

FEBRUARY 20, 1989  
MONDAY MORNING, FEBRUARY 20, 1989

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT FOR A REGULAR SESSION OF COUNTY COMMISSION IN SESSION THIS MONDAY MORNING, FEBRUARY 20, 1989, IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK, AND MIKE GARDNER, 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, FORTUNE, GROSICLOSE, ICENHOUR, JONES, KING, MCKAMEY, MCCONNELL, MILHORN, MORRELL, NEIL, NICHOLS, ROCKETT, RUSSIN AND THOMAS.

ABSENT: FERGUSON

COUNTY OF SULLIVAN

## Election of Notaries

Edward A. Adams  
 Tammy K. Bates  
 Tim D. Bowery  
 Charles G. Bridwell  
 Mack H. Carr  
 John E. Childress, Jr.  
 John C. Clark  
 Dorothy A. Cole  
 Linda V. Cox  
 Jan Dickens  
 Maxie E. Dougherty  
 Mary Ruth Feathers  
 Timothy G. Fox  
 John K. Gillenwater  
 Doris Jean Harless  
 Janice M. Jones  
 Willie L. Jones, Jr.  
 J. Klyne Lauderback  
 Jane M. Liles  
 Pauline S. Litton  
 K. Jeff Luethke  
 Sue Ella McCoy  
 William L. McCoy, Jr.  
 Hilda Louise McKenzie  
 Les M. Ferrell  
 Everett H. Mechem  
 Charles L. Moffatt, IV

Timothy Wayne Mullins  
 Jerry Ralph Musick  
 Imogene Overbay  
 Melody L. Payne  
 Patricia S. Pitts  
 Patricia Poss  
 Gladys S. Pullon  
 Wilma Pyle  
 Gregg M. Reed  
 F. G. Reynolds  
 Martha T. Rice  
 Charlotte H. Moore  
 Brennan C. Rockett  
 N. J. Sanders  
 Barbara J. Sexton  
 Janice M. Shaffer  
 Mark E. Silvey  
 Shirley G. Smith  
 Michael D. Stice  
 Dean E. Trent

Upon motion made by Comm. Ammons and seconded by Comm. Dingus, the persons whose names appear hereon, was elected Notary Public to serve a term of four years by roll call vote of the County Commission. (23 Aye 1 Absent)

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE  
SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION  
THIS THE 14th DAY OF NOVEMBER, 1988.

RESOLUTION AUTHORIZING INDIRECT COST RECOVERY PROGRAM

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 14th day  
of November, 1988,

THAT Sullivan County consider a Indirect Cost Recovery Program service to governments  
for the recovery of costs incurred in administering Federal grants as provided  
for in Office of Management and Budget Circular.

THAT WHEREAS, David M. Griffith & Associates contract with Sullivan County for these  
services.

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 T. Cantelmo ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER DINGUS FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

ICE VOTE \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE  
Budget (See comments below) \_\_\_\_\_ 2/14/89

COMMENTS: FIRST READING 11/14/88 DEFERRED 12/19/88 DEFERRED 1/16/89

Budget Committee: Harry Trent, Budget Director, was directed to contact Mr. Tom McPearson  
to come in and do a weeks study as he had suggested in his letter at no cost to the County  
unless he found there were monies not being collected.

WITHDRAWN 2/20/89

000645

RESOLUTION NO. 28

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

THIS THE 16th DAY OF JANUARY, 1989.

RESOLUTION AUTHORIZING ESCROW ACCOUNT BE ESTABLISHED FOR SEWERS

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 16th day of January, 1989,

THAT WHEREAS, the County Commission of Sullivan County, along with the Sullivan County Board of Public Utilities entered into agreements with the Cities of Bristol, Johnson City, and Kingsport, for furnishing sewer services for Sullivan County by approving policies at the December 19, 1988 meeting of the Commission, and

WHEREAS, the policy for Bristol in Section II, subsection E, and the Kingsport policy, Section II, subsection C, 1 and 2, requires the county to pay to the respective cities the tap fee plus three months minimum charges, (Bristol \$2,000 + \$15.00 = \$2,015) and (Kingsport \$1,950 + \$15.00 = \$1,965) if the user has not taped on the line after being notified for 180 days, and

WHEREAS, the county attorney will be required to place a lien against said property, as per policy, and

WHEREAS, Sullivan County will receive \$2,000 tap fee on trunk lines run by the County prior to turning the lines over to the respective city, (such as Blountville & Piney Flats line).

THEREFORE, BE IT RESOLVED THAT, an escrow account be established with these tap fees by the Sullivan County Department of Accounts & Budgets to cover these costs until the funds are recovered.

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

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

Duly passed and approved this 20th day of February, 1989.

ATTESTED: Gay B. Feacher Date: 2/20/89  
County Clerk

APPROVED: [Signature] Date: 2-20-89  
County Executive

INTRODUCED BY COMMISSIONER McKamey ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Jones FUND: \_\_\_\_\_

COMMISSION ACTION: Aye Nay Pass Absent

ROLL CALL 21 \_\_\_\_\_ 1 2

VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION APPROVED DISAPPROVED DATE

Administrative X \_\_\_\_\_ 2-6-89

Budget \_\_\_\_\_

COMMENTS: FIRST READING 1/16/89 PASSED - ROLL CALL 2/20/89

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16TH DAY OF JANUARY, 1989.

RESOLUTION AUTHORIZING OPEN CEDAR LANE ROAD FROM OLD HIGHWAY 421 TO NEW HIGHWAY 421

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 16th day of January, 1989.

THAT WHEREAS, Cedar Lane Road is narrow and inappropriate for the many residents who live on this road, as stated by the attached list of signatures of residents living on said road, we request that Cedar Lane Road be opened from Old Highway 421 to New Highway 421.

AMEND: HIGHWAY DEPARTMENT DO THE WORK.

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 20 day of February, 1989.

ATTESTED:

Ray B. Featur  
County Clerk

Date: 2/20/89

APPROVED:

Keith Westmoreland  
County Executive

Date: 2-20-89

INTRODUCED BY COMMISSIONER Morrell ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Thomas FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>Executive</u>	<u>X</u>	_____	<u>2-1-89</u>

COMMENTS: FIRST READING 1/16/89 PASSED 2/3 Voice Vote 2/20/89

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 16TH DAY OF JANUARY, 19 89.

RESOLUTION AUTHORIZING SINGLE COUNTY METRO HEALTH DEPARTMENT

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

0 \_\_\_\_\_

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 16th day of January, 19 89,

THAT WHEREAS, it is the belief that Sullivan County will benefit economically by changing its status from membership in an eight county regional health department to a single county metro health department while maintaining or enhancing the level of services to its people.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Commission approves the transition of the Sullivan County <sup>Regional</sup> Health Department from membership in an eight county regional <sup>department</sup> health department to a single county metro health department to be known as the "Sullivan County Health Department."

URTHER, BE IT RESOLVED, that the employees of the Sullivan County Health Department remain late employees if that is their classification as of this date.

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 20th day of February, 19 89.

ATTESTED:

APPROVED:

Ray B. Feathers  
County Clerk

Date: 2/20/89

Keith Westmoreland  
County Executive

Date: 2-20-89

INTRODUCED BY COMMISSIONER DeVAULT ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER McKAMEY FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay] Absent

ROLL CALL: 22 2

ICE VOTE \_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>Administrative</u>	<u>X</u>	_____	<u>2-6-89</u>
<u>Executive</u>	<u>X</u>	_____	<u>2-7-89</u>
<u>Budget</u>	<u>X</u>	_____	<u>2-14-89</u>

COMMENTS: PASSED ROLL CALL - 2/20/89

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

THIS THE 20th DAY OF February, 19 89.

RESOLUTION AUTHORIZING Return of funds to local 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 \_\_\_\_\_ Session on the 20th day of February, 19 89.

THAT whereas the Health Department purchased Wellness program participant materials and whereas the participants reimbursed the Health Department for said purchase, so therefore be it resolved that the \$455.00 which was reimbursed the Health Department be put back in our direct local as follows: 55110-400 account - \$455.00

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 20th day of February, 19 89.

ATTESTED: Ray B. Feather Date: 2/20/89 APPROVED: Keith Westmoreland Date: 2-20-89  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Devault ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Jones FUND: \_\_\_\_\_

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

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>Administrative</u>	<u>x</u>	_____	<u>2/6/89</u>
<u>Budget</u>	<u>x</u>	_____	<u>2/14/89</u>

COMMENTS: Request Wavier of Rules  
Waiver of Rules PASSED - ROLL CALL 2/20/89



TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF February, 1989.

RESOLUTION AUTHORIZING ALLOCATE BY LAW A PORTION OF ANY INCREASE IN GASOLINE, DIESEL, OR GASOHOL TAX FOR USE BY CITIES AND COUNTIES

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 20th day of February, 1989.

THAT WHEREAS, the cost of maintaining local streets and roads continues to increase, and WHEREAS, the most reasonable and appropriate source of additional funding for local streets and roads is through a share of state gasoline, diesel and gasohol taxes, and WHEREAS, there is a legislative proposal to increase the state gasoline, diesel and gasohol tax to provide additional funding for state routes.

NOW, THEREFORE BE IT RESOLVED THAT, if there is an increase, the Sullivan County Commission urges the Governor and Member of the General Assembly to allocate by law a portion of any increase in state gasoline, diesel and gasohol taxes for use by cities and counties for local street and road purposes.

MEMO: Motion by Comm. Arrington ) AND this is in no way a request to increase gasoline, Second by Comm. Blalock ) diesel and gasohol tax.

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 20th day of February, 1989.

ATTESTED:

*Ray B. Feather*  
County Clerk

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

APPROVED:

*Keith Westmoreland*  
County Executive

Date: 2-20-89

INTRODUCED BY COMMISSIONER AMMONS ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER FORTUNE FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL

ICE VOTE

X

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 19 89.

RESOLUTION AUTHORIZING CORRECTION OF TYPOGRAPHICAL ERRORS CONCERNING RE-ZONING

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 20th day of February, 19 89,

THAT WHEREAS, at the January 20, 1989 meeting of the Sullivan County Commission two properties (File # 11/88-2 LAY and File # 11/88-3 BENTON) were re-zoned from R-1 to R-3, and

WHEREAS, the R-3 zone should have read R-2 as approved by the Sullivan County Planning Commission at their meeting on November 11, 1988 and was inadvertently listed as R-3, and

WHEREAS, both owners of the property were unopposed in their request.

NOW, THEREFORE, BE IT RESOLVED, That due to typographical errors the two (2) properties as stated, be zoned R-2 as intended and that the docket shall be amended to so read.

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 20th day of February, 1989.

ATTESTED: Day B. Feathers  
County Clerk

Date: 2/20/89

APPROVED: Keith Westmoreland  
County Executive

Date: 2-20-89

INTRODUCED BY COMMISSIONER RUSSIN ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER BLALOCK FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE \_\_\_\_\_X\_\_\_\_\_

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
_____	_____	_____	_____
_____	_____	_____	_____

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY, 19 89.

RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM 53504 JUVENILE COURT - GRANT (KPT.) TO 54244 LEARN-IT GRANT

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 20th day of February, 19 89,

THAT the Sullivan County Commission give the Sullivan County Juvenile Court, Division II, permission to move \$100.00 from 53504 - 100 to 54244 - 100, thus increasing account 54244 100 from \$5,191.00 to \$5,291.00. It is also requested that the LEARN-IT GRANT 54244 funds be reappropriated from the current allotments of \$4,296.00 for 54244 - 100 which is Personal Services to \$4,715.00 and Account No. 54244 - 300 from \$829.00 to \$510.00 and 700 Capital Outlay remain at \$66.00. Thus allowing for proper utilization of funds allocated and not requiring any additional cost to Sullivan County.

53504 - 100	-- (\$100.00)	54244 - 100	\$119.00
54244 - 100	-- \$100.00	54244 - 300	(\$319.00)

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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTESTED:

*Ray B. Teague*  
County Clerk

Date: 2/20/89

APPROVED:

*Keith Westmoreland*  
County Executive

Date: 2-20-89

INTRODUCED BY COMMISSIONER AMMONS ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER RUSSIN FUND: \_\_\_\_\_

COMMISSION ACTION:	[aye]	[nay]	PASS	ABSENT
ROLL CALL	<u>17</u>	<u>3</u>	<u>2</u>	<u>2</u>
ICE VOTE				

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
<u>Budget</u>		<u>X</u>	<u>2-14-89</u>

COMMENTS: WAIVER OF RULES PASSED 2/20/89 ROLL CALL

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 1989.

RESOLUTION AUTHORIZING NAMING NEW COURTHOUSE COMPLEX

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 20th day of February, 1989.

THAT WHEREAS, the new courthouse and jail are presently called "The Sullivan County Courthouse Complex", and

WHEREAS, it has been called to the attention of the Building Committee by the Judges of the Criminal Courts that since there are two courthouses in Blountville the name should be changed.

NOW, THEREFORE, BE IT RESOLVED, That the name of the new jail and courthouse be "The Sullivan County Justice Complex".

① AMEND: NEW NAME TO BE "SULLIVAN COUNTY JUSTICE CENTER"

② RECOMMENDATION BROUGHT BACK BY A COMMITTEE OF FIVE - NEW NAME TO BE "SULLIVAN COUNTY JUSTICE CENTER"

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 20th day of February, 1989.

ATTESTED:

Ray B. Fether  
County Clerk

APPROVED:

Keith Westmoreland  
County Executive Date: 2-20-89

INTRODUCED BY COMMISSIONER DeVault ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Fortune FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay] Pass Absent

ROLL CALL Committee Recommendation 16 5 1 2

VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: Waiver of Rules Original Resolution failed by 2/3 vote of the commission

- ① AMENDMENT 1 - FAILED - ROLL CALL VOTE 15 Aye 2 Nay 4 Pass 2 Absent
- ② COMMITTEE RECOMENDATION - PASSED - ROLL CALL 16 Aye 5 Nay 1 Pass 2 Absent
- COMMISSION VOTED TO WAIVE THE RULES AND MAKE A DECISION TODAY 2/20/89

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF February, 19 89.

RESOLUTION AUTHORIZING ADDITIONAL ASSISTANT DISTRICT ATTORNEY

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 20th day of February, 19 89,

THAT WHEREAS, the Sullivan County District Attorney General's office has requested an additional Assistant District Attorney be provided through State funding, and

WHEREAS, Sullivan County recognized the reported increase in work load of the Attorney General and provided a county paid Assistant Attorney General in 1988.

NOW, THEREFORE, BE IT RESOLVED THAT the Sullivan County Board of Commissioners request the legislative delegation to support this state paid Assistant Attorney General.

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 20th day of February, 19 89.

ATTESTED:

Signature of Day B. Feather Date: 5 County Clerk

APPROVED:

Signature of County Executive Date: 2-20-89 County Executive

INTRODUCED BY COMMISSIONER AMMONS ESTIMATED COSTS:

SECONDED BY COMMISSIONER ICENHOJR FUND:

COMMISSION ACTION: [aye] [nay]

ROLL CALL

ICE VOTE -x-

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 1989.

RESOLUTION AUTHORIZING OPPOSE SENATE BILL 253, WHICH WOULD INCREASE  
NUMBER OF STATE PRISONERS TO BE HOUSED IN LOCAL CORRECTION FACILITIES

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 20th day of February, 1989.

THAT WHEREAS, the Tennessee Sentencing Commission Proposed Criminal Reform Act of 1989 has been presented to the Tennessee State Legislature for its review, and

WHEREAS, Senate Bill 253 by Senator Richardson follows closely the recommendations set forth in the Tennessee Sentencing Commission's Proposed Criminal Reform Act of 1989, and

WHEREAS, as many as 87% of the total state prisoners now housed by the State Department of Corrections could end up in local jails, and

WHEREAS, the Sullivan County jail is filled to near capacity, and

WHEREAS, a twenty-five (25¢) cents property tax increase could conceivably be seen in Sullivan County to handle the influx of additional state prisoners.

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Board of Commissioners request the legislative delegation of Sullivan County to oppose both the Tennessee Sentencing Commission Proposed Criminal Reform Act of 1989 and Senate Bill 253 and any other proposed legislation which would increase the number of state prisoners to be housed in local correction facilities.

Lined area for text entry, currently blank.

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

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

Duly passed and approved this 20th day of February, 1989.

ATTESTED: Lay B. Feathers Date: \_\_\_\_\_  
County Clerk

APPROVED: [Signature] Date: 2-20-89  
County Executive

INTRODUCED BY COMMISSIONER Ammons ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Icenhour FUND: \_\_\_\_\_

COMMISSION ACTION: Aye Nay Absent

ROLL CALL 22        2

VOICE VOTE              

COMMITTEE ACTION APPROVED DISAPPROVED DATE  
Budget X        2-14-89

COMMENTS: WAIVER OF RULES PASSED - 2/20/89 ROLL CALL

Lined area for additional comments, currently blank.

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

THIS THE 20TH DAY OF FEBRUARY, 1989.

RESOLUTION AUTHORIZING OPPOSE SENATE BILL 937 - COLLECTION OF FINES AND COSTS IN CRIMINAL CASES

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 20th day of February, 1989.

THAT WHEREAS, the Attorney General of Sullivan County has requested the legislative delegation of Sullivan County to introduce a bill related to the collection of fines and costs in criminal cases and to amend Tennessee Code Annotated, Section 40-24-105 in that any fines and costs remaining unpaid for more than 90 days after the entry of the order assessing the same may be collected by the Attorney General's office. Twenty-five (25%) per cent of such fines and costs shall be paid to the clerk of the courts and the remaining 75% is appropriated to the District Attorney General, and

WHEREAS, these fines and costs at present are returned to the county's general fund and help defray cost of the county operations, and

WHEREAS, according to the Sullivan County Circuit Court Clerk's office as reported that these fines and costs are between \$125,000 and \$250,000 of which only 25% would be returned to the county's general fund. Therefore an increase in the Sullivan County property tax rate would be approximately .01 to .02 in order to provide the attorney general with these funds.

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Board of Commissioners request that the legislative delegation of Sullivan County oppose Senate Bill 937 in light of the increase of .01 to .02 on the Sullivan County property tax rate.



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

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

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

ATTESTED:

APPROVED:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Executive

INTRODUCED BY COMMISSIONER Ammons

ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER \_\_\_\_\_

FUND: \_\_\_\_\_

COMMISSION ACTION:      Aye                  Nay

ROLL CALL                                  \_\_\_\_\_

VOICE VOTE                                  \_\_\_\_\_

COMMITTEE ACTION	APPROVED	DISAPPROVED	DATE
Budget	X		2-14-89

COMMENTS: WITHDRAWN 2/20/89

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 1989. RESOLUTION AUTHORIZING 20 ADDITIONAL JAILORS

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 20th day of February, 1989.

THAT WHEREAS, the Sullivan County jail was staffed in 1986 for a total inmate population of 220, and

WHEREAS, the County Commission at that time was informed that this staffing would be adequate until the annex had to be occupied, and

WHEREAS, the current jail population is averaging 310 with approximately 90 inmates incarcerated in the annex, and

WHEREAS, it is the opinion of the Sheriff's Department that no significant reduction in current population figures is likely due to the number of state prisoners being held.

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Jail be authorized to employ 20 additional jailors at a range of Class "F" to Class "I".

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 20th day of February, 1989.

ATTESTED:

Ray B. Feathers  
County Clerk

Date: 2/20/89

APPROVED:

Keith Westmoreland  
County Executive

Date: 2-20-89

INTRODUCED BY COMMISSIONER Icenhour ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER DeVault FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay] Passed Absent

ROLL CALL 16 1 5 2

VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 2/29/89 ROLL CALL

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

THIS THE 20th DAY OF FEBRUARY, 1989.

RESOLUTION AUTHORIZING ANNEXATION OF JOHNSON CITY INTO PINEY FLATS

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 20th day of February, 1989.

THAT WHEREAS, Sullivan County and Johnson City have been involved in declaratory judgment litigation concerning annexation of the Piney Flats area of Sullivan County, and

WHEREAS, the Chancery Court at Blountville dismissed Sullivan County's complaint for declaratory relief on February 9, 1989, and

WHEREAS, there is enough remaining funds in the appropriated \$20,000 to finance an appeal of this adverse decision.

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Commission instruct the County Attorney to proceed with an appeal to the Tennessee Court of Appeals and, if necessary, to the Tennessee Supreme Court in an effort to reverse the decision of the Chancery Court.

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 20th day of February, 1989.

ATTESTED:

Way B. Feather  
County Clerk

Date: 2/20/89

APPROVED:

Keith Westmorland  
County Executive

Date: 2-20-89

INTRODUCED BY COMMISSIONER McNamey

ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Jones

FUND: \_\_\_\_\_

COMMISSION ACTION:	[aye]	[nay]	Absent
ROLL CALL	<u>22</u>	<u>    </u>	<u>2</u>
VOICE VOTE	<u>    </u>	<u>    </u>	<u>    </u>

COMMITTEE ACTION:	APPROVED	DISAPPROVED	DATE
Budget	<u>X</u>	<u>    </u>	<u>2-14-89</u>

COMMENTS: WAIVER OF RULES PASSED 2/20/89 ROLL CALL

000881

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 1989.

RESOLUTION AUTHORIZING LIVE STOCK PAVILION AT WALTER STATE COMMUNITY COLLEGE

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 20th day of February, 1989.

THAT WHEREAS, the State of Tennessee 1987-88 General Assembly has appropriated \$75,000 for the purpose of planning the construction of a live stock pavilion at Walter State Community College subject to feasibility, and

WHEREAS, there is not a state pavilion serving the Upper East Tennessee Region from the eastern border from Knox County to Johnson County, and

WHEREAS, the agricultural and business leaders in this region have voiced a strong need for such a pavilion, and

WHEREAS, Walter State Community College has successful programs in agriculture resource management.

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Commission supports the establishment of a live stock pavilion at Walter State Community College and recognizes that such a facility at Walter State would be an invaluable asset to the citizens of Sullivan County as well as the citizens throughout the Upper East Tennessee Region.

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

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

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

ATTESTED:

Ray B. Fitch Date: 2/20/89  
County Clerk

APPROVED:

Keith Westmoreland  
County Executive Date 2-20-89

INTRODUCED BY COMMISSIONER DeVault ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Jones FUND: \_\_\_\_\_

COMMISSION ACTION: Aye Nay

ROLL CALL \_\_\_\_\_

VOICE VOTE \_\_\_\_\_

COMMITTEE ACTION \_\_\_\_\_ APPROVED \_\_\_\_\_ DISAPPROVED \_\_\_\_\_ DATE \_\_\_\_\_

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 1989.

RESOLUTION AUTHORIZING STAFF RECOMMENDATIONS ON RE-ZONING REQUEST

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 20th day of February, 1989.

THAT WHEREAS, Mr. P. C. Snapp serves as advisor to the Sullivan County Planning Commission and makes recommendations on re-zoning requests and related matters; and

WHEREAS, in minutes from the Planning Commission some of the decisions made include staff recommendations and some don't;

NOW, THEREFORE, BE IT RESOLVED, That Mr. Snapp's recommendation on EACH request be printed in the minutes which are distributed to the Sullivan County Commission.

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 20th day of February, 1989.

ATTESTED: Ray B. Feather Date: 2/20/89  
County Clerk  
APPROVED: Keith Westmoreland Date: 2-20-89  
County Executive

INTRODUCED BY COMMISSIONER DeVault ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER Icenhour FUND: \_\_\_\_\_

COMMISSION ACTION: [aye] [nay]

ROLL CALL \_\_\_\_\_

VOICE VOTE X

COMMITTEE ACTION: APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF February, 19 89.

RESOLUTION AUTHORIZING OPPOSE SB 1036 5% INCREASE FOR COUNTY OFFICIALS OPPOSE SB 999/HB 311 SALARY OF HIGHWAY COMMISSIONER SHALL BE 15% GREATER THAN TRUSTEE OPPOSE SB 348 20% INCREASE IN THE SHERIFF'S SALARY

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 20th day of February, 19 89,

THAT WHEREAS, the county must cover salaries and fringe benefits for its officials in large part with local property taxes; and

WHEREAS, for the above reason the county should properly have some input into the decision as to annual percentage increases in these salaries;

NOW THEREFORE, BE IT RESOLVED THAT, the Sullivan County Commission respectfully request its State Legislators to oppose the following bills: SB 1036 5% increase for County Officials SB 999/HB 311 providing the minimum salary of the highway commissioners shall be 15% greater than the salary of the county trustee. Note: Presently TCA 54-7-106 provides that the salary of the highway commission shall be at least the minimum salary of the court clerk.

FURTHER, BE IT RESOLVED THAT, since Sullivan County needs state revenue to defray the costs of financing prisoners and the county believes that all state funds available in the correction system should be channelled toward this end, the County Commission opposes SB 348 which approves a 20% increase in the sheriff's salary to be paid from state correctional incentive funds.

Lined area for text entry, currently blank.

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

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

Duly passed and approved this 20th day of February, 19 89.

ATTESTED: Ray B. Heedus Date: 2/20/89  
County Clerk

APPROVED: [Signature] Date: 2-20-89  
County Executive

INTRODUCED BY COMMISSIONER McKamey ESTIMATED COSTS: \_\_\_\_\_

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

COMMISSION ACTION:	Aye	Nay		
ROLL CALL	_____	_____		
VOICE VOTE	<u>x</u>	_____		
COMMITTEE ACTION		APPROVED	DISAPPROVED	DATE
		_____	_____	_____

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20TH DAY OF FEBRUARY, 19 89.

RESOLUTION AUTHORIZING TELEPHONE COMPANIES TAX ASSESSMENT CLASSIFICATION

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 20th day of February, 19 89,

THAT WHEREAS, long distance telephone companies are pressuring Tennessee State Legislators for changes in their tax assessment classification; and

WHEREAS, these changes would mean that instead of being classified as utilities they would be classified as commercial businesses, and this means that instead of an assessment of 55% on real property the assessment would be lowered to 40%, and, instead of a 55% assessment for personal property the rate would be lowered to 30%; and

WHEREAS, these telephone companies want elimination of their gross receipts tax and instead want the state sales tax to be applied to long distance telephone calls originating in or terminating in the state; and

WHEREAS, this means shifting the burden of taxation to the long distance customers; and

WHEREAS, local property taxes would have to be raised in order to cover any potential deficit in tax revenue caused by the change in tax classification of these telephone companies;

NOW, THEREFORE, BE IT RESOLVED, That the Sullivan County Commission urgently requests its state legislators to oppose the above mentioned proposals of the long distance telephone companies; and that copies of this resolution be sent to each legislator.



Lined area for text entry, currently blank.

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

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

Duly passed and approved this 20th day of February, 1989.

APPROVED: Lay B. Fisher Date: 2/20/89  
County Clerk

APPROVED: [Signature] Date: 2-20-89  
County Executive

INTRODUCED BY COMMISSIONER DeVault ESTIMATED COSTS: \_\_\_\_\_

SECONDED BY COMMISSIONER McKamey FUND: \_\_\_\_\_

COMMISSION ACTION: Aye Nay

ROLL CALL \_\_\_\_\_

VOICE VOTE X \_\_\_\_\_

COMMITTEE ACTION APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

Comm. Arrington and Comm. Carroll Passed

TO THE HONORABLE KEITH WESTMORELAND, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF February, 1989.

RESOLUTION AUTHORIZING REDUCING TERM OF THE MEMBERS OF THE COUNTY BOARD OF EDUCATION

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 20th day of February, 1989.

THAT WHEREAS, the Private Acts of 1971 chapter 163 be ammended so as to reduce the term of the members of the Sullivan County Board of Education from a term of six years to a term of four years beginning on September 1, 1990.

NOW, THEREFORE BE IT RESOLVED THAT, this resolution be sent to the Sullivan County Delegation in Tennessee General Assembly for processing and enactment according to law.

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

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

Duly passed and approved this 20th day of February, 1989.

ATTESTED: Lay B. Feather  
County Clerk

APPROVED: [Signature]  
County Executive

Date: 2/20/89 Date: 2-20-89

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

COMMENTS: WAIVER OF RULES PASSED 2/20/89 2/3 Voice Vote

Comm. Carroll voted No

Motion By: Comm. Morrell  
 Seconded By: Comm. Rockett      REZONING REQUESTS

All rezoning requests be      FEBRUARY 20, 1989  
 considered and voted on.

1. Consider a request by David Harper to rezone a tract of land at the intersection of Highland Road and Clark Road from R-1 (Residential) to R-2 (Residential).      PASSED: ROLL CALL

Map #11/88-7, David Harper Property.      David Harper, who owns a parcel of property located on the north side of Island Road, requested that his property be rezoned from R-1 Residential to R-2 Residential in order to locate a mobile home on the property. Mr. Lee Clark, who lives at 220 Clark Road, appeared in opposition to the rezoning, stating that a mobile home at this location would block the front of his house. It was pointed out by staff that regardless of whether the property was rezoned, Mr. Harper could still build a house on the property having the same effect as a mobile home. Mr. Nichols, County Commissioner from the district in which Mr. Harper is located, stated that he had visited the property and did not see any reason why the property should not be rezoned. He therefore, made a motion, seconded by Mr. Neil, to grant approval to the request. The motion carried unanimously.      22 Aye 1 Nay 1 Absent

2. Consider a request by Joseph H. Ramsey to rezone a tract of land located on the south side of U. S. Highway 11-W across from Crown Colony residential complex from R-1 (Residential) to B-4 (Business).      PASSED: ROLL CALL      16 Aye 7 Nay 1 absent

Map #11/88-21, Joseph H. Ramsey. Mr. Joseph H. Ramsey, who owns a piece of property on the south side of U. S. Highway 11-W directly across the street from Crown Colony Residential Complex, requested that his lot be rezoned from R-1 Residential to B-4 Business. Several residents from Crown Colony appeared and spoke in opposition to the rezoning. They presented a petition with thirty-seven additional names in opposition to the rezoning to go with a petition with ninety-six names that they had presented at the November 15. Messrs. Mike Palmer, Billy Ivy, Sid Sipe, Robert Hassock, Alex Berry, and Mrs. Jewel Mailben, all spoke in opposition to the rezoning. They stated that business development directly across the street from Crown Colony would detract from the value of their property; that the existing businesses and the bluff across the street from the property provided a logical barrier for the zoning as it was now in force on 11-W, and further that additional business would create traffic congestion and unnecessary noise for the residential area. Staff recommended against the rezoning for the following reasons: (1) staff pointed out that just because the property fronted a four-lane highway did not mean that it could not be used for some other type of use such as residential condominium or apartment complexes; (2) that Crown Colony was a substantial investment in residential development,

that one hundred more acres of land could be developed for residential use surrounding Crown Colony, and that business development might detract from this and future investment; (3) that in all probability marginal businesses would be located on this tract which would further detract from the residential character of Crown Colony. Messrs. Kammie Nichols and Nicholas Russin stated that they both had visited the site and that they did not think that it had any potential for R-1 as presently zoned. Mr. Nichols made a motion, seconded by Mr. Barger to approve the request. Voting for the motion were Neil, Russin, Barger and Nichols. Voting no was Mr. Guthrie. Motion carried.

3. Consider a request by David K. Quillen to rezone a tract of land located on Brookfield Road near Royal Pines Subdivision from R-1 (Residential) to B-3 (Business). PASSED ROLL CALL 22 Aye 2 Absent

Map #12/88-1, David K. Quillen Request. Mr. David K. Quillen requested that a tract of land located on Brookfield Road in the Fourteenth Civil District near Royal Pines Subdivision, be rezoned from R-1 Residential to B-3 Business. Mrs. Nancy Greer and Ms. Annette Stewart, who live directly in front of the property, appeared in opposition to the rezoning. They stated that dust and noise which would be created from a business in front of their home would not be acceptable to them, and that the proposed warehouse which was proposed for the site would not be consistent with the residential development on the street. Mr. Quillen pointed out that since the property did not front directly upon the highway that any business he located on the property would be low volume in terms of traffic, and therefore, would not create dust and noise as pointed out by Mrs. Greer and Ms. Stewart. Staff recommended for the rezoning, pointing out that this was a logical extension of a B-3 zone and stated that they also felt that it would be low volume traffic wise business that would be located on the property. Staff further pointed out that a thirty foot front, side and rear yard would give some protection to the adjoining properties. Mr. Russin made a motion, seconded by Mr. Nichols to approve the request. Motion carried.

4. Consider a request by Vesta Trussell to rezone a tract of land located on the south side of Mockingbird Lane approximately 1000 feet north of Summerville Road from R-1 (Residential) to A-1 (Agriculture). WITHDRAWN BEFORE IT WAS BROUGHT BEFORE THE COMMISSION.

*Withdrawn*

Map #12/88-2, Vesta Trussell Request. Mrs. Trussell, who owns a tract of land located on Mockingbird Lane in the Thirteenth Civil District, requested that her property be rezoned from R-1 Residential to A-1 Agriculture to permit a mobile home to be used by her grandson. Mrs. Trussell stated that she would like to have the property rezoned so that he could be close to her home. Messrs. Claude Lockhart and Kirby appeared in opposition to the rezoning and presented a petition with twenty-four neighbors

signatures on it. It was pointed out that Mrs. Trussell had already located a mobile home on the property, contrary to the R-1 zoning, and that she had continued to work on the mobile home, underpinning it and hooking up electricity even though she had been advised that the property was not in the right zone. It was pointed out that the majority of the property in this location was single-family low density residential. Mr. Nichols made a motion, seconded by Mr. Guthrie to deny the request and to give Mrs. Trussell six months to move the mobile home so that the property would comply with R-1 zoning. Motion carried.

5. Consider a request by Lonnie Jackson to rezone a tract of land located off Weaver Pike from R-1 (Residential) to A-1 (Agriculture). PASSED ROLL CALL 20 Aye 3 Absent 1 Nay

Map #12/88-3, Lonnie Jackson Request. Mr. Lonnie Jackson who owns a tract of land located on the Weaver Pike, requested that his property be rezoned from R-1 Residential to A-1 Agriculture in order to locate a mobile home on the property. Since no one appeared in opposition to the rezoning, Mr. Nichols made a motion, seconded by Mr. Russin to approve the request. Motion carried.

6. Consider a request by Richard Carlyle Smith to rezone a tract of land off Weaver Pike directly across from East High School from R-1 (Residential) to R-2 (Residential). PASSED - ROLL CALL

21 Ayes 3 Absent

Map #12/88-4, Richard Smith and Etta Louise Smith Request. Mr. and Mrs. Smith who own a tract of land located on Weaver Pike in the Twenty-first Civil District requested that their property be rezoned from R-1 Residential to R-2 Residential in order to locate a mobile home on the property. Since no one appeared in opposition to the rezoning, Mr. Nichols, made a motion, seconded by Mr. Russin to approve the request. Motion carried.

7. Consider a request by Joe W. Goad to rezone a tract of land located on Forest View Road from R-1 (Residential) to R-2 (Residential). PASSED - ROLL CALL 21 Ayes 2 Pass 1 Absent

Map #12/88-7, Joe W. Goad Request. Mr. Goad who owns a tract of land located on Forest View Road in the Eleventh Civil District requested that his property be rezoned from R-1 Residential to R-2 Residential in order to locate a mobile home on the property. No one appeared in opposition to the rezoning. Mr. Nichols made a motion, seconded by Mr. Russin to approve the request. Motion carried.

8. Consider a request by Leonard Harless to rezone a tract of land located on Princeton Road from R-1 (Residential) to R-2 (Residential). PASSED-ROLL CALL 22 Ayes 1 Pass 1 Absent

Map #12/88-8, Leonard Harless Request. Mr. Leonard Harless who owns a tract of land located on Princeton Road in the Fifteenth Civil District requested that his property be rezoned from R-1 Residential to R-2 Residential in order to locate a mobile home on the property. No one appeared in opposition to the rezoning, therefore, Mr. Nichols made a motion, seconded by Mr. Barger to approve the request. Motion carried.

9. Consider a request by the Ben Carson Heirs, Calvin Dishner, Richard E. Hopson, David K. Quillen and Travis Jackson to rezone five parcels of property located at the intersection of State Route 37 and I-81 from R-1 (Residential) to M-1 (Manufacturing).

PASSED - ROLL CALL 23 Ayes 1 Absent  
Map #12/88-11, Ben Carson Heirs, Calvin Dishner, Richard E. Hopson, David K. Quillen and Travis Jackson Request. The above mentioned property owners appeared before the planning commission requesting that five parcels of property located at the intersection of State Route 37 and I-81 in the Fifth Civil District be rezoned from R-1 Residential to M-1 Manufacturing. Messrs. David Lawson and Mark Blizard spoke in opposition to the rezoning. They stated that they had no opposition to a restaurant being located on the property but that their fear was that a trucking terminal of some type might be located on the property thereby devaluing their property. Staff pointed out that the property located at this intersection would be prime for industrial use because of its proximity to I-81 at the intersection of State Route 37 and recommended approval of the rezoning. Mr. Russin made a motion, seconded by Mr. Guthrie to approve the request. Motion carried unanimously.

10. Consider a request by Paul Herron, Jr., to rezone a tract of land located on Lakeview Drive at its intersection with State Route 36 from R-1 (Residential) to B-4 (Business). PASSED 22 Ayes 1 Nay

1 Absent  
Map #12/88-12, Paul Herron, Jr Request. Mr. Paul Herron, Jr. requested that a tract of land that he owns in the Fourteenth Civil District on Lake View Drive be rezoned from R-1 Residential to B-4 Business. No one appeared to speak in opposition to the rezoning. Mr. Russin made a motion, seconded by Mr. Nichols to approve the request. Motion carried unanimously.

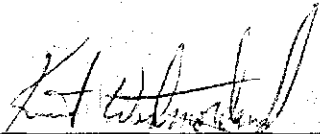
11. Consider a request by Harold McCroskey to rezone a tract of land at the intersection of new U. S. Highway 421 and Old Jonesborough Road from R-1 (Residential) to B-3 (Business). PASSED ROLL CALL

22 Aye 1 Pass 1 Absent  
Map #9/88-2, Harold McCroskey Request. Mr. Harold McCroskey, who appeared at the September meeting and subsequently appeared at the

November meeting of the county commission, requested that he be placed on the agenda for consideration of his rezoning request. Staff pointed out that for some reason they failed to put Mr. McCroskey on the agenda as he requested. Mr. McCroskey was requesting that a parcel of property that he owns on new U. S. Highway 421 near Bristol be rezoned from R-1 Residential to B-3 Business. Staff stated that the county commission referred the request back to the planning commission because someone had appeared at the October County Commission meeting opposing it. Mr. McCroskey stated that he wanted to build mini warehouses on the property. He presented a signed affidavit from the adjacent property owners who were in favor of the request. Since no one appeared to oppose the request, Mr. Nichols made a motion, seconded by Mr. Guthrie to approve the request. Motion carried unanimously.

000673

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET AGAIN  
IN REGULAR SESSION, MARCH 20, 1989.



---

KEITH WESTMORELAND, COUNTY EXECUTIVE