

## COUNTY COMMISSION MEETING - MARCH 18, 1996

## REGULAR SESSION

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MARCH 18, 1996, 9:00 O'CLOCK A. M., IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK AND KEITH CARR, SHERIFF OF SAID BOARD OF COMMISSIONERS OF SULLIVAN COUNTY,

TO WIT:

The meeting was called to order by County Executive, Gil Hodges. Sheriff Keith Carr opened the Commission Meeting. Commissioner Jim King gave the invocation and pledge to the flag was led by County Executive, Gil Hodges.

Commissioners present and answering roll call are as follows:

CAROL BELCHER	JACK JONES
JAMES R. "JIM" BLALOCK	JAMES L. KING, JR.
BRYAN K. BOYD	AUBREY L. KISER, JR.
JUNE CARTER	CARL KRELL
RAYMOND C. CONKIN, JR.	DWIGHT MASON
TOM DANIEL	GARY MAYES
O. W. FERGUSON	WAYNE MCCONNELL
MIKE GONCE	PAUL MILHORN
RALPH P HARR	MICHAEL B. SURGENOR
EDLEY HICKS	MARK A. VANCE
PAT HUBBARD	EDDIE WILLIAMS
MARVIN HYATT	

ABSENT--RON REEDY  
23 Present

Motion was made by Commissioner Ralph Harr and second by Commissioner Aubrey Kiser to approve the minutes of the Regular Session of County Commission held on February 19, 1996. Motion approved - Voice Vote.

The following pages indicate the action by the Commission on approval of Notary Applications, approval of Notary Bonds, rezoning requests and resolutions.

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

MARCH 18, 1996

Ramona H. Dean  
O. W. Ferguson  
Louise Gilliam  
Diane M. K. Hills  
Jacque L. Jones  
Edward D. Marsh  
Ronald L. Ramsey  
Lillian M. Reece  
Ann H. Slagle  
Wendy D. Swiney  
J. K. Wright

Upon motion made by Commissioner  
Harr and second by Commissioner  
Hyatt to approve the Notary Public  
Bonds of the above named persons,  
said motion was approved by roll call  
vote of the Commission,

22 Aye 2 Absent

STATE OF TENNESSEE  
 COUNTY OF SULLIVAN

MARCH 18, 1996

ELECTION OF NOTARIES

Landon B. Bellamy, Jr.

Nell King Bieger

Janna G. Blackley

Gerri S. Brockwell

Heather L. Carter

Jackie A. Clendenin

Gregory S. Counts

Brenda S. Deitrick

Linda B. Echols

Treva A. Ferraro

R. Rye Fleenor

Martha R. Freeman

Ronald A. Freeman

Ted Glynn

Janice P. Gorley

Joy Hall

Kenneth Clyde Hill

Mary Houser

Jane B. Hughes

Robin L. Jessee

Jeanette A. Keesee

Ruthie A. Kirk

Patricia J. Lane

Michael E. Large

John H. Maiden

Karen Malone

Joseph E. May

Pamela Kay Talbott-Miller

Melissa Barron Mullins

Susan W. Osburn

W. D. Overbay

J. R. Parker, Jr.

Deborah L. Parks

Kimberly A. Peterson

Mrs. Chalres M. Phipps

Kimberly A. Prater

Linda D. Quillen

Kevin T. Robinette

Cheron N. Sluss

Bill W. Smith, Sr.

James B. Smith

Fredrick Allen Souder

Sandra K. Sproles

Stephanie B. Steffey

Jennifer K. Stockslager

Richard E. Tharp

Stephen W. Thornsberry

Terrance K. Tyree

Linda Jo Wallace

Wanda K. Wallen

Howard H. White

Helen Jayne Wolfe

Leland D. Wright

Mark D. Yankee

Lola Ann Yates

(Motion made by Commissioner Harr  
 and second by Commissioner Hyatt to  
 approve the Notary applicants listed  
 on this page, said motion was  
 approved by roll call vote of the  
 Commission. 22 Aye, 2 Absent)

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING The Sullivan County Board of Commissioners to Consider Amendments to the Sullivan County Zoning Resolution as Amended

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 March 1996.

THAT WHEREAS, The attached rezoning petitions have been duly initiated, have been before the Planning Commission (recommendations enclosed), and have received a public hearing as required; and

WHEREAS, Such rezoning petitions will require an amendment to the Sullivan County Zoning Resolution;

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners consider the attached rezoning petitions and vote upon the proposed amendments, individually or otherwise at the discretion of the Commission, by roll call vote and that the vote be valid and binding and that any necessary amendments to the official zoning map be made so.

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

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

Duly passed and approved this 18th day of March, 1996

Attested: County Clerk Date: County Executive Date:

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: SECONDED BY COMMISSIONER Kiser FUND:

Table with 5 columns: Committee Action, Approved, Disapproved, Deferred, Date. Rows include Administrative, Budget, and Executive.

Table with 6 columns: Commission Action, Aye, Nay, Pass, Absent, Total. Rows include Roll Call and Voice Vote.

COMMENTS: Motion by: Comm. Harr, 2nd by Comm. Boyd TO APPROVE APPROVED 3/18/96 VOICE MOTED

**SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS**

**March 18, 1996**

Consider the following:

- (1) **File # 2/96-1** A request by Hoover Hobbs to rezone the property described below from R-3A to R-2:

APPROVED 3/18/96 ROLL CALL 19 Aye 5 absent  
Being a tract of land located in the 11th Civil District on the south side of Leeland Drive at its intersection with Claremont Road and further described as parcel 42.00 group C map 30J of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 2/96-1, Hoover Hobbs Request

Hoover Hobbs requested that a tract of land located in the 11th Civil District on the south side of Leeland Drive at its intersection with Claremont Road be rezoned from R-3A to R-2 to permit the location of single-wide mobile home.

Lawrence DeFreece was present representing the applicant. No opposition was presented. Staff stated the request was compatible with existing land use patterns and recommended approval.

Motion Belcher, second Childless to approve the request as recommended by staff. Vote in favor of the motion unanimous..

- (2) **File # 2/96-2** A request by Albert Moretz to rezone the property described below from PRD to PBD:

APPROVED 3/18/96 ROLL CALL 19 Aye 5 Absent  
Being a tract of land located in the 5th Civil District on the east side of State Hwy. 37 approximately 150 feet north of its intersection with Birch St. and further described as that part of parcel 48.00 group A map 66B of the Sullivan County Tax Maps lying between the State Hwy. 37 right-of-way and the center line of a 100 ft. wide Bristol Tennessee Electric System power line easement.

The Planning Commission took the following action:

File No. 2/96-2, Albert Moretz Request

Albert Moretz requested that a tract of land located in the 5th Civil District on the east side of State Hwy. 37 approximately 150 feet north of its intersection with Birch St. be rezoned from PRD to B-3 to permit the location of business offices.

John Mize was present representing the applicant. No opposition was presented. Staff recommended the request be modified to P.B.D. to allow the commission site plan review. Mr. Mize accepted staff recommendation on behalf of the applicant.

Motion Daniel, second Belcher to approve the modified request as recommended by staff. Vote in favor of the motion unanimous. Zoning to P.B.D. is approved.

- (3) **File # 2/96-3** A request by Tommy and Joyce Sanders to rezone the property described below from R-1 to R-2:

APPROVED 3/18/96 ROLL CALL 19 Aye 5 Absent  
Being a tract of land located in the 12th Civil District on the north side of W. Carters Valley Road approximately 1600 feet east of its intersection with N. Holston River Drive and further

described as the front part of parcel 25.00 group A maps 12-J and 12-O of the Sullivan County Tax Maps centered on W. Carters Valley Road 100 ft. x 100 ft. in size.

The Planning Commission took the following action:

File No. 2/96-3, Tommy and Joyce Sanders Request

Tommy and Joyce Sanders requested that a tract of land located in the 12th Civil District on the north side of W. Carters Valley Road approximately 1600 feet east of its intersection with N. Holston River Drive be rezoned from R-1 to R-2 to permit the location of single-wide mobile home.

The applicant was present. No opposition was presented. Staff recommended the request be modified to reduce the size of the area to be rezoned to R-2 from the original 11.5 acres to a single lot centered on the tract fronting Carter's Valley Road 100 feet by 100 feet. The applicant accepted staff recommendation.

Motion Barnes, second Hickam to approve the request as recommended by staff. Vote in favor of the motion: Barnes Hickam, Belcher, Kiser, Goodwin, Daniel, Childress, vote opposed: Brown. The motion carried 7 to 1.

(4) File # 2/96-4 A request by Tamara Greene to rezone the property described below from R-1 to R-2:

APPROVED 3/18/96 ROLL CALL 19 Aye, 5 Absent  
Being a tract of land located in the 14th Civil District on the north side of Horseshoe Drive approximately 700 feet north of its intersection with Jackson Hollow Road and further described as parcel 27.00 group A maps 106-L and 106-M of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 2/96-4, Tamara Greene Request

Tamara Greene requested that a tract of land located in the 14th Civil District on the north side of Horseshoe Drive approximately 700 feet north of its intersection with Jackson Hollow Road be rezoned from R-1 to R-2 to permit the location of single-wide mobile home.

The applicant was present. No opposition was presented. Staff stated the request was compatible with existing land use patterns and recommended approval.

Motion Goodwin, second Barnes to approve the request as recommended by staff. Vote in favor of the motion unanimous.

(5) File # 2/96-7 A request by Fred Childress to rezone the property described below from R-1 to PBD:

APPROVED 3/18/96 ROLL CALL 19 Aye, 5 Absent  
Being a tract of land located in the 13th Civil District on the south side of Whispering Hills Drive at its intersection with S. Eastman Road and further described as parcel 6.00 group A map 76H of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 2/96-7, Fred Childress Request

Fred Childress requested that a tract of land located in the 13th Civil District on the south side of Whispering Hills Drive at its intersection with S. Eastman Road be rezoned from R-1 to B-3 to permit the location of commercial development.

The applicant was present. No opposition was presented. Staff recommended the request be changed to P.B. D. to allow planning commission site plan review. The applicant accepted staff recommendation.

Motion Belcher, second Barnes to approve the request as recommended by staff. Vote in favor of the motion unanimous. Zoning to P.B. D. is approved.

(6) File # 2/96-10 A request by Andrew Brooks to rezone the property described below from A-1 to PBD:

APPROVED 3/18/96 ROLL CALL 19 Aye 5 Absent  
Being a tract of land located in the 18th Civil District on the north side of State Hwy. 75 at its intersection with Hamilton Road and further described as parcel 6.00 map 108 of the Sullivan County Tax Maps.

The Planning Commission took the following action:

File No. 2/96-10, Andrew Brooks Request

Andrew Brooks requested that a tract of land located in the 18th Civil District on the north side of State Hwy. 75 at its intersection with Hamilton Road be rezoned from A-1 to B-3 to permit the location of retail shops and apartments.

The applicant was present. No opposition was presented. Staff recommended the request be changed to P.B.D. to allow the commission site plan review. The applicant accepted staff recommendation.

Motion Brown, second Hickam to approve the request as recommended by staff. Vote in favor of the motion unanimous. Zoning to P.B.D. is approved.

FIRST READING  
SEE  
Resolution  
#16

Consider a proposed amendment to the Sullivan County Zoning Resolution Article X Board of Zoning Appeals Section 1004.3. Variance - deleting Section 1004.3 in its entirety and substituting in lieu thereof the following language:  
1004.3 Variance. Where, by reason of exceptional narrowness shallowness, or shape of a specific piece of property at the time of the enactment of the regulation or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation enacted under such sections would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, to authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinances.

The planning commission took the following action:

Consider Amendment of the Sullivan County Zoning Resolution Article X Board of Zoning Appeals Section 1004.3 Variance

The Sullivan County Board of Zoning Appeals has requested the planning commission to consider an amendment to the above titled section of the Sullivan County Zoning Resolution to bring section 1004.3 into conformance with the Tennessee Code Annotated Section 13-7-109(3)

Staff recommended the amendment be approved.

Motion Belcher, second Childress, to approve amendment of the Sullivan County Zoning Resolution by deleting Section 1004.3 in its entirety and replacing it with Tennessee Code Annotated, Section 13-7-109(3) relating to the authorization of variances from provisions of the zoning resolution. Vote in favor of the motion unanimous.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF December 19 95.

RESOLUTION AUTHORIZING Naming Bridge off Island Road to Masengill Road the Oscar Houser Bridge - 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 18th day of December 19 95

THAT BE IT RESOLVED. That the unnamed bridge off Island Road crossing I-81 to Masengill Road be named the Oscar Houser Bridge.

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

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

Duly passed and approved this 18 day of March, 19 96

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Belcher ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Hicks/Milhorn FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: FIRST READING 12/18/95 DEFERRED 1/6/96  
DEFERRED 2/19/96 APPROVED 3/18/96 ROLL CALL



OSCAR OLIVER HOUSER

November 3, 1915 - December 6, 1994

BIOGRAPHY:

Was among ten children born to parents George and Sarah Houser.  
Was married to Mary Gay Elsea.  
Had two children: Betty Houser Robertson and Jere "Butch" Houser.  
Had one grandchild: Lance Houser.

EMPLOYMENT:

Worked for Tennessee Eastman for over 32 years from February 19, 1940 to September 22, 1972. During World War II, he was assigned to Holston Defense Company (1941-45).

RELIGION:

He was a member of Blountville Christian Church.

RESIDENCE:

He lived at 256 Johnson Hollow Road, Blountville, TN.

HOBBIES:

Raising and breeding horses and Farming.

PERSONALITY:

Always helped people during hard times. He helped people pay for their groceries, pay their power bill, and helped with other special needs.

BEST KNOWN FOR:

Championing effort to construct bridge between Massingill Road and Island Road. When Interstate 81 was being constructed, he worked with the Department of Transportation to have bridge constructed between Massingill Road and Island Road. This allowed people to get to the other side of their property, where most had their gardens and farms. This bridge also allowed for people to have an avenue to cross the Interstate without having to travel back through Bristol or Blountville.

letter from: Mary + French Willis

Oscar Houser was a neighbor. He lived also near where the interstate 81 was being built, the road builders did not plan any way for people living along the interstate to get from one side to the other without going ~~far~~ either to Bristol or Blountville. This meant a funeral being held at the Cross Church would have to go to either Bristol or Blountville to get back to the Johnson Cemetery. Also people had gardens on one side and lived just across on the other side of the interstate, since that road divided their property. Oscar spent a lot of

time getting people to sign  
~~for~~ requesting a bridge to  
cross the interstate, also  
meeting with the road  
builders.

He was successful in  
getting the bridge built  
between Massingill road and  
Galand road, which will  
save people of the Community  
time and travel now and  
through years to come.

Oscaar should be honored  
for his successful effort.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February 19 96.

RESOLUTION AUTHORIZING Appropriation of up to \$500,000.00 to the Sullivan County Industrial Development Board to Construct an Industrial Building in the Tri-County Industrial Park

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19th day of February 19 96

THAT WHEREAS, Sullivan County wishes to promote the creation of jobs and encourage establishment of new industries in the County, and \_\_\_\_\_

WHEREAS, An appropriation of up to \$500,000 to the Sullivan County Industrial Development Board would enable the Board to develop an industrial building in the Tri-County Industrial Park for the purpose of attracting a new industry.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the appropriation of up to \$500,000 to Acct. 35110.000 Industrial Development Building to be used for the construction of a new industrial building in the Tri-County Industrial Park.

AMENDED: 3/18/96	GENERAL FUND	
	Revenue 44540	(\$412,123.06)
	DESIGNATED RESERVE	
	35110	(87,876.04)
	TOTAL	\$500,000.00 APPROPRIATED TO

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exist.  
58123.700 \$500,000.00

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

Duly passed and approved this 18th day of March, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER R. Harr ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER E. Williams FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20	2		2	
Voice Vote					

COMMENTS: FRIST READING 2/19/96 APPROVED AS AMENDED  
3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 19 96.

RESOLUTION AUTHORIZING Transfer and Appropriation of Funds to Purchase a New Ambulance

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 March 19 96

THAT WHEREAS, Sullivan County E.M.S. increased its full time operational fleet to six (6) units during FY 1995-96 serving Colonial Heights and Weaver Pike Area, and \_\_\_\_\_

WHEREAS, No additional units were purchased, thus requiring the Department to operate without sufficient reserve units, and \_\_\_\_\_

WHEREAS, Reserve units are needed for utilization during repairs and refurbishing of older units, and \_\_\_\_\_

WHEREAS, The Emergency Medical Service (Account 55130.000) will be operating with projected surplus of funds in the following Account:

Acct. 55130.100 - \$30,000

WHEREAS, The cost of a new, fully equipped 1996 Ford - F-350, Type I ambulance is approximately \$96,000.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the appropriation of \$80,000 and the transfer of \$30,000 to be allocated as follows:

FROM:	Acct. 39000.000 (Undesignated Fund Balance)	\$80,000
	Acct. 55130.100 (Emergency Medical Services)	\$30,000
TO:	Acct. 55130.700 - (Emergency Medical Services)	\$110,000

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

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

Duly passed and approved this 18th day of March, 19 96

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Mayes ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Gonce FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	20		1	3	
Voice Vote					

COMMENTS: APPROVED 3/18/96 ROLL CALL

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TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February 19 96.

RESOLUTION AUTHORIZING Proposal from Tennessee Department of Transportation for a Construction Project to Replace Box Culvert on SR-435 - 1st 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 19th day of February 19 96

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the proposal from the Tennessee Department of Transportation for construction of a project designated as No. 82946-4207-04, State Route 435, Box Culvert Replacement at L.M. 1.84 in the 1st Civil District of Sullivan County. (A copy of the proposal is attached to this Resolution).

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

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

Duly passed and approved this 18th day of March, 19 96

Attest: B. Feathers

County Clerk

Date: 3/18/96

County Executive

Date: \_\_\_\_\_

INTRODUCED BY COMMISSIONER Kiser ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER McConnell FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: FIRST READING 2/19/96 APPROVED 3/18/96 ROLL CALL

P R O P O S A L

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

*Attachment  
Res# 18-6  
0249*

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter called "DEPARTMENT", proposes to construct a project designated as No. 82946-4207-04, SR-435, Box Culvert Replacement @ L.M. 1.84 , in the COUNTY of SULLIVAN, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in cross- eminent domain or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, the COUNTY will notify in writing the Attorney General of the State, whose address is 404 James Robertson Parkway, Nashville, Tennessee 37243-0487, of the institution of each civil action, the complaint and all subsequent pleadings, within seven (7) days after service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and

2. To close or otherwise modify any of its roads, or other public ways as indicated on the project plans, as provided by law; and



3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other publicway purposes; and

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

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

the scope of the powers of the COUNTY to perform, either expressly or by necessary implication, limited, however to final determination in accordance herewith and the provisions of Tennessee Code Annotated, Title 9, Chapter 8.

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

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

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

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

BY: Glenn Malone  
Glenn Malone  
Transportation Manager

DATE: 1-26-96

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

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

7. It is understood and agreed by the DEPARTMENT and the COUNTY that all traffic control signs for the control of traffic on a street under the jurisdiction of the COUNTY and located within the DEPARTMENT'S right of way shall be maintained and replaced by the COUNTY.

8. As a result of acquisition and use of right of way for the subject project, certain building improvements within the COUNTY may be in violation of a COUNTY setback/building line ordinance. The COUNTY agrees to waive enforcement of any COUNTY setback/building line ordinance which may be violated as a result of the subject project. The COUNTY further agrees to enact an ordinance, or to take other proper government action, to this effect with reference to the entire project; and

9. That when traffic control devices for the direction of traffic, warning of traffic, lighting of roadways, lighting or roadway signing, or any of them, which are operated or function by the use of electric current are constructed or installed pursuant to the project, they will be furnished with electricity and maintained by the COUNTY. The COUNTY agrees to fully compensate the DEPARTMENT for all loss and expense from all performance hereunder or such failure performance which is within

RESOLUTION NO. 197

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF FEBRUARY, 1996.

RESOLUTION AUTHORIZING Easement to Bristol Tennessee Electric System to Allow Relocation of Existing Power Lines

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 19th day of February, 1996,

THAT, WHEREAS, the Tri-Cities Airport Commission is currently involved in a project on the south side of the airport that involves site preparation for general aviation and the safety area; and

WHEREAS, it has been determined that there is a need to relocate existing power lines located near the radar site to another location on the airport property;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners authorizes Dr. Frank Anderson, Chairman of the Tri-Cities Airport Commission, to execute an easement to Bristol Tennessee Electric System on behalf of Sullivan County, Tennessee, as partial owner of the Tri-Cities Regional Airport, to allow the relocation of existing power lines.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 18th day of March, 1996.

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ County Executive  
County Clerk

INTRODUCED BY COMMISSIONER WILLIAMS ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER HARR FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: FIRST READING 2/19/96 APPROVED 3/18/96 ROLL CALL

Attachment  
Record 19 7

0254

This Instrument Was Prepared By:

E95- 2330 KDT

Bristol Tennessee Electric System  
Bristol, Tennessee

Grid # 116A

W. O. # 55-1357

Acct. #

THIS EASEMENT AGREEMENT, made and entered into this 28th day of November, 1995, by and between Sullivan County, TN; Washington County, TN; City of Bristol, TN; City of Bristol, VA; City of Kingsport, TN; City of Johnson City, TN, hereinafter called "Grantor" (whether one or more), and the City of Bristol Tennessee, for the use and benefit of BRISTOL TENNESSEE ELECTRIC SYSTEM, its successors and assigns, hereinafter called "Grantee";

WITNESSETH:

In consideration of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does grant and convey unto Grantee, its successors and assigns an easement, 20 feet in width, over, under, and across those certain lands of the Grantor, hereinafter described, for the construction, maintenance, operation, enlargement, rebuilding, and repairing of facilities for the transmission and distribution of electrical energy, telephone lines, telegraph or other cable lines, including poles, crossarms, guys, anchors, wires, conduits, cables, and other necessary apparatus and appliances; and the right of ingress over and across said lands for the purpose of exercising the rights and privileges herein granted, but that in exercising such rights of ingress and egress, whenever practicable, regularly established highways, roads, and streets will be used.

The lands of the Grantor referred to herein are located on Map 94, Parcel 39, in the 18th Civil District of Sullivan County, Tennessee, and are the same property conveyed to Grantor by deed/will recorded in the Register's office at Blountville, Tennessee, in Deed Book No. 338C, page 734, to which reference is here made for a full description of same.

Beginning at the northern most property corner of tract 57 shared with the property corner of tract 57A and the property line of Wagner, the line begins and travels southeast 62 degrees 48 minutes 14 seconds, 480 feet, plus or minus, to a point called point A.

Said easement herein granted lies in its entirety on the southern side of the above described line.

The center line of the said easement herein granted is as follows

Beginning at the point A, the line begins and travels southwest 1025 feet, plus or minus, along the fence line to a power pole numbered 9B.

Grantor, his heirs, successors or assigns, do hereby agree to keep trees on said land trimmed so they will not grow any closer than twenty (20) feet of the facilities or grow such that they could fall within twenty (20) feet of the facilities which the Grantee shall construct, reconstruct, replace, and maintain upon said easement. In the event that the Grantor, his heirs, successors or assigns attempt to cut or trim trees that are within twenty (20) feet of the facilities, the Grantee is released from all liability, except for that liability which is the direct result of the Grantee's negligence in maintaining said facilities. If the Grantor, his heirs, successors or assigns fails to comply with the foregoing, the Grantee shall have the right to trim or cut such trees in violation hereof and, the Grantor, his heirs, successors or assigns agree to reimburse the Grantee for any and all costs incurred in this action.

Grantor does also grant the right from time to time to clear trees, brush, signboards, structures, stored personal property, and fire hazards within said easement, together with the right to trim, cut down, fell, and clear away any tree on said lands which now or hereafter may be a hazard to the facilities which the Grantee shall construct, reconstruct, replace, and maintain upon said easement.

Grantee shall reimburse Grantor for any actual loss or damage which shall be caused by the exercise of said ingress or egress, or by any wrongful or negligent act or omission of Grantee.

The failure of Grantee to exercise any of the rights herein granted shall not be construed as a waiver or abandonment of the right thereafter at any time and from time to time to exercise any or all of them.

To have and to hold said rights and easement together with all privileges and appurtenances thereunto belonging for the use and purposes aforesaid, unto Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, this instrument is executed on the date first herein written.

(SEAL) \_\_\_\_\_  
Tri-Cities Regional Airport Commission, Director

(SEAL) \_\_\_\_\_

(SEAL) \_\_\_\_\_

(SEAL) \_\_\_\_\_

STATE OF TENNESSEE )

COUNTY OF SULLIVAN )

On this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, before me personally appeared

\_\_\_\_\_

to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Given under my hand and official seal at office in \_\_\_\_\_, Tennessee, this the day and year above written.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
NOTARY PUBLIC

SEAL:

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February 19 96.

RESOLUTION AUTHORIZING Transfer \$18,000 from Solid Waste-Education Acct. 55720.100 to Acct. 55720.300

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 19th day of February 19 96.

THAT WHEREAS, \$18,000 was budgeted in the Solid Waste-Education Account 55720.100 in FY 1995-96 to compensate the Recycling Coordinator, and

WHEREAS, These funds are reimbursed to Sullivan County from the Litter/Recycling grant from the Tennessee Department of Transportation, and

WHEREAS, It has been determined that compensation for this position should be disbursed from the Contracted Services Account 55720.300,

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the \$18,000 budgeted in Account 55720.100 (Solid Waste Education) be transferred to 55720.300 be used to pay the Recycling Coordinator.

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

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

Duly passed and approved this 18th day of March, 19 96

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Millhorn FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: FIRST READING 2/19/96 APPROVED 3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February 19 96.

RESOLUTION AUTHORIZING Appropriation of \$300,000 from Acct. 39000.000 (Undesignated Fund Balance) to Acct. 63500.400 (Asphalt Plants)

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 19th day of February 19 96

THAT BE IT RESOLVED. That the Sullivan County Board of Commissioners approve an appropriation of \$300,000 from the FY 1995-96 Budget Acct 39000.000 (Undesignated Fund Balance) to Acct. 63500.400 (Asphalt Plant) for supplies and materials.

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

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

Duly passed and approved this 18 day of March, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER McConnell ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Blalock FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: FIRST READING 2/19/96 APPROVED 3/18/96 ROLL CALL



TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February 19 96.

RESOLUTION AUTHORIZING Appropriation of \$5,600 from Undesignated Fund Balance 39000.000 to Acct. 53303.700 (GSC-Kpt/Recording Equipment)

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 19th day of February 19 96

THAT WHEREAS, The recording equipment utilized by the General Sessions Courts II and III has been in use for approximately twenty years and is now in need of repair, and

WHEREAS, it has been determined the equipment is obsolete and replacement parts are no longer available,

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the appropriation of \$5,600.00 from Undesignated Fund Balance 39000.000 to Acct. 53303.700 for the purchase of new recording equipment for the General Sessions Courts in Kingsport.

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

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

Duly passed and approved this 18th day of March, 19 96

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER CONKIN FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21	2		1	
Voice Vote					

COMMENTS: First Reading 2/19/96  
Motion by Comm. Surgenor and 2nd by Comm. Milhorn to Defer  
Failed - Roll Call 8 Aye, 15 Nay, 1 Absent  
RESOLUTION APPROVED 3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February 1996.

RESOLUTION AUTHORIZING Filling the Vacancy in the Office of Sullivan County Coroner

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 19th day of February 1996

THAT WHEREAS. A vacancy exists in the Office of Coroner of Sullivan County due to the expiration of the term of Mr. Ike Lowry who was elected to that office in 1994.

NOW THEREFORE BE IT RESOLVED. That the vacancy in the Office of Sullivan County Coroner, be filled to serve a term of two (2) years and that the following nominee(s) be considered:

NOMINEE(s): Mr. Ike Lowry  
341 Hickory Lane, Bluff City, TN

ELECTED:

FURTHER BE IT RESOLVED. That a two (2) year Statutory Bond for the newly appointed coroner be approved in the amount of \$2,500.00.

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

This resolution shall become effective on \_\_\_\_\_, 1996, the public welfare requiring it.

Duly passed and approved this 18th day of March, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER WILLIAMS ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER HARR FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: FIRST READING 2/19/96 APPROVED 3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February 19 96.

RESOLUTION AUTHORIZING Support of Senate Bill 2695 and Senate Bill 2691 (relative to the exercise of eminent domain)

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 19th day of February 19 96

THAT WHEREAS, The Tennessee General Assembly is now considering Senate Bills 2695 "An act to amend Tennessee Code Annotated, Title 6, Chapter 54, Part 1, relative to the exercise of eminent domain" and Senate Bill 2691 "An act to amend Tennessee Code Annotated, Title 6, Chapter 54, Part 1, relative to the exercise of eminent domain", and

WHEREAS, The Tennessee Constitution of 1870, Article I, Declaration of Rights, Section 21, states that:

No Man's particular services shall be demanded, or property taken, or applied to public use, with the consent of his representatives ..... and

WHEREAS, The County Commission is the elected representative body of county government and by virtue of that membership's obligatory oath of office they are to perform with fidelity the duties of the office and support the State of Tennessee Constitution, and

WHEREAS, Senate Bill 2695 and Senate Bill 2691 better define and clarify the county's responsibilities to county property owners and tax payers within the defined boundaries and domain of that county;

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners anticipate the need, accept the responsibility and demonstrate their concern by requesting our area legislators (Richard Venable, Keith Westmoreland, Ronald Ramsey, Robert Patton, Bobby Gene Hicks, Ken Givens, Ralph Cole, Rusty Crowe, Jim Holcomb, Danny Wallace, and Tommy Haun) to support Senate Bill 2695 and Senate Bill 2691.

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

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

Duly passed and approved this \_\_\_ day of \_\_\_\_\_, 19\_\_

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ County Clerk County Executive Date: \_\_\_\_\_

INTRODUCED BY COMMISSIONER Surgenor ESTIMATED COST: \_\_\_\_\_ SECONDED BY COMMISSIONER Krell FUND: \_\_\_\_\_

Table with 5 columns: Committee Action, Approved, Disapproved, Deferred, Date. Rows include Administrative and Budget.

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	6	16	1	1	
Voice Vote					

COMMENTS: FIRST READING 2/19/96 FAILED 3/18/96 ROLL CALL

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*Attached  
Res. 77-274 12*

Filed for intro on 01/01/99

SENATE BILL 2691  
By Haun

AN ACT to amend Tennessee Code Annotated, Title 6, Chapter 54, Part 1, relative to the exercise of eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 54, Part 1 is amended by creating the following new section:

Notwithstanding any other provision of the law to the contrary, a municipality, in exercising its powers of eminent domain pursuant to the provisions of Title 29, Chapters 16 and 17, or in any other manner provided by law, to condemn property located outside the county or counties in which the municipality is located, shall obtain the approval of the county legislative body of the county in which the land proposed to be taken for public use is located. This section shall apply to all municipalities regardless of the type of charter under which the municipality is organized. This section shall not be construed to establish any additional authority for condemnation proceedings nor to preempt any more restrictive provisions of law, which, if they exist, shall continue to apply.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.



TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 19th DAY OF FEBRUARY, 1996.

RESOLUTION AUTHORIZING Support of Senate Bill 2169

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 19th day of February, 1996,

BE IT RESOLVED that the Sullivan County Board of Commissioners go on record as supporting Senate Bill 2169 introduced by Senator Cohen for passage by the Tennessee Legislature, a copy of said Senate Bill being attached to this Resolution.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 18th day of March, 1996.

Attested: Gay B. Feathers Date: 3/18/96 \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER J. King, R. Conkin ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER W. McConnell, J. Blalock FUND: \_\_\_\_\_  
M. Vance

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	14	8		2	
Voice Vote					

COMMENTS: FIRST READING 2/19/96  
APPROVED 3/18/96 ROLL CALL

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Filed for Intro on 01/18/96

SENATE BILL 2169  
By Cohen*Attachment  
Page 25**#13  
copy*

AN ACT to amend Tennessee Code Annotated, Title 5 to enact the "County Personnel Management System Act of 1996".

WHEREAS, recent changes in federal laws governing personnel matters have imposed increasingly stringent requirements on county governments with regard to personnel issues; and

WHEREAS, the respective rights and duties of county government employers and employees have become increasingly regulated by both state and federal laws; and

WHEREAS, the number of complaints and lawsuits initiated by employees based upon these personnel laws and regulations has increased substantially in recent years; and

WHEREAS, county governments in their role as employers are increasingly at risk of civil penalties and judgments which could prove devastating to the county's financial status; and

WHEREAS, under many current federal personnel laws a county government is treated as a single employer for compliance and liability purposes, while current state laws do not grant counties the requisite authority to act as a single employer in personnel matters; and

WHEREAS, in order to comply with current personnel laws and regulations, county governments must be authorized to deal with personnel matters on a county-wide basis; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:



44132196

SECTION 1. Tennessee Code Annotated, Title 5, is amended by adding Sections 2 through 11 as a new chapter.

SECTION 2. This act shall be known and may be cited as "The County Personnel Management System Act of 1998".

SECTION 3. This chapter shall be local in effect and shall become effective in a particular county upon a two-thirds (2/3) majority vote of the county legislative body adopting this chapter.

SECTION 4. As used in this act, unless the context requires otherwise:

(1) "Board" or "personnel board" means the county personnel board established pursuant to this chapter;

(2) "County employee" means all employees (as defined under the federal Fair Labor Standards Act, as amended) of the county, except employees of the county board of education;

(3) "County officials" means the trustee, register of deeds, county clerk, clerks of court, sheriff, assessor of property, and highway superintendent in the county; and

(4) "Director" means the personnel director employed by the board.

SECTION 5.

(a) There is hereby created a county personnel board composed of five (5) members selected as follows:

(1) One (1) member of the board (the "county legislative body representative") shall be selected by the county legislative body by majority vote. The county legislative body representative shall be a member of the county legislative body.

(2) Three (3) members of the board (the "county official representatives") shall be selected by the county officials as defined herein. The county officials shall select their representatives by majority vote, with



each official having one (1) vote, at a meeting of these officials called by the county executive for this purpose. The county official representatives shall be county officials.

(3) One (1) member of the board shall be the county executive.

(b) The board shall select a chairperson from among its members each year.

(c) The board shall meet from time to time as it may deem necessary for the discharge of its duties as provided herein, and upon the call of the chairperson.

(d) The county's ADA Coordinator shall serve in an advisory capacity to the board in matters dealing with the employment provisions of the federal Americans with Disabilities Act.

#### SECTION 6.

(a) Board members other than the county executive shall serve two (2) year terms, with the terms to be staggered so that terms of the county legislative body representative and one (1) county official representative will expire at the same time, and the terms of the remaining two (2) county official representatives will expire the following year. For the first-time board members are selected, in order to establish staggered terms, the county legislative body representative shall serve an initial term of one (1) year, and the county officials shall select one (1) representative to serve an initial term of one (1) year.

(b) If a board member ceases to be a county official or a member of the county legislative body, as the case may be, that member's seat on the board is vacant.

(c) When a vacancy occurs, the seat shall be filled in the same manner that the seat had originally been filled, and the successor shall serve the remainder of the unexpired term.

#### SECTION 7.

(a) The personnel board shall promulgate policies, procedures and regulations for implementing a sound personnel management system for the county in accordance with the provisions of this chapter. All policies, procedures and regulations, and amendments thereto, shall be presented to the county legislative body for approval, and shall not become effective until such approval has been received. Upon approval by the county legislative body, such policies, procedures, regulations and amendments shall be effective for all county employees as defined herein.

(b) The powers of the board shall include:

- (1) Establishing vacation or annual leave, sick leave and family leave policies;
- (2) Establishing guidelines for advertisement of county positions to be filled;
- (3) Establishing grievance procedures in accordance with applicable state and/or federal laws;
- (4) Establishing a system for determining compliance with the overtime provisions of the federal wage and hour laws for county employees;
- (5) Establishing a recordkeeping system for determining leave balances for vacation or annual leave, sick leave and family leave;
- (6) Acting in an advisory capacity on personnel matters upon request of county officials and department heads;
- (7) Establishing drug and alcohol testing policies and procedures where required by federal law; and
- (8) Exercising such other authority as may be necessary to bring the county into compliance with applicable state and federal laws governing personnel matters and which is not in conflict with the provisions of this chapter.

(c) The powers of the board shall be limited as follows:

(1) Elected or appointed officials, boards and department heads shall retain their present authority to make decisions which are not in conflict with the provisions of this chapter concerning hiring, promotions, transfers, layoffs, discipline and termination of the employees of their respective offices.

(2) The board shall have no authority to establish systems of seniority, tenure, or classified service.

(3) The board shall have no authority to grant to employees any right to continued employment by the county except as may be required by applicable state or federal law or as specifically provided in this chapter.

(4) The board shall have no authority to establish promotion or entrance tests for county employment, or otherwise to establish qualifications for employment.

(5) The board shall have no authority to establish compensation schedules for county employees.

(6) The board shall have no authority to establish the hours or schedule of work for any employee, except as may be required to comply with the overtime provisions of the federal wage and hour laws.

#### SECTION 8.

(a) The personnel board may, but is not required to, employ a personnel director. The director shall serve at the pleasure of the board. The director shall be considered for all purposes to be an employee of the county. The compensation of the director shall be established by the board subject to the approval of the county legislative body.

(b) The board may appoint some existing officer, department head or employee of the county as personnel director, and notwithstanding any other law to

the contrary, such person may receive compensation for performing the additional duties of personnel director.

(c) The duties of the personnel director shall be to implement the policies, procedures and regulations adopted by the personnel board pursuant to this chapter.

SECTION 9.

(a) County employees shall be subject to termination from employment for failure to comply with the provisions of this chapter or the rules, regulations, policies and procedures promulgated by the board pursuant to this chapter. Willful failure or refusal of county officers to comply with the provisions of this chapter or the rules, regulations, policies and procedures promulgated by the board pursuant to this chapter shall constitute misconduct in office.

(b) In order to enforce the provisions of this chapter, the county executive is authorized to retain the county attorney, or an attorney hired pursuant to § 5-6-112, to seek mandamus to compel compliance as provided in § 5-1-107.

SECTION 10. The board is authorized and directed to retain an attorney to advise the board in the carrying out of its responsibilities under this chapter. The board may, but is not required to, employ the county attorney in such capacity. The compensation of such attorney shall be established by the board subject to approval of the county legislative body.

SECTION 11. The provisions of this chapter shall supersede any conflicting provisions of any general laws or private acts which may be in effect at the time this chapter becomes effective in a county.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.

TO THE HONORABLE Wm. H. "JOHN" MCKAMEY, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING Filling the Vacancy in the Office of Constable - 1st 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 18th day of March 1996

THAT WHEREAS, There is a vacancy in the Office of Constable in the 1st District due to the resignation of Mr. Joe R. Rhymer who was elected to that office in 1992.

NOW THEREFORE BE IT RESOLVED, That the vacancy in the Office of Constable - 1st District be filled and that the following nominee(s) be considered:

NOMINEES(s):  
 1) Mr. Jerry Sampson  
 288 Troublesome Hollow Road  
 Bluff City, TN

ELECTED:

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

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

Duly passed and approved this 18th day of April, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Kiser ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Vance FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21			3	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING "NO PARKING" Signs on each side of Floyd Street - 11th 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 18th day of March 1996

THAT BE IT RESOLVED, That "NO PARKING" signs be posted on each side of Floyd Street as requested by residents of the street and further recommended by the Sullivan County Highway Department in the attached copies of correspondence.

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

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

Duly passed and approved this 18th day of March, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ County Executive Date: \_\_\_\_\_  
County Clerk

INTRODUCED BY COMMISSIONER Hubbard ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Surgenor FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	23			1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING Election of Members of the Board of Equalization

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 March 1996

THAT WHEREAS, The county Board of Equalization is composed of five (5) members to be elected in April of each even year to serve a term of two years, and \_\_\_\_\_

WHEREAS, The Sullivan County Board of Commissioners is responsible for electing three (3) members, and the governing bodies of Kingsport and Bristol are responsible for electing one member each.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the following persons to serve a two year term of the Board of Equalization, said term to expire in 1998:

REAPPOINTMENT OF:

Mr. D. L. Blalock	Mr. J. D. Milhorn
336 Adams Chapel Road	720 Austin Springs Road
Blountville, TN	Piney Flats, TN

APPOINTMENT OF:

Mr. R. Z. Hensley
4304 Ridge Road
Kingsport, TN

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

This resolution shall become effective on \_\_\_\_\_, 1996, the public welfare requiring it.

Duly passed and approved this 18th day of March, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Conkin FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: WALVER OF RULES APPROVED 3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING Applying for Grant Funding for Observation Knob Park

WHEREAS, TENNESSEE CODE ANNOTATED; SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18th day of March 1996

THAT WHEREAS, Resolution No. 8, approved February 19, 1996 authorized the appropriation of \$40,000 for the purpose of paving parking areas and entrance roads at Observation Knob Park, and

WHEREAS, The Sullivan County Commissioner of Roads has agreed to provide the labor for this project, and

WHEREAS, Grant funds are available from the State of Tennessee for the purpose of enhancing parks operated by counties, and

WHEREAS, Sullivan County is eligible for grant funds of up to \$80,000 as a result of the approval for the roads and parking area improvements at the Park,

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the County Executive to execute the application for grant funding from the Tennessee Department of Environment and Conservation (Local Parks and Recreation Fund) for up to \$80,000 to be used for additional improvements at Observation Knob Park.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 18th day of March, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Kiser ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Vance FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/18/96 ROLL CALL



*Attachment  
Rust # 22*

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 19th DAY OF February, 1996.

RESOLUTION AUTHORIZING Appropriation of \$40,000 from Unappropriated Fund Balance 39000,000 for Paving Project at Observation Knob Park

WHEREAS, TENNESSEE CODE ANNOTATED, SECTION \_\_\_\_\_ AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19th day of February, 1996.

THAT WHEREAS, A paving project at Observation Knob Park has been proposed by the Park Committee, and

WHEREAS, The Sullivan County Commissioner of Roads has agreed to do this project at a cost of \$40,000 which includes cost of the grading, necessary base stone and asphalt for the unpaved parking areas and entrance roads.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves an appropriation of \$40,000 from Undesignated Fund Balance 39000,000 for the proposed paving project at Observation Knob Park and that funds are to be added to the appropriate accounts at a later date.

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

This resolution shall become effective on \_\_\_\_\_, 1996, the public welfare requiring it.

Duly passed and approved this 19th day of February, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Kisgr ESTIMATED COST: \_\_\_\_\_  
SECONDED BY COMMISSIONER Vance FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	17		1	6	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 2/19/96 ROLL CALL

*FOR INFO ONLY*

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 19 96.

RESOLUTION AUTHORIZING Application for Grant Funds from Department of Environment and Conservation Pursuant to TCA 68-211-824

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 March 19 96

THAT WHEREAS, Sullivan County is eligible for a grant of up to \$125,000 available from the Department of Environment and Conservation, and

WHEREAS, The purpose of these grant funds is to assist counties in the establishment convenience centers or upgrading existing ones, and

WHEREAS, Sullivan County with its transfer stations in Bristol and Kingsport qualifies for the maximum grant amount.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the County Executive to execute the application for a grant of up to \$125,000 from the Tennessee Department of Environment and Conservation as provided in TCA 68-211-824.

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

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

Duly passed and approved this 18th day of March, 19 96

Attested: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Reedy ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Mason FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/18/96 ROLL CALL

RESOLUTION NO. 26

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 15th DAY OF MARCH, 1996.

RESOLUTION AUTHORIZING Appointment of Committee to Study Reapportionment of Constable Districts

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 March, 1996,

WHEREAS, due to the changing of precinct boundaries within Sullivan County, constables can no longer be elected by civil districts as they have in the past and it is necessary that the Board of Commissioners establish constable districts by its April, 1996 meeting in order that the districts will be established in time for the May 16, 1996 qualifying deadline;

NOW, THEREFORE, BE IT RESOLVED that the Chair/Vice-Chairperson's Committee is hereby appointed to study the reapportionment of constable districts in Sullivan County and that said committee meet and make a recommendation to the three standing committees at their regular April meetings.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 18th day of March 1996.

Attested: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER J. Blalock ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER FERGUSON FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	21		1	2	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/18/96 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 18th DAY OF March 1996.

RESOLUTION AUTHORIZING To Encourage the Observance of the National Day of Prayer

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 March 1996.

THAT WHEREAS, An ACT by the One Hundredth Congress of the United States of America provided that the first Thursday in May should be set aside as the date on which the National Day of Prayer is observed; and \_\_\_\_\_

WHEREAS, The Honorable Governor Don Sundquist of the State of Tennessee has issued a Proclamation proclaiming May 2nd, 1996 as the National Day of Prayer; and \_\_\_\_\_

WHEREAS, Senate Bill 79 by Henry and House Bill 264 by Robinson were passed into Tennessee Public Law in 1993 to protect against censorship in the public school classroom of religious content of any of the writings, speeches, documents, and proclamations of the founding fathers and presidents of the United States and of the founders and governors of Tennessee; \_\_\_\_\_

NOW THEREFORE BE IT RESOLVED, By the Sullivan County Board of Commissioners, that we hereby encourage the citizenry of Sullivan County to observe the National day of Prayer in its homes, businesses, churches, and schools. Yet, recognizing that government directed prayer is no longer lawful in the public school system, we instead encourage the Sullivan County School Board to make the Historical Document Packet available in the classroom. We encourage teachers to make students aware of the National Day of Prayer, to teach students about the historical importance of prayer in American history, and about the religious beliefs which led the Founding Fathers to depend upon prayer in governing the nation. \_\_\_\_\_

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

This resolution shall become effective on \_\_\_\_\_, 1996, the public welfare requiring it.

Duly passed and approved this 18th day of March, 1996

Attested: \_\_\_\_\_ Date: \_\_\_\_\_ Date: \_\_\_\_\_  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Gonce ESTIMATED COST: \_\_\_\_\_  
 SECONDED BY COMMISSIONER Daniel FUND: \_\_\_\_\_

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	<b>x</b>				

COMMENTS: WAIVER OF RULES APPROVED 3/18/96

VOICE VOTE

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET  
AGAIN IN REGUALR SESSION APRIL 15, 1996.

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GIL HODGES, COUNTY EXECUTIVE

