioner and will answer directly to and under the auspices of the Sullivan County Executive.

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.

July passed and approved this 15th day of January, 19 90.

TESTED: [Signature] Date: 1-15-90
County Clerk

APPROVED: [Signature] Date: 1-15-90
County Executive

INTRODUCED BY COMMISSIONER Ammons ESTIMATED COSTS: _____

RECONDED BY COMMISSIONER DeVault FUND: _____

COMMISSION ACTION: [aye] [nay]
O CALL _____
O B VOTE X _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
Administrative X _____ 1/10/90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 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 15th DAY OF January, 19 90.

RESOLUTION AUTHORIZING Reappropriation of Summer School Reserve Account

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 15th day of January, 19 90.

THAT WHEREAS, to appropriate Summer School Reserve Funds for the purchase of instructional materials and equipment. THEREFORE, BE IT RESOLVED that the General Purpose School Budget to be amended as follows:

REVENUE:	34290.200	18,000.00
EXPENDITURE:		
	72100.429	2,000.00
	76000.790	16,000.00

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 15th day of January, 19 90.

ATTESTED: Gay B. Teachers County Clerk

APPROVED: Keith Westmoreland County Executive

Date: 1-15-90

Date: 1-15-90

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS:

SECONDED BY COMMISSIONER NICHOLS FUND:

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

ROLL CALL 21 1 2

VOICE VOTE

COMMITTEE ACTION: APPROVED DISAPPROVED DATE Budget x 1/09/90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 ROLL CALL

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

THIS THE 15th DAY OF January, 1990.

RESOLUTION AUTHORIZING Reappointment of two representatives of Industrial Development Board of the County of Sullivan.

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 15th day of January, 1990.

THAT George Gibson and Albert C. Noble be reappointed to another six year term on the Industrial Development Board of the County of Sullivan.

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 15th day of January, 1990.

ATTESTED: Lay B. Feathers
County Clerk

APPROVED: [Signature]
County Executive Date: 1-15-90

INTRODUCED BY COMMISSIONER Bobby Icenhour ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER Dr. Nick Russin FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE x _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
_____	_____	_____	_____

COMMENTS: WAIVER OF RULES PASSED 1/15/90 2/3 Voice Vote

RESUME

George P. Gibson
wife: Sarah daughter: Alison

1985 - Presently Employed:

Home Federal Savings & Loan Association of Upper East Tennessee,
Senior Vice President

1970 - 1985:

First Tennessee Bank, was President of Kingsport/Bristol Banks
from 1979 to 1985

Education:

1969 - ETSU, B.S. Economics

1976 - L.S.U. "School of Banking of the South"

Community Services:

Immediate Past President, Kingsport Kiwanis Club

Past President, Kingsport Junior Achievement

Past President, Kingsport Central Improvement Corp.

Director, Holston Valley Hospital and Medical Center

Past Director, East Tennessee State University Foundation

United Way of Kingsport

Member:

First Baptist Church - past Deacon

Teach 12th Grade Sunday School Class

Military Service:

1959 - 1963 U.S. Air Force

Albert C. Noble
 256 Indian Trail
 Bristol, Tennessee

Born: Joliet, Illinois, 1 May 1909

Education: Joliet Public Schools
 University of Illinois, B.S., Business Administration 1932
 East Tennessee State University, M.A., Economics 1964
 Additional courses and short courses:
 Columbia University, New York
 New York University
 University of Tennessee
 National Association of Manufacturers
 American Management Association

Employment: 1932-1959 (except for military service) Standard Brands Inc. in various positions in Chicago, Milwaukee, Cincinnati and New York lastly as Manager, Personnel Relations. 1959-1963 Hecht's Bakery, Bristol and Roanoke, Assistant Manager.
 (1963-1964) enrolled at East Tennessee State University)
 1964-1975 East Tennessee State University. Coordinator of Business Management Conferences. Assistant Professor.
 1975 Retired.

Military Service: 1942-1946 U. S. Navy
 1942-1943 Armed Guard Officer
 1944-1945 Commanding Officer, USS LSM 184
 Currently Lieutenant Commander, USNR-Retired

Former member:
 National Association of Training Directors, (national Board member)
 American Society of Training Directors
 American Red Cross (Bristol) Board of Directors
 Bristol Tennessee Parks and Recreation Commission

Present member:
 Industrial Relations Research Association
 United Way of Bristol Board of Directors (past President)
 Salvation Army (Bristol) Advisory Board (past President)
 Sullivan County Industrial Development Board

References:
 Signet Bank, Bristol, Virginia
 First American Trust Company, Bristol, Tennessee

Listed in Who's Who in the South and Southwest (1970)

Prepared 20 December 1989

HARRY P. TRENT, II
DIRECTOR

ACCOUNTS & BUDGETS
SULLIVAN COUNTY
Box 529 • Phone: 323-6409
BLOUNTVILLE, TENNESSEE 37617

UNA DEAN SMITH
DIRECTOR OF ACCOUNTING

Calculation of Back Pay
Budget Fiscal Years 1985 - 1990
January 9, 1990

	Fiscal Year 1985-86	Fiscal Year 1986-87	Fiscal Year 1987-88	Fiscal Year 1988-89	Fiscal Year 1989-90	Total Back Pay Owed Officials
Salary per CTAS	34,516.00	36,242.00	37,902.00	39,608.00	41,223.00	
Budgeted Salaries	33,135.00	36,242.00	37,750.00	39,166.00	41,223.00	
Difference	1,381.00		152.00	442.00		1,975.00

Account Numbers

51500.100	Margaret Milhorn	475.20
51600.100	Mary Lou Duncan	1,975.00
52201.100	Joe Mike Akard	1,975.00
52300.100	Gil Hodges	1,975.00
52400.100	Francis Harrell	1,975.00
52500.100	Gay Feathers	594.00
53101.100	Raymond Winters	1,975.00
54110.100	Mike Gardner	1,495.00
61000.100	J. D. Wilson	1,975.00

14,414.20

Total Amount Needed for FICA/Retirement 2,381.23

Total Cost to be appropriated 16,795.43

Various 100 Accounts 58600.200	Back Pay for Elected/Appointed Officials	12,439.20
	Amount needed for FICA/Retirement	2,054.96
	Total Amount to be Appropriated Gen. Fund	14,494.16
61000.100 66000.200	Back Pay for Elected Official Highway	1,975.00
	Amount needed for FICA/Retirement	326.27
	Total Amount to be Appropriated Hwy Fund	2,301.27
Total Cost General and Highway Fund		16,795.43

WITHHOLD PAYING "MIKE GARDNER" UNTIL WE RECEIVE COUNTY ATTORNEY'S
INSTRUCTIONS.

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING APPROPRIATING \$16,839.70 DUE ELECTED/APPOINTED OFFICIALS

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 15th day of January, 1990,

THAT THE SULLIVAN COUNTY SALARY SCHEDULE HAS NOT REFLECTED THE CORRECT PAY FOR THE ELECTED/APPOINTED OFFICIALS DURING FISCAL YEARS 1985-86, 1987-88, 1988-89. ATTACHED IS THE BREAKDOWN BY DEPARTMENT, YEAR AND AMOUNT DUE EACH OFFICIAL.

NOW THEREFORE, BE IT RESOLVED THAT THE SULLIVAN COUNTY COMMISSION APPROPRIATE \$16,839.70 TO PAY THE ADDITIONAL SALARY DUE FROM UNAPPROPRIATED SURPLUS, PER FUND.

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 15th day of January, 1990.

ATTESTED: Kay B. Feathers County Clerk

APPROVED: Keith Westmoreland County Executive

Date: 1-15-90

Date: 1-15-90

INTRODUCED BY COMMISSIONER BLALOCK ESTIMATED COSTS:

SECONDED BY COMMISSIONER ICENHOUR FUND:

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

ROLL CALL 21 1 2

VOICE VOTE

COMMITTEE ACTION: APPROVED DISAPPROVED DATE Administration X 1/10/90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING APPRECIATION TO JIM MYERS

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 15th day of January, 1990.

THAT WHEREAS, Jim Myers has served his Country as a World War II veteran, stationed in the South Pacific aboard the U.S.S. Cabell, and

WHEREAS, Jim Myers served his employer, Tennessee Eastman Company, for over 39 years as supervisor of Quality Control in the Engineering Division and has lectured nation wide in behalf of Tennessee Eastman Company, and has been President of the Holston Valley Section of the American Welding Society; a member of the National Nominating Committee of the American Welding Society; Presiding Officer of the Technical Section of High Alloys; National Convention of the American Welding Society; and presented a paper at the National Convention of American Welding Society in Detroit, Michigan, and

WHEREAS, Jim Myers has served his Community as Zone Governor and District Governor of the (100 Club) Ruritan; Served on the Board of Directors, President - Indian Springs Ruritan Club; President of Gravely P.T.A.; Board of Directors, President Elect, President of Kingsport Civitan Club; Elected Director of Appalachian District of Civitan; Program Chairman of Indian Springs Ruritan Club, and

WHEREAS, Jim Myers has served his Church as Charter member of Doran Addition Free Will Baptist Church; Music Director for 35 years; Deacon for 35 years; presently serving as Chairman of Deacon Board; Adult Sunday School teacher for 35 years; was Church Treasurer for 10 years; was Secretary of Quarterly meetings of Churches for 28 years; Secretary of Yearly Association of Churches for 25 years; Secretary and Assistant Secretary of State Association of Churches for 22 years; and has received a perfect attendance pin for 28 years attending Sunday School and a perfect attendance pin for 28 consecutive years attending Ruritan, and

WHEREAS, Jim Myers has served his County as Justice of the Peace for Sullivan County for 10 years and chaired the Administrative Committee for those 10 years; Represented Sullivan County on the Board of Directors and Executive Committee for ARCHA (responsible for licensing hospitals, nursing homes, equipment, etc.) for 12 years; served on the Board of Directors and Executive Committee of Holston Mental Health Center 1970-1988, 18 years; currently Chairman of the Sullivan County Youth Home Board of Directors and a member of the Committee for 20 years; currently Chairman of the

reporting to the Board, and

WHEREAS, Jim Myers has received the following awards: Life membership of P.T.A.; National Meritorious Award, American Welding Society; Ruritan of the Year 2 times; Governor of the Year, Ruritan National; Public Citizen of the Year, National Association of Social Workers; Times-News award; Holston Mental Health Presidents Award; Civitan of the Year 2 times; and Key Club Award, Kingsport Civitan Club;

NOW THEREFORE BE IT RESOLVED That the Sullivan County Commission go on record as expressing its appreciation and gratitude to Jim Myers, a dedicated and hard-working individual for all his hours of unselfish service rendered to his community, and the good State of Tennessee.

IN MY PERSONAL OPINION, JIM MYERS IS ONE OF THE MOST VALUABLE AND PRODUCTIVE CITIZENS IN ALL OF SULLIVAN COUNTY. HE IS ONE OF A KIND WITH NO EQUAL. I AM SURE ALL OF US JOIN IN OUR PRAYERS FOR HIS SPEEDY RECOVERY.

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

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

Duly passed and approved this 15th day of January, 19 90.

ATTESTED:

County Clerk

Ray B. Feacher Date: 1-15-90

APPROVED:

County Executive

[Signature]

Date: 1-15-90

INTRODUCED BY COMMISSIONER ROCKETT ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER AMMONS FUND: _____

COMMISSION ACTION: Aye Nay Absent

ROLL CALL 23 1

VOICE VOTE COMMITTEE ACTION APPROVED DISAPPROVED DATE

ADMINISTRATIVE: _____

EXECUTIVE: _____

COMMENTS: WAIVER OF RULES PASSED 1/15/90 Roll Call

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING COUNTY ATTORNEY HAVE AN OFFICE IN THE BLOUNTVILLE COURTHOUSE

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 15th day of January, 1990.

THAT The County Attorney have an office located in the Blountville Courthouse.

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.

Respectfully passed and approved this 15th day of January, 1990.

TESTED: Jay B. Feathers Date: 1-15-90 APPROVED: Keith Westmoreland Date: 1-15-90
County Clerk County Executive

INTRODUCED BY COMMISSIONER GROSECLOSE ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER CHILDRESS FUND: _____

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

COMMITTEE ACTION: APPROVED DISAPPROVED DATE
EXECUTIVE X _____ 1-12-90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 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 15th DAY OF JANUARY, 19 90.

RESOLUTION AUTHORIZING \$26,000 BE AMENDED TO SULLIVAN COUNTY EMS BUDGET
ACCOUNT 55130.100

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 15th day of January, 19 90,

THAT WHEREAS, the Sullivan County EMS has had more effective service by operating an extra ambulance during peak or busy hours;

THEREFORE, BE IT RESOLVED, That \$26,000 be appropriated to continue this service.

55130.100

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 15th day of January, 19 90.

ATTESTED: Gay B. Teague Date: 1-15-90
County Clerk
APPROVED: Keith Westmoreland Date: 1-15-90
County Executive

INTRODUCED BY COMMISSIONER BLALOCK ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER ICENHOUR FUND: _____

COMMISSION ACTION: [aye] [nay] [Absent]
ROLL CALL 21 1 2
ICE VOTE _____

COMMITTEE ACTION: Budget APPROVED X DISAPPROVED _____ DATE 1/9/90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING THE SECRETARY IN THE PUBLIC UTILITIES AND PLANNING AND ZONING DEPARTMENTS BE MADE A FULL-TIME EMPLOYEE

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 15th day of JANUARY, 1990.

THAT The secretary in the Public Utilities and Planning and Zoning Departments be made a full-time secretary at her present pay classification, Class "C" at 40 hours per week.

TOTAL \$4,189.00 Salary - \$2,793.00 Benefits - \$1,3.96.00

Account # 51700

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 15th day of January, 1990.

ATTESTED:

Gay B. Feathers
County Clerk

APPROVED:

Keith Westmoreland
County Executive

Date: 1-15-90

Date: 1-15-90

INTRODUCED BY COMMISSIONER BLAYLOCK ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER DeVAULT FUND: _____

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

ROLL CALL 17 2 3 2

VOICE VOTE _____

COMMITTEE ACTION: Oversight APPROVED X DISAPPROVED _____ DATE 1-3-90

COMMENTS: WAIVER OF RULES PASSED 1/15/90 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING CAPITAL OUTLAY NOTES FOR SEWER EXTENSION TO EXIT 69, I-81

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 15th day of January, 1990.

THAT WHEREAS Resolution #9, passed on January 15, 1990, by the Sullivan County Commission to sewer from Sullivan County Courthouse to the intersection of I-81, Exit 69, and Highway 37,

THEREFORE BE IT RESOLVED That ^{UP to} \$350,000 in capital outlay notes be approved for three (3) years for this project.

If 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.

It was passed and approved this 15th day of January, 1990.

TESTED: Ray B. Feacher Date: 1-15-90 COUNTY CLERK
APPROVED: Keith Westmoreland Date: 1-15-90 COUNTY EXECUTIVE

INTRODUCED BY COMMISSIONER BARGER ESTIMATED COSTS: _____

CONCURRED BY COMMISSIONER NICHOLS FUND: _____

COMMISSION ACTION: [aye] [nay] [Pass] [Absent]
ROLL CALL 17 4 2 1
ROLL CALL VOTE _____

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

REMARKS: WAIVER OF RULES PASSED 1/15/90 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF JANUARY, 1990.

RESOLUTION AUTHORIZING RAISE AMBULANCE RATES TO STATE PREVAILING RATES

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 15th day of January, 1990.

THAT WHEREAS, Sullivan County E.M.S. Ambulance rates are much lower than surrounding counties, and

WHEREAS, Sullivan County E.M.S. is not collecting all charges due to the County from insurance companies,

NOW THEREFORE BE IT RESOLVED That ambulance rates be increased or adjusted to state prevailing rates. Rates to be approved by ~~the~~ Administrative Committee.

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 15th day of January, 1990.

ATTESTED: Gay B. Feather Date: 1-15-90
County Clerk

APPROVED: [Signature] Date: 1-15-90
County Executive

INTRODUCED BY COMMISSIONER ANDERSON ESTIMATED COSTS: _____

SECONDED BY COMMISSIONER MORRELL FUND: _____

COMMISSION ACTION: [aye] [nay]

ROLL CALL _____

VOICE VOTE X _____

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
_____	_____	_____	_____

COMMENTS: WAIVER OF RULES PASSED 1/15/90 2/3 Voice Vote

(Upon motion made Comm. Morrell and second by Comm. Russin, the following Rezoning
(Requests were approved by roll call vote of the County Commission.
(AYE 20 MAY 3 PASS 1)

367

REZONING REQUESTS

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

January 15, 1990

Consider the following requests:

- I. File #10/89-15 Adams Request R-1 to R-2
Being a tract of land lying on the east side of Qualls Road and further described as parcel 14.10, Group "D", Map 30-B of the Sullivan County Tax Maps.
The proposed use of this request is a mobile home park. *Subdivision*

File No. 10/89-15, Jack W. Adams, Jr. Request. At the October meeting, Mr. Adams had requested rezoning of a tract on the east side of Qualls Road from R-1 (Residential) to R-3 (Residential) to permit the location of a mobile home park. The planning commission had requested staff to meet with Mr. Adams concerning this rezoning. Staff reported that they had met with Mr. Adams and Mr. Adams proposed to build a street into the development approximately 500 feet in order to sell individual lots for individual mobile homes rather than for a mobile home park. Staff recommended that the property proposed for the subdivision to-wit the 500 feet in question be rezoned from R-1 to R-2 in order to permit mobile homes on single lots rather than for a mobile home park. Mr. Russin made a motion, seconded by Mr. Nichols to accept staff's recommendation and for staff to identify the 500 foot area to be rezoned and for that area to be taken to the county commission for their approval. The 500 feet in question is the area closest to Qualls Road. Motion to approve carried with Mrs. Paty and Mr. Brumit voting "no".

- II. File #11/89-1 Trivette Request R-1 to R-2
Being a tract of land lying on the south side of Pleasant Hill Road and further described as Parcel 121.04, Map 80 of the Sullivan County Tax Maps.
The proposed use of this request is a mobile home.

File No. 11/89-1, Clifford and Shirley Trivett Request. A request was made by Clifford and Shirley Trivett to rezone a tract of land located on the south side of Pleasant Hill Road west of Pleasant Hill Church from R-1 (Residential) to R-2 (Residential) to permit the location of a mobile home. The request is located in the Fifth Civil District and contains 3.3 acres. No one appeared in opposition to the rezoning. Staff reported that this request although it was adjacent to a request that had been turned down a couple of months ago, this site was secluded from the other site; that there were at least ten mobile homes located in the immediate area and that one more would not make a difference. Staff did however, point out that they felt this should be the end of the rezoning for mobile homes along Pleasant Hill Road and recommended that the request be approved. Mr. Nichols made a motion, seconded by Mr. Berger to approve the rezoning. Motion carried.

- III. File #11/89-2 Morrell Request R-1 to R-2
Being a tract of land lying at the intersection of Bloomingdale Pike and Waterman Road and further described as Parcel 253, Map 33 of the Sullivan County Tax Maps.
The proposed use of this request is a mobile home.

File No. 11/89-2, Sylvia A. Morrell Request. A request was made by Sylvia A. Morrell to rezone a tract of land located at the intersection of Bloomingdale Pike and Waterman Road in the Sixth Civil District from R-1 (Residential) to R-2 (Residential) to permit the location of a mobile home. Mr. Rick Roderer appeared in opposition to the rezoning stating that he felt that the rezoning would lower his property values. Ms. Margaret Folgerman appeared on behalf of the request. She noted that Mr. Roderer presently had a mobile home on his property and that Mrs. Brown was making this request in order to have a mobile home to live in. Staff noted that the request for the site of the mobile home was secluded, that it was on a large tract, that there were four other mobile homes located in the general area, and recommended that the request be approved. Mr. Guthrie made a motion, seconded by Mr. Nichols to approve the request. Motion to approve carried.

- IV. File #11/89-3 Darnell Construction Company Request R-1 to B-3
 Being a tract of land lying at the intersection of the Blountville Bypass and Massengill Road and further described as Parcel 5, Group "A", Map 51-P of the Sullivan County Tax Maps.
 The proposed use of this request is a commercial business.

File No. 11/89-3, Darnell Construction Request. Mr. Paul Darnell requested that a tract of land located at the intersection of the Blountville Bypass and Massengill Road in the Fifth Civil District be rezoned from R-1 (Residential) to B-3 (Business) to permit the location of commercial development. No one appeared in opposition to the rezoning, and Mr. Darnell spoke on behalf of the request. Staff noted that several areas along the bypass had already be rezoned for business, that there were businesses across the street and beside of this request and recommended that the request be approved. Mr. Nichols made a motion, seconded by Mr. Russin to approve the rezoning. Motion to approve carried.

- V. File #11/89-5 Riggs Request R-1 to R-2
 Being a tract of land lying on the east side of Summerville Road and further described as Parcel 194.20, Map 105 of the Sullivan County Tax Maps.
 The proposed use of this request is a mobile home.

File No. 11/89-5, Thomas Riggs Request. Mr. Thomas Riggs requested that a tract of land located on the east side of Summerville Road south of its intersection with Easy Street in the Fourteenth Civil District be rezoned from R-1 (Residential) to R-2 (Residential) to permit the location of a mobile home. No one appeared in opposition to the rezoning. Staff noted that within the past year a number of requests for rezoning in this area had been denied. Staff noted that it was an improving single-family area and recommended that the request not be approved. Mr. Riggs however noted that the rezonings that had been denied in the past were down the street from his request. He stated that he wanted to locate a mobile home on the lot for his daughter and husband who would purchase the mobile home and keep it there for two years and then build a house. He also noted that his daughter had lupus and it would be convenient for them to be close to his property. Mr. Russin made a motion, seconded by Mr. Nichols to approve the request. Motion to approve carried.

- VI. File #11/89-6 Woodacre Request A-1 to PBD
 Being a tract of land lying on the south side of Hamilton Road and further described as Parcel 57.30, Map 108 of the Sullivan County Tax Maps.
 The proposed use of this request is a limousine service office and four stall garage.

File No. 11/89-6, John Woodacre Request. Mr. John Woodacre requested that a tract of land located on the south side of Hamilton Road west of its intersection with Center Drive be rezoned from A-1 (Agriculture) to B-3 (Business) to permit the location of a limousine service office. No one appeared in opposition to the rezoning. Mr. Woodacre noted that he wanted to build the building by March 1st, that he had a contract with the airport for limousine service. Staff's question as to whether this area would ever develop as residential considering its closeness to the airport and stated that most likely use in this area would be some type of services businesses for the airport area and recommended that the request be approved. It was noted that this area was under study for airport master plan by the City of Kingsport and Bristol, the building commissioners office. After thoroughly discussing the rezoning, Mr. Russin made a motion, seconded by Mr. Brumit, that the area be rezoned to a planned business district rather than for B-3. Motion to approve carried.

- VII. File #11/89-7 Parker Request R-3A to R-2
 Being a tract of land lying at the intersection of Orebank Road and Freemont Avenue and further described as Parcel 9, Group "F", Map 48-A of the Sullivan County Tax Maps.
 The proposed use of this request is a mobile home.

File No. 11/89-7, Roy Parker Request. Mr. Roy Parker requested that a tract of land located at the intersection of Orebank Road and Freemont Avenue in the Tenth Civil District be rezoned from R-3A to R-2 to permit the location of a mobile home. No one appeared in opposition to the rezoning. Mr. Parker spoke in favor of the request. Staff noted that there were several mobile homes located within this particular neighborhood, that the area was a neighborhood in transition, and that many mobile homes in the area were in better condition than some of the single-family homes. Staff recommended that the request be approved. Mr. Nichols made a motion, seconded by Mr. Guthrie to approve the rezoning. Motion to approve carried.

- VIII. File #12/89-4 Godsey Request R-1 to B-4
 Being a tract of land lying at the intersection of Carlton Lane and U. S. Highway 11-E and further described as that part of Parcel 102, Map 124 of the Sullivan County Tax Maps lying northwest of an unnamed creek and northeast of a line drawn parallel to the southwestern property line of Parcel 49, Map 124 of the Sullivan County Tax Maps at a distance of 330 feet.
 The proposed use of this request is a commercial development.

File No. 12/89-4, Andrew Godsey Request. Mr. Andrew Godsey appeared before the commission requesting the rezoning of an eight acre tract of land located at the intersection of U. S. Highway 11-E and Carlton Lane from R-1 to B-4 to permit the location of commercial development. Staff noted that the requested rezoning was adjacent to an existing B-4 zone and commercial development with frontage on U. S. 11-E and recommended that the request be approved. No opposition to the proposed rezoning was heard. After discussion and on a motion by Russin, seconded by Nichols, the motion to approve the rezoning request carried with Mrs. Paty voting "no".

- IX. File #12/89-6 Tri-East Realty Request R-1 and A-1 to PMD
 Being three tracts of land lying at the intersection of Interstate 81 and State Route 126 and further described as Parcels 138, 139 and 143, Map 64 of the Sullivan County Tax Maps.
 The proposed use of this request is commercial and light manufacturing development.

File No. 12/89-6, Tri-East Realty Inc Request. Mr. Jim Royall, representing Tri-East Realty Inc, appeared before the commission requesting the rezoning of a 162 acre tract of land located at the intersection of Interstate 81 and State Route 126 from R-1 and A-1 to PMD to permit the location of a commercial and light manufacturing development. Staff noted that the site had good access to major roadways and was suitable for the type development proposed and recommended that the request be approved. Messrs Jim Myers and Joe Yarbrough of the Sullivan County Utility Board informed the commission that adequate water lines to serve the proposed development were in place, and that planning for sewer service to the site by the county was underway. No opposition to the rezoning was heard. After discussion, and on a motion by Russin, seconded by Guthrie, the commission voted unanimously to approve the Tri-East Realty Inc rezoning request.

- X. File #12/89-7 Tri-East Realty Request R-1 to B-3
 Being a tract of land located at the intersections of State Route 126 and Shadowtown Road and further described as Parcel 141, Map 64 of the Sullivan County Tax Maps.
 The proposed use of this request is commercial development

File No. 12/89-7, Tri-East Realty Inc Request. Mr. Jim Royall, representing Tri-East Realty Inc, appeared before the commission requesting the rezoning of a 1.26 acre tract of land located at the intersection of Interstate 81 and State Route 126 from R-1 to B-3 to permit the location of commercial development. Staff noted that the site had good access to major roadways and was suitable for the type development proposed and recommended that the request be approved. No opposition to the request was heard. After discussion and on a motion by Barger, seconded by Russin, the commission voted unanimously to approve the Tri-East Realty Inc rezoning request.

- XI. File #12/89-9 Brown Request R-1 to PBD
 Being a tract of land lying at the intersection of State Route 126 and Plainview Drive and further described as that part of Parcel 36, Map 36 of the Sullivan County Tax Maps identified as lot 1 on the plat registered as "Revision of Thomas Finks Subdivision."
 The proposed use of this request is commercial development.

File No. 12/89-9, Charles R. Brown Request. Mr. Charles Brown appeared before the commission requesting the rezoning of a 1.09 acre tract of land located at the intersection of State route 126 and Plainview Drive from R-1 to B-3 to permit the location of commercial development. Staff noted that the proposed rezoning site was adjacent to existing business development and had good roadway access, and recommended that the request be approved. Mr. L. J. Mallicote, adjacent property owner, appeared in opposition to the request citing adverse impact and possible devaluation of the property upon which he proposed to develop a single family residential subdivision. After discussion and with the agreement of both Mr. Brown and Mr. Mallicote, the commission voted unanimously on a motion by Paty and a second by Russin, to approve the rezoning of the Brown property to PBD (Planned Business District).

XII. File #12/89-11 Proffitt Request R-1 to R-2

Being a tract of land lying on the south side of County Home Road and further described as that part of Parcel 55.01, Map 51 of the Sullivan County Tax Maps as follows:

BEGINNING at a stake at the point of intersection of the southerly right-of-way line of County Home Road with the easterly right-of-way line of Bonnie Drive; thence with the southerly right-of-way line of County Home Road in an easterly direction 53 feet to an iron pin, corner with Young; thence with the line of Young in a southwesterly direction 218 feet to a point; thence in a westerly direction 184 feet to a stake in the southeasterly right-of-way line of Bonnie Drive; thence with said right-of-way line in a northeasterly direction 200 feet to the point of BEGINNING.

The proposed use of this request is a mobile home.

File No. 12/89-11, William D. Proffitt Request. Mr. William Proffitt appeared before the commission requesting the rezoning of a 0.7 acre tract of land located on the south side of County Home Road from R-1 to R-2 to permit the location of a mobile home. Staff noted that the proposed rezoning was compatible with the surrounding land uses and recommended that the request be approved. No opposition to the request was heard. After discussion and on a motion by Nichols and a second by Guthrie, the commission voted unanimously to approve the William Proffitt rezoning request.

XIII. File #12/89-12 Brewer Request A-1 to B-3

Being a tract of land lying on the south side of Shanks Road and further described as that part of Parcel 103, Map 80 of the Sullivan County Tax Maps lying on the southwestern side of Shanks Road.

The proposed use of this request is a warehouse and storage yard for highway construction materials.

File No. 12/89-12, Joe W. Brewer Request. Mr. Joe Brewer appeared before the commission requesting the rezoning of a 6 acre tract of land located on the south side of Shanks Road from A-1 to B-3 to permit the location of a warehouse and storage yard for highway construction materials. Staff noted that the proposed rezoning site is isolated, has good roadway access, and is suitable for the proposed use. No opposition to the request was heard. After discussion and on a motion by Guthrie, seconded by Russin, the commission voted unanimously to approve the Joe W. Brewer rezoning request.

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET AGAIN IN
REGULAR SESSION, FEBRUARY 19, 1990.



KEITH WESTMORELAND, COUNTY EXECUTIVE

