

# COUNTY COMMISSION- REGULAR SESSION

**JULY 18, 2005**

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, JULY 18, 2005, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY MAYOR, JEANIE GAMMON, COUNTY CLERK AND MAJOR HAROLD OWENS OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Mayor Richard S. Venable. Major Owens opened the commission and Comm. James King, Jr. gave the invocation. Pledge to the flag was led by Major Harold Owens.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

GARTH BLACKBURN	LINDA K. BRITTENHAM
JAMES "MOE" BROTHERTON	RAY CONKIN
JOHN CRAWFORD	O. W. FERGUSON
CLYDE GROSECLOSE, JR.	LARRY HALL
RALPH P. HARR	JOE HERRON
DENNIS HOUSER	MARVIN L. HYATT
SAMUEL C. JONES	ELLIOTT KILGORE
BUDDY KING	JAMES L. KING, JR.
R. WAYNE MCCONNELL	JOHN MCKAMEY
RANDY MORRELL	HOWARD PATRICK
JACK SITGREAVES	MICHAEL SURGENOR
MARK A. VANCE	EDDIE WILLIAMS

24 PRESENT 0 ABSENT

The following pages indicates the action taken by the Commission on re-zoning requests, approval of notary applications and personal surety bonds, motions, resolutions and other matters subject to the approval of the Board of Commissioners.

Motion was made by Comm. Ferguson and seconded by Comm. Hyatt to approve the minutes of the June 27, 2005 Regular Session of County Commission. Said motion was approved by voice vote.

**PUBLIC COMMENTS: JULY 18, 2005**

**THOSE SPEAKING DURING THE PUBLIC COMMENT TIME WERE AS  
FOLLOWS:**

**NONE**

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**PROCLAMATION WAS PRESENTED BY MAYOR VENABLE DESIGNATING  
AUGUST 13, 2005 "KEEP BRISTOL BEAUTIFUL SOUTH HOLSTON LAKE  
AND RIVER CLEANUP DAY".**

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STATE OF TENNESSEE  
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

JUNE 27, 2005

- |                           |                        |                         |
|---------------------------|------------------------|-------------------------|
| • BRENDA ADAMS            | • DIANA B. KISTNER     | • SUSAN ELAINE WILLIAMS |
| • DONNA O. ADAMS          | • RENEE KLEINEICK      | • JOHN M. WININGER, JR  |
| • NORMA J. ALLEN          | • WILLIAM A. LAW       | • BARBILY-WORLEY        |
| • BEVERLY K. BONDURANT    | • DEBORAH ANN MARTIN   | • CONNIE M. WRIGHT      |
| • PATRICK C. BRIDWELL     | • JESSIE R. MAYES      | • LISA DARLENE WRIGHT   |
| • EDITHANN BUCKLES        | • LINDA FAYE MCKAMEY   |                         |
| • HUBERT LYNN BYRD        | • MARGIE S. MCKINNEY   |                         |
| • ANGELA CARRIER          | • J. DAVID MILLER      |                         |
| • <del>KAREN</del> CARTER | • LINDA K. MILLER      |                         |
| • MARK S. COFER           | • STEPHANIE HALE OWENS |                         |
| • DEBRA G. COFFMAN        | • PAMELA B. POPE       |                         |
| • AMARYLLIS W. DOAK       | • CATHY B. QUILLEN     |                         |
| • WALTER GARR, JR         | • DIANE L. ROBINSON    |                         |
| • B.J. GARST              | • FRANKLIN ROGERS      |                         |
| • KITA GIBSON             | • BRANDIE N. ROLLER    |                         |
| • JAMES P. HAYES III      | ROBERT G. SADDLER, JR  |                         |
| • DAVID S. HAYNES         | CLAUDE M. SALYER       |                         |
| • ANNETTE HINES           | • THOMAS J. SCOTT      |                         |
| • KATHERYN HODGES         | • JENNIFER L. SPRY     |                         |
| • RICHARD E. HOPSON       | • CHRIS TEMPLETON      |                         |
| • LINDA GAY JOHNSON       | • MARJORIE M. TESTER   |                         |
| • DUFFY E. JONES          | • DIANE JANE WARD      |                         |
| • JENNIFER B. JONES       | • EUNICE JOETTA WEBB   |                         |
| • MARTHA C. KILGORE       | • SANDRA K. WIDNER     |                         |
| • ALDA M. KISER           | C. EDWIN WILLIAMS      |                         |

UPON MOTION MADE BY COMM.  
HARR AND SECONDED BY COMM.  
HYATT TO APPROVE THE NOTARY  
APPLICATIONS HEREON, SAID MOTION  
WAS APPROVED BY ROLL CALL VOTE  
OF THE COMMISSION.  
20 AYE, 4 ABSENT.

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

APPROVAL OF NOTARY  
PUBLIC SURETY BONDS

JULY 18, 2005

CAMMIE N. MCDAVID

JACKIE E. CROSS

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. HYATT TO APPROVE THE  
NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLL  
CALL VOTE OF THE COMMISSION. 20 AYE, 4 ABSENT.

<p><b>SULLIVAN COUNTY</b> <b>2005-2006</b></p> <p><b>PROPOSED COMMITTEE ASSIGNMENTS</b></p>	<p><u><b>Administrative</b></u> Marvin Hyatt Dennis Houser Howard Patrick Michael Surgenor John Crawford Garth Blackburn Jack Sitgreaves Joe Herron</p> <p>Members will also address utility issues</p>	<p><u><b>Budget</b></u> O.W. Ferguson Ralph Harr Jim King Randy Morrell Eddie Williams James "Buddy" King Sam Jones Elliott Kilgore</p> <p>Members will also serve as the Delinquent Tax and Title VI Committees</p>	<p><u><b>Executive</b></u> Clyde Groseclose Wayne McConnell John McKamey Mark Vance James "Moe" Brotherton Ray Conkin Linda Brittenham Larry Hall</p> <p>Members will also oversee the Youth Home</p>
<p><u><b>Building Committee</b></u> Garth Blackburn Ray Conkin O.W. Ferguson Ralph Harr James "Buddy" King Wayne McConnell Michael Surgenor Mark Vance Eddie Williams</p> <p>Meets as Needed</p>	<p><u><b>Beverage Board</b></u> Garth Blackburn Larry Hall Elliott Kilgore Randy Morrell Howard Patrick Jack Sitgreaves Michael Surgenor</p> <p>2nd Wednesday - 6 p.m. Members will also serve as Adult-Oriented Establishment Board with the exception of Blackburn &amp; Surgenor</p>	<p><u><b>Insurance Committee</b></u> Linda Brittenham Ray Conkin Clyde Groseclose Joe Herron Sam Jones Jim King John McKamey John R. LeSueur, Ex Officio</p> <p>4th Tuesday - 6 p.m.</p>	<p><u><b>Education Committee</b></u> James "Moe" Brotherton John Crawford Dennis Houser Joe Herron Sam Jones Wayne McConnell Jack Sitgreaves Glen Arwood, Ex Officio Jack Barnes, Ex Officio</p> <p>Meets as Needed</p>
<p><u><b>Animal Shelter Committee</b></u> Elliott Kilgore 1st Tuesday - 6:30 p.m.</p>	<p><u><b>Sullivan Co. Historical Commission</b></u> Linda Brittenham James "Moe" Brotherton Larry Hall Ralph Harr Dennis Houser Eddie Williams</p> <p>Attends the Sullivan County Historical Preservation Association Meetings 3rd Monday - 7:30 p.m. at Snow House</p>	<p><u><b>Liason to City Governments</b></u> <u><b>Bluff City</b></u> Marvin Hyatt &amp; John McKamey <u><b>Bristol</b></u> James "Buddy" King &amp; Jack Sitgreaves <u><b>Kingsport</b></u> O.W. Ferguson &amp; Jim King</p>	<p><u><b>Transportation Committee</b></u> Garth Blackburn Marvin Hyatt Sam Jones Elliott Kilgore James "Buddy" King Wayne McConnell John McKamey Eddie Williams</p>
<p><u><b>Agriculture Committee</b></u> Clyde Groseclose Dennis Houser John McKamey</p> <p>Meets as called by Agriculture Extension Office</p>			
<p><u><b>Observation Knob Park Committee</b></u> Randy Morrell Jack Sitgreaves</p>		<p><u><b>Integrated Emergency Preparedness Council</b></u> John Crawford Larry Hall Joe Herron Sam Jones Mark Vance 3rd Wednesday - 7:30 a.m.</p>	<p><u><b>Economic Resources Committee</b></u> Marvin Hyatt Jim King Howard Patrick</p>
<p><u><b>Bays Mountain Park Committee</b></u> James "Moe" Brotherton</p>	<p><u><b>Planning Commission</b></u> James "Buddy" King 3rd Tuesday - 7 p.m.</p>		<p><u><b>Sullivan Partnership NETWORKS Board</b></u> Ralph Harr</p>

MOTION TO APPROVE ABOVE COMMITTEE ASSIGNMENTS AS PRESENTED BY MAYOR VENABLE MADE BY MORRELL, SECONDED BY MCCONNELL  
 JONES. APPOINTMENTS APPROVED BY ROLL CALL 18AYE, 1PASS, 5ABSENT. MOTION MADE BY CRAWFORD, 2nd BY HERRON TO ADD A MEMBER  
 OF THE EMPLOYERS ASSOC. TO THE INSURANCE COM. AS AN EX OFFICIO MEMBER. APPROVED BY VOTING 18AYE, 1PASS, 5ABSENT.

ONS BEFORE THE COMMN.

NAMES OF COMMISSIONERS

	No. Roll Call		Election No. Bond		No. Committee Appts.		No.		No.		No.		No.		No.		No.	
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn	✓		✓						A									
Brittenham	✓		✓						✓									
Brotherton	✓		✓						✓									
Conkin	✓		A						✓									
Crawford	✓		✓						✓									
Ferguson	✓		✓						A									
Groseclose	✓		✓						A									
Hall	✓		✓						✓									
Harr	✓		A						A									
Herron	✓		✓						✓									
Houser	✓		✓						✓									
Hyatt	✓		✓						✓									
Jones	✓		✓						✓									
Kilgore	✓		✓						✓									
Buddley King	✓		✓						✓									
James L King Jr.	✓		✓						✓									
McConnell	✓		✓						✓									
McKamey	✓		✓						✓									
Monnell	✓		✓						✓									
Patrick	✓		A						A									
Sitgreaves	✓		✓						✓									
Surgenor	✓		✓						P									
Vance	✓		✓						✓									
Williams	✓		A						✓									

24 Absent 20 Aye  
4 Abs.

18 Aye  
1 Abs  
5 Absent

\_\_\_\_\_

Early Release

**RESOLUTION #1 - To Consider the Waiver of Rules for the following zoning amendments (map or text).**

[illegible]

# AGENDA

## Sullivan County Board of County Commission

*July 18 2005*

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, July 18, 2005 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 05/05/01 Gray Conkin  
Reclassify R-1 Property located at the corner of Reservoir Road and Diana Road to R-3B for the purpose of allowing for condominium development. Property ID No. Tax map 75-M, Group A, Parcels 59.00 & 1.00 located in the 13<sup>th</sup> Civil District. **Kingsport Planning**
- (2) File No. 05/05/02 Holston Mtn. Builders  
Reclassify A-1 property located on the north side of Barnette Road to R-1 for the purpose of allowing for single-family homes to be built. Property ID. No. Tax map 112, Parcel 56.15 located in the 16<sup>th</sup> Civil District.  
**Sullivan County Planning**
- (3) File No. 05/05/03 Rocky & Lisa Harwell  
Reclassify R-1 property located 300 feet off the eastern side of Skelton Bluff Road to A-1 for the purpose of allowing for a singlewide mobile home. Property ID. No. Tax map 13, Parcel 31.00 located in the 6<sup>th</sup> Civil District.  
**Kingsport Planning**

A request for rezoning is made by the person named below; said request to go before the Kingsport Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Property Owner Gary Conkin

Address 1617 Rock Springs Rd.  
Kingsport, TN 37664

Phone \_\_\_\_\_ Date of Request 4/21/05

Property Located in 13<sup>th</sup> Civil District

Gary Conkin  
Signature of Applicant

Agent  
Jack Clevinger Able Realty 239-6112  
Real Estate - Century 21, Inc. 247-8107

OFFICE USE ONLY

Meeting Date June 16<sup>th</sup> Time 7 PM

Place Kingsport City Hall

Planning Commission Approved 6/16/05 Denied ☒

County Commission Approved 7/18/05 Denied ☒

Other ROLL CALL VOTE 5AYE, 16NAY, 1PASS  
2 ABSENT

Final Action Date 07-18-05

PROPERTY IDENTIFICATION

Tax Map 075M Group A Parcel 059.00 & 001.00

Zoning Map \_\_\_\_\_ Zoning District R1 Proposed District R-3B

Property Location Reservoir Road at Diana Rd.

\*condominium development

Purpose of Rezoning plan

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Gary Conkin

Sworn to and subscribed before me this 21<sup>st</sup> day of April, 2005.

J. Lebeck  
Notary Public

My Commission Expires: 08-31-05

A request for rezoning is made by the person named below; said request to go before the SULLIVAN Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

Property Owner Holston Mtn. Builders  
 Address 154 Trinity Cove  
BRISTOL TN 37620  
 Phone 878 6899 Date of Request 4-25-05  
 Property Located in 16<sup>th</sup> Civil District  
 X [Signature]  
 Signature of Applicant

OFFICE USE ONLY

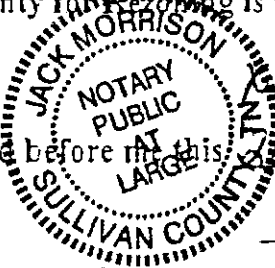
Meeting Date 6-21-05 Time 7:00 p.m.  
 Place Courthouse  
Brownsville  
 Planning Commission Approved \_\_\_\_\_  
 Denied \_\_\_\_\_  
 County Commission Approved X  
 Denied \_\_\_\_\_  
 Other ROLL CALL VOTE 22AYE, 2ABSENT  
 Final Action Date 07-18-05

PROPERTY IDENTIFICATION

Tax Map 112 Group \_\_\_\_\_ Parcel 56.15  
 Zoning Map 27 Zoning District A-1 Proposed District R-1  
 Property Location BARNETTE RD.  
 Purpose of Rezoning BUILD SINGLE FAMILY HOMES

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for rezoning is true and correct to the best of my information, knowledge and belief.

Sworn to and subscribed before me this 25<sup>th</sup> day of April, 2005.



[Signature]  
Jack Morrison  
 Notary Public

My Commission Expires: 1-16-08

24. PETITION TO SULLIVAN COUNTY FOR REZONING #05/05/03

A request for rezoning is made by the person named below; said request to go before the Kingsport Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

OFFICE USE ONLY

Property Owner Rocky Harwell  
Lisa Haglund  
 Address 955 Pleasant Grove Rd  
Bluff City, TN 37618  
423-  
 Phone 340-1259 Date of Request 5-02-05  
 Property Located in 11<sup>th</sup> Civil District

Meeting Date 06-16-05 Time 7:00 p.m.  
 Place 2nd Floor City Hall

Planning Commission Approved         
 Denied   X  

Lisa M. Harwell (Haglund)  
 Signature of Applicant

County Commission Approved         
 Denied   X    
 Other ROLL CALL VOTE 5AYE, 17 NAY

Final Action Date 07-18-05

PROPERTY IDENTIFICATION

Tax Map L3 Group        Parcel 31.00

Zoning Map 6 Zoning District P-1 Proposed District A-1

Property Location Stanton Bluff Rd

Purpose of Rezoning To allow a single wide

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Sworn to and subscribed before me this 2nd day of May, 2005.

Lisa M. Harwell (Haglund)  
Debra House  
 Notary Public

My Commission Expires: 1-16-08

PETITION TO SULLIVAN COUNTY FOR REZONING

A request for rezoning is made by the person named below; said request to go before the Kingman Regional Planning Commission for recommendation to the Sullivan County Board of Commissioners.

OFFICE USE ONLY

Property Owner

Rocky Harwell

Address

Janae NagelhusMeeting Date 06-16-05 Time 2:00 p.m.Place 2nd Floor City HallBluff City, TN 37618Phone 423-340-1259 Date of Request 5-02-05Home - 538-5434Property Located in 11<sup>th</sup> Civil DistrictPlanning Commission Approved \_\_\_\_\_  
Denied \_\_\_\_\_County Commission Approved \_\_\_\_\_  
Denied \_\_\_\_\_

Other \_\_\_\_\_

Final Action Date \_\_\_\_\_

Signature of Applicant

Janae M. Harwell (Haglund)PROPERTY IDENTIFICATIONTax Map L3 Group \_\_\_\_\_ Parcel 31.02Zoning Map 6 Zoning District P-1 Proposed District A-1Property Location Stanton Bluff RdPurpose of Rezoning To allow a single wide

The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

Sworn to and subscribed before me this 2nd day of May, 2005.

Notary Public

My Commission Expires: 1-16-08

**PROPOSAL: Item #1 – Part I – to delete the lot coverage requirement for principal structures (homes) in residential and agricultural districts - Table 3-103B, Bulk Regulations for Agricultural and Residential Districts**  
**Maximum Lot Coverage (principal buildings/homes) per lot area:**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Part I, Principal Building/homes	30% all residential and agricultural zones	30% for R1A, R3, R4 35% for R5 40% for R1B, R1C	30% for R-M, R-1A, R-1B, R-2 zones 40% for R-3 zones 60% for R-4 zones	30% for A-1, R-1, R-2, R-2A, 35% for R-2B, R-3, R-4, R-5, R-6 40% for R-2C none for R-P 2-5	N/A for residential or agricultural zones

- Sullivan County Staff Recommendation – recommended denial of this amendment.
- Sullivan County Regional Planning Commission's Recommendation:  
Motion made by Dr. Webb and seconded by Buddy King to delete maximum building coverage requirement from Article 3-103.3 #4 and within the Table 3-103B. The motion was approved unanimously by those members present (7 members).
- Bristol Planning Staff – recommended denial of this amendment.
- Bristol Regional Planning Commission – recommended denial
- Kingsport Planning Staff – recommended denial of this amendment
- Kingsport Regional Planning Commission – recommended denial - unanimously

DEFERRED BY COMMISSION 06-27-05; DEFERRED 07-18-05;

**PROPOSAL: Item #1 – Part II – Maximum size of the accessory structures not to exceed 10% of the total parcel size, or 2,000 total square feet in agricultural and residential zones**

Existing Codes Comparison

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Part II, Accessory Structures, i.e. detached garages, storage buildings, carports, gazebos over 200 sq. ft.	10% of gross land area, accessory structure cannot exceed footprint of principal structure – to remain incidental and subordinate	30% of principal structure floor area, or 1,100 square feet, which is greater	Included in part I, they define lot <b>coverage for ALL buildings</b> , not broken down by principal or accessory structures	Limited to 850 square feet maximum size	All customary accessory bldgs. Shall not be larger in total area than the outside perimeter of the principal structure – same as county size limits

- Sullivan County Planning Staff – recommended denial of this amendment
- Sullivan County Regional Planning Commission - Mr. Peterson made a motion to recommend changing Article 3-103.6 #2a, part iv. maximum size of the accessory structures not to exceed 10% of the total parcel size or 2,000 total square feet. The motion was seconded by Buddy King and passed unanimously with those members present. Part III, no action taken.
- Bristol Planning Staff – recommended in favor with the additional language of “whichever is less” be added to the code.
- Bristol Regional Planning Commission – recommended in favor with the addition of “whichever is less.”
- Kingsport Planning Staff – recommended denial as in many cases the accessory structures would dwarf the homes – Kingsport limits to 1,110 square feet or 30% of the home, whichever is less – remember accessory mean incidental and subordinate to home – excluding barns
- Kingsport Regional Planning Commission – recommended denial

**PROPOSAL: Delete the maximum lot coverage for commercial and manufacturing districts**

**Item #2 Table 4-103A**

**Bulk Regulations for Commercial Districts (add Manufacturing Districts as well)**

**Maximum Lot Coverage of Buildings**

Existing Codes Comparison:

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Commercial Lot Coverage	PBD-3/PUD= 40% PBD/SC = 40% B-4 = 30% B-3 = 30% B-2 = 75% B-1 = 25%	B-4P = 30% B-3 = 40%	B-1A and B-1 = 30% B-2 = 100% B-3 = total minus landscaping/buffering	B-1 = 33% or 1/3 of lot B-2 = none B-3 = none B-4 = 40% > 1 acre 50% > 1 acre B-5 = 40% > 1 acre 50% < 1 acre	B-1 = 35% max. PR-BD = 50%

- Sullivan County Planning Staff – recommended denial of this amendment.
- Sullivan County Regional Planning Commission recommended - Buildings be allowed on 100% of remaining property after all setbacks, sewage disposal areas, parking requirements, retention ponds if required, and buffer strips have been met. A motion was made by Buddy King and seconded by Dwight King to delete the maximum lot coverage limitation from Article 4-1-3.2 #4 and corresponding section of the Table 4-103A for Commercial Districts and Article 5-103.2#4 and corresponding section of the Table 5.103A regarding lot coverage in Manufacturing Districts.
- Bristol Planning Staff – recommended denial – leaves no room for expansion of businesses or changes in use.
- Bristol Regional Planning Commission – recommended against this change.
- Kingsport Planning Staff – recommended against this change.
- Kingsport Regional Planning Commission – recommended against this change.

**PROPOSAL: Buffer strips to be reduced from 15' wide to 8' wide - Item #3 Table 8-107.1 Buffer Strips**

**Existing Codes Comparison**

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Buffer Strips: 15-foot reserved strip along property lines abutting residential and agricultural zones	<p><b>Option 1</b> – staggered row of evergreen trees planted on 10' centers and 4' high when planted – 8' high upon mature growth minimum.</p> <p><b>Option 2</b> – privacy fence of wood or masonry screening at least 6' high</p> <p><b>Option 3</b> – mature growth tree line to be preserved with fill in trees if needed</p>	Planting strip boundary equal to abutting setback of the more restrictive zone adjacent to agricultural, residential zoning districts plus parks or the Greenbelt pathways. Planting boundary contains one deciduous tree each 50 linear feet plus ground coverage.	10' green strips along front and 5' green strips along sides and rear for all commercial and manufacturing districts, except B-2. In addition, the buffer is 8' to 25' depending on adjacent land uses	<p>Type I = 15' buffer strip of 10 trees per 100 feet or a 10' buffer strip with a 6 ft wood fence or masonry wall and 6 trees per 100 feet.</p> <p>Type II – 20' buffer strip with 14 trees per 100 feet or a 15' buffer strip with fence/wall and 8 trees per 100 feet.</p> <p>Type III – 35' buffer strip with 18 trees per 100' or a 25' buffer strip with 8 fence/wall and 12' trees per 100 feet.</p> <p>Type IV – 35' buffer strip with 8' fence/wall and 18 trees per 100'</p> <p>ALL evergreen trees</p>	Buffer depends on use – buffering required for two-family, multi-family, and all planned commercial districts. Buffering also required in Agr districts depending on use.

- Sullivan County Planning Staff – recommended denial of any change to any options 1 and 3, Option 2 should allow for wood, masonry, PVC or any kind of solid opaque fencing in lieu of plantings.
- Sullivan County Regional Planning Commission recommended - Mr. Buddy King made a motion to edit Article 8-107.1 of the existing buffering requirements from 15-foot buffer area down to an 8-foot reserved buffer area. Option 1 language keeps the same. Option 2 shall be edited to allow for any type of solid opaque fencing material such as wood, masonry, PVC. All other language remains the same. Mr. Dwight King seconded the motion and the vote in favor passed unanimously.
- Bristol Planning Staff – recommended denial
- Bristol Regional Planning Commission – recommended denial to change from 15' down to 8' but no objection to change of material for fencing.
- Kingsport Planning Staff – recommended denial
- Kingsport Regional Planning Commission – recommended denial (6 against, 1 in favor).

**PROPOSAL: Change Setbacks for single family in high-density zones: Item #4 Table 3-103B**

**R3-A Setbacks and R3-B Setbacks for single family only not multi-family**

**Existing Codes Comparison**

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
R-3A – High Density Multi-Family Zones (apartments, etc.)	R-3A same as R-3B 30' front 20' sides 30' rear	R-5, Multifamily District 10-foot front, rear, side setbacks 20% open space Lot coverage = 35% Floor area ratio = 1.3	Multi-Family district setbacks are: 30' front, 30' rear, and 8' for the sides, but both sides shall total at least 20' (adjoining lots)	Front 20' on local streets and 25' on collectors and arterials. All front facing garages shall be setback at least 25' from right-of-way to keep vehicles off street. Side yard – 8' Rear yard - 30'	R-3 setbacks are: 30' front, 20' rear, and 10' sides. R-3A – same
R3-B – High Density Single Family attached (condos) and detached homes	same setbacks regardless of type – house, duplex, apartment, condo.			All parking for multi-family plans shall be side or rear yards only – not front of building.  Multi-Family abutting single family requires 15' buffer	R-2 30' front, 25' rear and 10' sides R-2A – same  Buffering is wider than side setback in most cases

- Sullivan County Planning Staff – recommended in favor to reduce the setbacks for single family detached (houses) within high-density zones.
- Sullivan County Regional Planning Commission recommended - Mr. Gordon Peterson motioned to edit Article 3-103, Table 1-103B, R3A/R3B setbacks to read 30' front, 20' rear, 10' sides for all single family detached dwellings, but keep the greater side and rear yard setbacks for all multi-family (apartments, etc.) and single family attached (condos) the same. Mr. Archie Pierce seconded the motion and the vote in favor passed unanimously.
- Bristol Planning Staff – recommends denial – not consistent with other communities
- Bristol Regional Planning Commission – recommended in favor of changing the side to 10' but keep 30' for rear setback
- Kingsport Planning Staff – recommended in favor
- Kingsport Regional Planning Commission – recommended in favor

**PROPOSAL: Item #5 Table 7-104.2 - Paving Standards – Bonding Requirements and Waiver of Parking Code**

**Existing Codes Comparison**

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Paving – Bonding Requirements	Paving can be bonded – follows bonding procedures set by county policy	Paving can be bonded following the Kingsport Subdivision regulations. All sites must be paved and gravel creates dust and further adds to the particulate matter in the air. Sullivan County is considered a non-attainment community with the EPA's Clean Air Act	Requires striping, access control, loading areas – bonding not an option	Paving requirements may be bonded – follows the same process and set up in the Subdivision Regulations (very similar to Sullivan's)	Have allowed in past, letter of credit for under \$20,000 only.

- Sullivan County Planning Staff – recommended in favor of bonding provisions allowances for parking; however parking standards should remain the same per use of land – any variances requested by landowner must go through the BZA not Planning Commission – procedure set up in State Law – cannot be changed even if it sounds fair at the time!

**Proposed Text Amendment:**

- Sullivan County Regional Planning Commission - Mr. Dwight King made a motion to edit Article 12-102.7 #5 to add the following language: Any site operator, owner or developer acting as the agent of the property may apply to the Planning Commission for an assurance performance bond to be posted for minor site improvements only if special, unforeseeable circumstances interfere with the timely completion of the project as approved by a site plan. Performance Guarantees shall be accepted pursuant Sullivan County Subdivision Regulations - Section 4B. The department may allow a signed and notarized contract between the property owner/developer and the contractor, such as a paving or landscaping company, which will allow the completion of paving and/or landscaping to be completed by the next paving or planting season. The Planning Commission may forfeit all paving, if it is not conducive to the type of business being operated or to prevent water run-off on to adjoining properties. Mr. Buddy King seconded the motion and the vote in favor passed unanimously.
- Bristol Planning Staff – recommends approval for bonding – forgot to discuss any waiver of parking standards.
- Bristol Planning Commission – recommends approval of bonding – forgot to discuss any waiver of parking standards
- Kingsport Planning Staff – recommended denial – inconsistent with all other communities
- Kingsport Planning Commission – recommended denial – Planning Commission cannot waive parking requirements –appears arbitrary

***Sullivan County Proposed Text Amendments – Introduced by Sullivan County Regional Planning Commission - 2005***

**PROPOSAL: Item #10**

**Temporary Storage of Equipment In Agriculturally Zoned Districts**

**Proposed Text Amendment: Sullivan County Regional Planning Commission recommended -**

**Temporary Storage of equipment, such as construction equipment, and earth moving equipment may be stored on all parcels of 5 acres or more regardless of zoning districts.**

**Existing Codes Comparison**

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Heavy equipment temporary storage	Allowed in all approved construction projects during the life of the project – in all zones Permanent storage permitted in outside or enclosed storage yards or facilities in commercial and manufacturing zones	Prohibited in residential zones. Permitted in industrial zones.	Temporary storage of heavy equipment over 1 ½ tons is prohibited in all residential zones. Construction sites are exempt for temporary storage of heavy equipment. Home Occupations are limited to one commercial passenger vehicle no greater than 1 ton	Prohibited in residential zones, permitted in commercial zones as accessory use to the principal use. Same as Sullivan County	Same as Sullivan Co. code

- Sullivan County Planning Staff – recommended against such amendment – too much room for abuse of the intent, very difficult to enforce.
- Motion made by Dr. Webb and seconded by Buddy King to add Section I of Appendix B-106 – Temporary Uses to read as follows: Temporary motorized construction equipment and their necessary carriers shall be allowed for no more than a maximum of 90 consecutive days and no more than 90 days in any calendar year on any agriculturally zoned parcels of five acres or more. Such uses are already defined in commercial and manufacturing zones as storage or accessory storage yards. Motion was approved unanimously.
- Bristol Planning Staff – recommended against
- Bristol Regional Planning Commission – recommended in favor
- Kingsport Planning Staff – recommended in favor
- Kingsport Regional Planning Commission - recommended in favor

**PROPOSAL: Item #13 - Appendix C. - Determining Yard Areas**

**Proposed Text Amendment:**

**Yard areas and fronts of structures shall be determined by the elevation of the building that faces any public road, street, private easement, or right-of-way.**

Existing Codes Comparison - SAME IN ALL COMMUNITIES - BASED UPON STANDARD DEFINITIONS AND ILLUSTRATIONS FROM THE AMERICAN PLANNING ASSOCIATION - WORDED DIFFERENTLY IN SOME CASES, BUT THE SAME

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Front yard Side yard Rear yard Corner side yard	Front yard: area between front of home parallel to street rights-of-way  Side yard: area next to home and side lot line  Rear Yard: area from back corners of home to farthest lot line.  Corner Side: area between home and adjacent street rights-of-way not front yard - owner can choose, as setbacks are the same as front yard	Same	Same	same	same

- Sullivan County Planning Staff - recommend against any change in definition as these definitions of what is a front yard is established in the National Planning Advisory Report published by the American Planning Association - from which most State Planning Model Zoning Codes are written.
- Sullivan County Regional Planning Commission recommended the text amendment - Mr. Archie Pierce motioned to accept the suggestion of staff to edit the first sentence of the definition (page A-6) of front lot yard to read as follows: The front of a lot shall be construed to be the portion nearest the public road or the private road, wherever the E-911 address is assigned. Dwight King seconded the motion and the vote in favor passed unanimously.
- Bristol Planning Staff - recommended denial- should be uniform standards
- Bristol Regional Planning Commission - recommended denial
- Kingsport Planning Staff - recommended approval
- Kingsport Regional Planning Commission - recommended approval

**PROPOSAL: Item #14 - Commercial Lot Sizes – Minimum of 10,000 square feet**

**Existing Codes Comparison**

	Sullivan County	Kingsport	Bristol	Johnson City	Washington County
Commercial Lot sizes	1-acre minimum for PBD-3, PBD, B-4 and B-3 30,000 sq ft. for B-2 20,000 sq. ft. for B-1	B-4P, Planned Business District = 25,000 sq ft B-3 = 10,000 sq ft Typically the only use using 10,000 sq. ft. are un-manned drive-up ATMs or public utility buildings.	B-1A and B-1B used for residential must be 7,500 for sf and 5000 for multi fam. All commercial zones used for commercial have no set lot size but must meet all zone requirements	No minimum set – urban commercial shall meet or exceed all parking, landscaping, buffering, setbacks, access control, loading, and stormwater drainage requirements. Stormwater not allowed by right-of-way ditches i.e. rural drainage systems. Commercial must be on sewer.	Covered in their Subdivision Regulations – plat size determined by proposed use upon plat approval.

- Sullivan County Planning Staff – recommended against this change as this would promote the requests for variances as 10,000 square feet of land is not large enough to accommodate new commercial buildings, meet the setbacks, parking, drainage, landscaping and setback requirements – possibly in a B-1 zone but not in the other general commercial zones – especially if served by septic, which consume a lot of land that cannot be used otherwise.
- Gordon Peterson motion to edit Article 4-103.2 #1, Lot Size Minimum Area and the corresponding Table 4-103A IIA to set the lot size standard for all commercial districts to be no smaller than 10,000 square feet. Buddy King seconded the motion and the vote in favor passed unanimously.
- Bristol Planning Staff – recommended approval – however all of their new commercial construction must be on sewer
- Bristol Regional Planning Commission – recommended approval
- Kingsport Planning Staff – recommended approval – however all of their new commercial must be on sewer
- Kingsport Regional Planning Commission – recommended in favor.

[illegible]

	No.	No.	No.	No.	No.	No.	No.	No.	No.
DNS BEFORE THE COMMN.	3	4	5	6	7	8	9	10	
VES OF COMMISSIONERS	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye
Blackburn	✓	✓	✓	✓	✓	✓		✓	
Brittenham	✓	✓	✓	✓	✓	✓		✓	
Brotherton	✓	✓	✓	✓	✓	✓		✓	
Cordun A	✓	✓	✓	✓	✓	✓		✓	
Crawford	✓	✓	✓	✓	✓	✓		✓	
Ferguson	✓	✓	✓	✓	✓	✓		✓	
Groseclose	✓	✓	✓	✓	✓	✓		✓	
Hall	✓	✓	✓	✓	✓	✓		✓	
- Harr A	A	A	A	A	A	A	A	A	
Herron	✓	✓	✓	✓	✓	✓		✓	
Hauser	✓	✓	✓	✓	✓	✓		✓	
Hyatt	✓	✓	✓	✓	✓	✓		✓	
Jones	✓	✓	✓	✓	✓	✓		✓	
Kilgore	✓	✓	✓	✓	✓	✓		✓	
Buddley King	✓	✓	✓	✓	✓	✓		✓	
James H. King J.	✓	✓	✓	✓	✓	✓		✓	
McConnell	✓	✓	✓	✓	✓	✓		✓	
McKamey	✓	✓	✓	✓	✓	✓		✓	
Morrell	✓	✓	✓	✓	✓	✓		✓	
Patriar	✓	✓	✓	✓	✓	✓		✓	
Sitgreaves	✓	✓	✓	✓	✓	✓		✓	
Surgenor	✓	✓	✓	✓	✓	✓		✓	
Vance	✓	✓	✓	✓	✓	✓		✓	
Williams	✓	✓	✓	✓	✓	✓		✓	
	13Aye 9 Nay 2ab's.	22Aye 2ab's	23Aye 1 ab's	23Aye 1ab's	23Aye 1ab's	23Aye 1ab's	23Aye 1ab's	23Aye 1ab's	

IS BEFORE THE COMMN.

S OF COMMISSIONERS

	No.		No.		No.		No.		No.		No.		No.		No.		No.	
	11		12		13		14		15		16		17					
	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Blackburn	✓		A		A		A		A				✓					
Brithenham	✓		✓		✓		✓		✓				✓					
Brotherton	✓		✓		✓		✓		✓				✓					
Conkin	✓		✓		✓		✓		✓				✓					
Crawford	✓		✓		✓		✓		✓				✓					
Ferguson	A		A		A		A		A				✓					
Groseclose	✓		✓		✓		✓		✓				✓					
Hall	✓		✓		✓		✓		✓				✓					
Harr	A		A		A		A		A		A		A					
Herron	✓		✓		✓		✓		✓				✓					
Houser	✓		✓		✓		✓		✓				✓					
Hyatt	✓		✓		✓		✓		✓				✓					
Jones	✓		✓		✓		✓		✓				✓					
Kelgore	✓		✓		✓		✓		✓				✓					
Buddy King	✓		✓		✓		✓		✓				✓					
James L King Jr.	✓		✓		✓		✓		✓				✓					
McConnell	✓		✓		✓		✓		✓				✓					
McRaney	✓		✓		✓		✓		✓				✓					
Myrell	✓		✓		✓		✓		✓				✓					
Patrice	✓		✓		✓		✓		✓				✓					
Sitgreaves	✓		✓		✓		✓		✓				✓					
Surgenor	✓		✓		✓		✓		✓				✓					
Vance	✓		✓		✓		✓		✓				A					
Williams	✓		✓		✓		✓		✓				✓					
	22 Aye		21 Aye		21 Aye		21 Aye		21 Aye				22 Aye					
	2 aye		3 aye		3 aye		3 aye		3 aye				2 aye					

## RESOLUTIONS ON DOCKET FOR JULY 18, 2005

RESOLUTIONS	ACTION
#1 AMENDMENTS TO THE SULLIVAN COUNTY ZONING RESOLUTION	APPROVED 07-18-05
#2 AUTHORIZER PRESIDENT'S DAY AS HOLIDAY FOR SULLIVAN COUNTY EMPLOYEES	DEFERRED 07-18-05
#3 ESTABLISH A TRUCK ROUTE ON PORTION OF HWY 126 WITHIN THE HISTORIC DISTRICT OF DOWNTOWN BLOUNTVILLE	APPROVED 07-18-05
#4 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 14TH CIVIL DISTRICT	APPROVED 07-18-05
#5 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 4 <sup>TH</sup> & 5TH C.D.	APPROVED 07-18-05
#6 REQUEST THE STATE LEGISLATURE AND TENN. DEPT. OF TRANSPORTATION TO NAME THE INTERCHANGE AT STATE ROUTE 394 AND U.S. HIGHWAY 11-E IN MEMORY OF LARRY CARRIER	APPROVED 07-18-05
#7 ACCEPT AND APPROPRIATE GRANT FROM TENN. EMERGENCY MANAGEMENT AGENCY-HOMELAND SECURITY	APPROVED 07-18-05
#8 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 3 <sup>RD</sup> C.D.	APPROVED 07-18-05
#9 APPROVE LOCAL GOVERNMENT ASSESSMENT FOR FIRST TENNESSEE HUMAN RESOURCE AGENCY	1 <sup>ST</sup> READING 07-18-05
#10 SUBMIT APPLICATION & ACCEPT GRANT FUNDS TO RELOCATE POWER LINE IN THE TRI-COUNTY INDUSTRIAL PARK	APPROVED 07-18-05
#11 ACCEPT STATE CONTRACT RELATIVE TO INDUSTRIAL ACCESS ROAD TO SERVE EDWARDS & ASSOCIATES	APPROVED 07-18-05
#12 APPROVE ACCEPTANCE OF GRANT FOR PROJECTS AT THE TRI-CITIES REGIONAL AIRPORT, TN/VA	APPROVED 07-18-05
#13 ENCOURAGE THE INCLUSION OF THE MEMPHIS TO BRISTOL RAIL CONNECTION IN THE STATE OF TENNESSEE'S MULTIMODAL TRANSPORTATION SYSTEM	APPROVED 07-18-05
#14 AUTHORIZE TRAFFIC SIGN CHANGES IN THE 18 <sup>TH</sup> C.D.	APPROVED 07-18-05
#15 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION TO PROVIDE A FIRE BOOSTER PROTECTION PUMP TO ASSIST IN THE EXPANSION OF EDWARDS & ASSOC.	APPROVED 07-18-05
#16 APPROVE APPOINTMENTS TO THE THREE STANDING COMMITTEES FOR THE 2005-2006 FY BUDGET YEAR	WITHDRAWN 07-18-05
#17 ABANDONING SULLIVAN COUNTY'S INTEREST, IF ANY, IN PORTION OF ADALINE STREET	APPROVED 07-18-05

Sullivan County, Tennessee  
Board of County Commissioners

Item 1  
No. 2005-07-001

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Consider Amendments to the Sullivan County Zoning Resolution**


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 Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby 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 exists.

Duly passed and approved this 18<sup>th</sup> day of July 2005.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

**Introduced By: Commissioner: King (Buddy)**

**Seconded By: Commissioner(s): Ferguson**

2005-07-001	County Commission
<b>ACTION</b>	Approved 07-18-05 Roll Call 20 Aye, 4 Absent

Comments:

Sullivan County, Tennessee  
Board of County Commissioners

2  
Item 7

Executive  
No. 2005-05-036

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of May 2005.

**RESOLUTION To Authorize President's Day as Holiday for Sullivan County Employees**

WHEREAS, all state and federal offices, as well as, all banking institutions honor the third Monday in the month of February, President's Day, as an holiday; and,

WHEREAS, upon the closure of these offices and institutions, Sullivan County's business is impeded; and,

WHEREAS, in respect of our founding fathers, Sullivan County wishes to acknowledge President's Day as a holiday;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize the annual closing of Sullivan County Offices on President's Day, the third Monday in the month of February, and hereby amend the Sullivan County Handbook to include this holiday as a paid holiday for all Sullivan County Employees.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Introduced by Commissioner: McConnell**

**Seconded by Commissioner(s): Ferguson, Brotherton**

at

2005-05-036	Administrative	Budget	Executive	County Commission
<b>ACTION</b>	Defer to Budget Cmte 5-2-05	Defer 5-5-05	Defer 5-4-05	

Notes: 1st Reading 05-16-05; Deferred 06-27-05; Motion to defer by Williams, second by Kilgore to defer Resolution and refer to Committees for a study to evaluate extending the hours of County Offices without taking away any holidays- motion to defer approved 07-18-05 by voice vote;

Sullivan County, Tennessee  
Board of County Commissioners

3  
Item 8  
Executive  
No. 2005-05-037  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 16<sup>th</sup> day of May 2005.

**RESOLUTION To Establish a Truck Route on Portion of Highway 126 Within the Historic District of Downtown Blountville**

WHEREAS, heavy equipment vehicles, trucks, semi-tractor trailers and the like require larger rights-of-way for turning and maneuvering; and the portion of Hwy 126 within the Historic District of Downtown Blountville is substandard; and,

WHEREAS, such heavy vehicles cause additional disturbance and vibrations on the historical structures; and,

WHEREAS, considerable funding and planning have recently been established for the upcoming restoration projects of these historical structures; and,

WHEREAS, a thorough traffic analysis has been completed and report prepared by the Bristol Metropolitan Planning Organization's Transportation Planning Engineer, David Metzger (see attached report and map); and,

WHEREAS, the Sullivan County Regional Historic Zoning Commission has reviewed such report and findings and forward a positive recommendation to the County Commissioners for consideration of new signage directing heavy vehicles to use an alternative route as identified in the report;

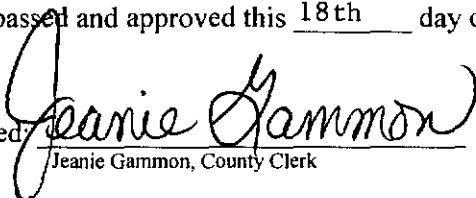
**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby forward a positive recommendation to the Executive Board of the Bristol Metropolitan Planning Organization to request appropriate highway signage directing such vehicles along Franklin Drive and Blountville By-Pass.**

**WAIVER OF RULES REQUESTED**

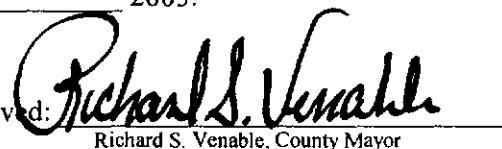
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18<sup>th</sup> day of July 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Introduced by Commissioner: Houser**

**Seconded by Commissioner(s): Hall, Jones**

amt

2005-05-037	Administrative	Budget	Executive	County Commission
ACTION	Approve 5-2-05	Defer 5-5-05	Approve as Amended 5-4-05	Approved as amended 13Aye, 9Nay, 2Absent

Notes: Failed-Roll Call Vote 12 Aye, 10 Nay, 2 Pass 05-16-05-PUT BACK ON 1st READING  
Deferred 06-27-05;

## AMENDMENT # 1

To Resolution 2005-05-037

Submitted: May 2005

### Amend as Follows:

Delete the "NOW THEREFORE BE IT RESOLVED . . ." paragraph in its entirety and substitute the following language:

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby forward a positive recommendation to the Executive Board of the Bristol Metropolitan Planning Organization to request appropriate highway signage directing such vehicles along Blountville By-Pass.

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Amendment submitted by Sponsor – 5-4-05

Commission Action: Amendment approved with Resolution 07-18-05.

**BRISTOL METROPOLITAN PLANNING ORGANIZATION**  
P. O. BOX 1189  
BRISTOL, TENNESSEE 37621-1189

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BRISTOL, TENNESSEE  
BLUFF CITY, TENNESSEE  
SULLIVAN COUNTY, TENNESSEE

BRISTOL, VIRGINIA  
WASHINGTON COUNTY, VIRGINIA

August 3, 2004

Ms. Ambre Torbett  
Sullivan County Planning Department  
3411 Highway 126  
Blountville, Tennessee 37618

**SUBJECT:** Traffic Analysis: Designation of Blountville Bypass and Portion of Franklin Drive as State Truck Route 126 through Blountville

Dear Ambre:

As per your recent request, an analysis has been made to determine what impacts there may be to remove trucks from State Route 126 between Franklin Drive and Blountville Bypass, and reroute trucks via Franklin Drive, Highway 394, and Blountville Bypass as shown on the map on Page 2. The purpose of this proposal is to remove trucks from that portion of Highway 126 passing through the historical area of Blountville with its narrower roadways and lessened setbacks. A summary appears at the end of this report.

As you can see from the map, such a truck route would be delineated along the dashed line and would pass through three existing traffic signals:

Highway 394 and Franklin Drive  
Highway 394 and Highway 126  
Highway 126 and Blountville Boulevard/Blountville Bypass

There would be two major intersections along this route that are not currently signalized; these two locations have the "stem of the T" controlled with a STOP sign on a single-lane approach.

Highway 126 and Franklin Drive  
Highway 394 and Blountville Bypass

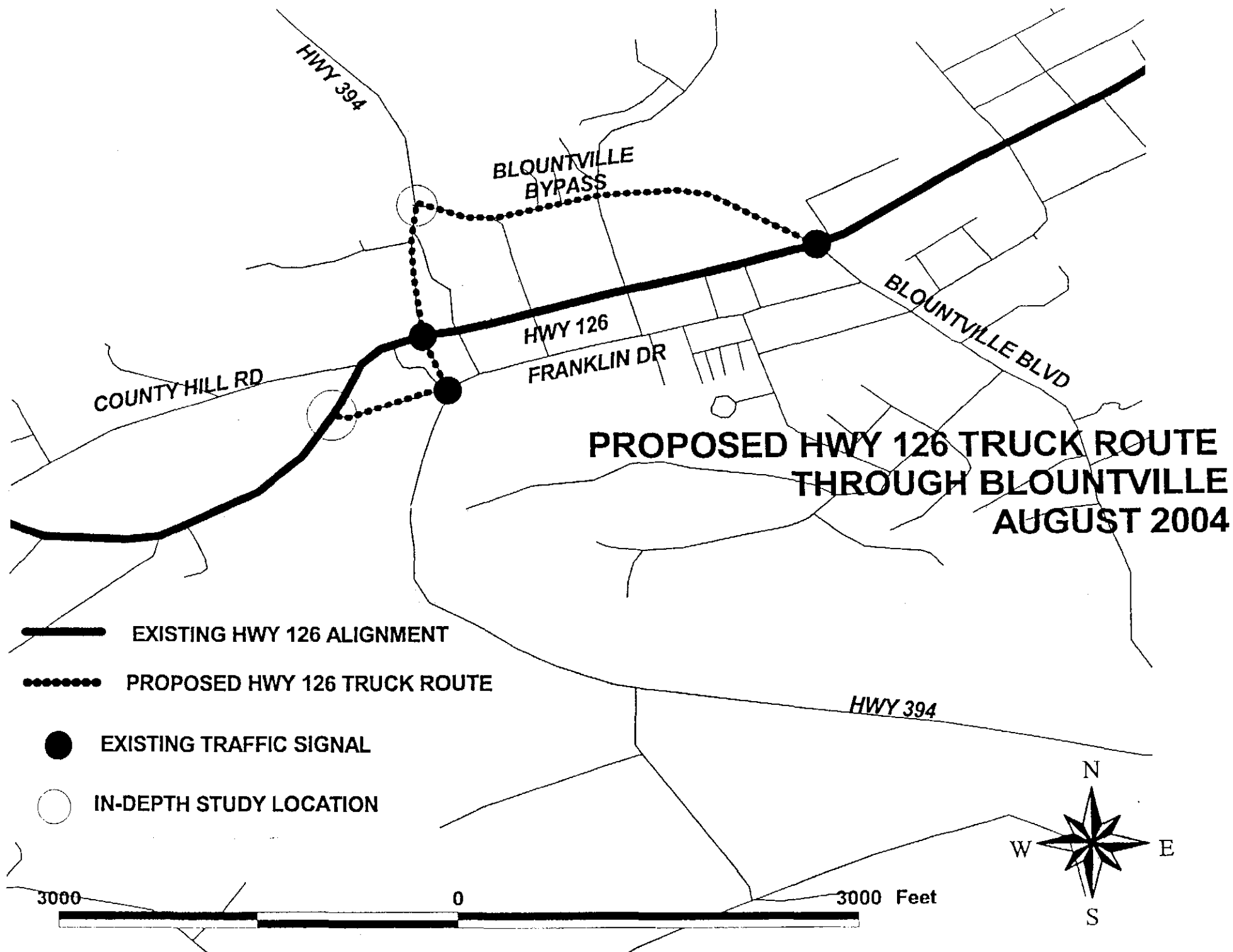
This analysis took place in several steps:

1. Determine number of trucks that would be diverted
2. Determine impacts on unsignalized intersections along truck route
3. Determine countermeasures to alleviate impacts as practical

**ATTACHMENT**

Resolution 2005-05-037

Page(s) 7



### **Truck Volumes**

A vehicle classification count was taken with road tubes on Tuesday, June 29, 2004, in front of the Sullivan County Courthouse on Highway 126. A summary of the count is listed below. A full listing of truck movements during the day is found in Appendix F.

ITEM	EASTBOUND	WESTBOUND	BOTH WAYS
Cars <sup>1</sup> , motorcycles, and cars with trailers	2,550 veh/day (94.1%)	2,529 veh/day (95.8%)	5,079 veh/day (94.9%)
Trucks	161 veh/day (5.9%)	112 veh/day (4.2%)	273 veh/day (5.1%)
total vehicles	2,711 veh/day	2,641 veh/day	5,352 veh/day

Vehicles classified as trucks included:

- Two-axle, single unit trucks
- Three-axle, single unit trucks
- Four-axle, single unit trucks
- Four-axle tractor-trailer trucks
- Five-axle tractor-trailer trucks
- Six-axle tractor-trailer trucks
- Six-axle multiple-trailer trucks

No buses were counted on this day.

It was not possible to count how many of these trucks turned onto Highway 394 or any other side street or passed all the way through Blountville bound for Kingsport or Bristol. For the purposes of this analysis, a "worst-case" scenario was contemplated in which all of these trucks would be diverted to the new truck route and go all the way through Blountville along the route from one end to the other.

### **Intersectional Analysis: Highway 394 and Blountville Bypass**

The big question that arises at this location is how the intersection will be impacted by these trucks traveling along Blountville Bypass. Since the analysis scenario calls for all 161 eastbound and 112 westbound trucks to travel along the entire truck route, this adds 161 northbound Highway 394 right turns to Blountville Boulevard, and 112 left turns from Blountville Boulevard to southbound Highway 394. Would this make a difference in the operation of this intersection?

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<sup>1</sup> Vans, pick-up trucks, and SUVs are classified as cars for the purpose of this analysis.

Road tube counts were taken at Highway 394 and Blountville Bypass on Tuesday, July 29, 2004, and reduced to annual counts using the standard TDOT day-of-week and month-of-year adjustment factors. These counts were then compared to the thresholds for traffic signals in the 2003 edition of the *Manual on Uniform Traffic Control Devices* (MUTCD). Of the eight traffic signal warrants in the MUTCD, the current conditions satisfied Warrant 1A (Eight Hour Warrant), Warrant 1B (Eight Hour Warrant), and Warrant 2 (Four Hour Warrant). This would seem to indicate that a traffic signal at this location would benefit motorists on Blountville Bypass, including new trucks added along the truck route. Appendix A shows the traffic signal warrant analysis for this scenario. Installation of a traffic signal at this location should not be considered lightly, however, as its proximity to two other traffic signals along Highway 394 (at Highway 126 one block south and at Franklin Drive two blocks south) would seem to indicate the need for a more complex interconnected traffic signal system. Making a left turn onto a high-speed, five-lane roadway with a tractor-trailer could be difficult.

A closer examination of the actual turning movement counts at this location, however, reveal that the vast majority of Blountville Bypass motorists are turning right onto northbound Highway 394. There is room on the south side of Blountville Bypass to widen the roadway and add a left-turn lane for westbound traffic. Were this lane added, all of the right turns from westbound Blountville Bypass to northbound Highway 394 drop out of the equation, and only left turns from Blountville Bypass to southbound Highway 394 would be included as minor street movements in the traffic signal warrant analysis.

It would seem desirable to add a left-turn lane at this location for two reasons:

- (a) Greater intersectional capacity
- (b) If the intersection is not signalized, or only a short turn lane added because of physical constraints, all it will take is one tractor-trailer waiting to turn left along the new truck route to delay all of the right-turning vehicles queued up behind it.

Appendix B shows the traffic signal warrant analysis for this scenario, with a left-turn lane added but no truck route designation. As you can see from the charts in Appendix B, the Blountville Bypass left-turn volume is but a small fraction of the overall volume. If this turn lane is added, traffic signals are not warranted at this location.

Appendix C shows the traffic signal warrant analysis if a turn lane is added and all of the trucks on Highway 126 in front of the courthouse are rerouted along Blountville Bypass and Highway 394 through this intersection. With a turn lane added, the number of trucks added to the intersection is not high enough to reach the traffic signal warrant thresholds.

***Intersection Analysis: Highway 126 and Franklin Drive***

The other major unsignalized intersection along the proposed Highway 126 truck route is at Highway 126 and Franklin Drive at the western end of the route. All three approaches to this intersection have a single lane, and speed limits are lower here (30 mph) than at Highway 394 and Blountville Bypass (40 mph). The question here as well is how the added truck volumes on Franklin Drive would impact this intersection.

Road tube counts were taken here on Tuesday, July 15, 2004, and reduced to annual counts using the standard TDOT day-of-week and month-of-year adjustment factors. These counts were then compared to the thresholds for traffic signals in the 2003 edition of the *Manual on Uniform Traffic Control Devices* (MUTCD). Of the eight traffic signal warrants in the MUTCD, the current conditions did not meet any of them. Appendix D illustrates the traffic signal warrant analysis for this scenario.

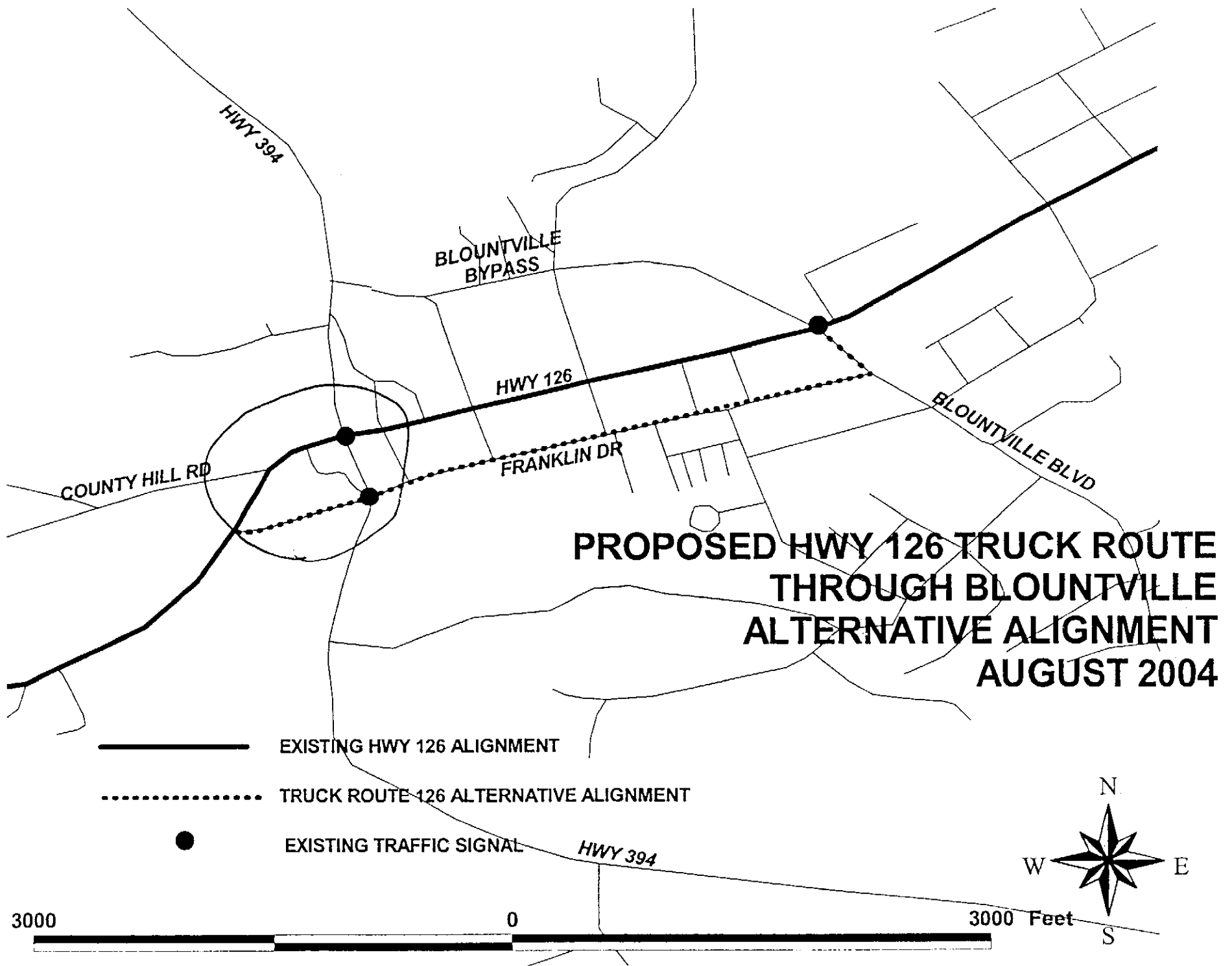
Since there are no existing turn lanes, it was not possible to mathematically calculate the turning movements for this intersection. However, local knowledge would seem to indicate that the vast majority of westbound Franklin Drive vehicles turn left onto westbound Highway 126 going towards the airport and Kingsport. There is very little potential for right turns unless the motorist is going to the glass company or to County Hill Road; in the case of the latter, knowledgeable local motorists would probably jog over from Franklin Drive to Highway 126 via Highway 394 to avoid the sharp left turn from eastbound Highway 126 to County Hill Road.

Since the majority of westbound Franklin Drive motorists are making a left turn, and the addition of the trucks onto a new truck route here would be making the same turn, the additional delays would be different than at Highway 394 and Blountville Bypass. Here, nearly all of the vehicles, including the "new" trucks, are making the same movement; there are many fewer right-turning vehicles being unnecessarily delayed waiting for a left-turning truck ahead of them.

Appendix E shows the traffic signal warrant analysis for this intersection for the worst-case scenario of all additional trucks on Franklin Drive. Even then, the volumes are not increased enough to warrant a traffic signal; this intersection remains unsignalized.

***Other Options: Truck Route 126 Alternative Alignment***

Given the anticipated difficulties in additional westbound Blountville Bypass trucks making a left turn onto southbound Highway 394, there is a potential for another option of routing Highway 126 trucks off the main street of downtown Blountville. This would be to eliminate Blountville Bypass from the truck route and use the entire length of



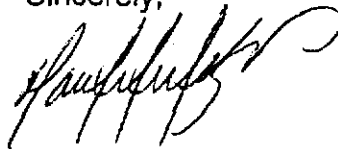
Franklin Drive instead from Highway 126 to Blountville Boulevard, and then go one block along Blountville Boulevard back to Highway 126. This would probably entail some modifications to the traffic signal at Highway 126 and Blountville Boulevard/Blountville Bypass (which is the only traffic signal in the Blountville area that does not meet MUTCD specifications now) and possibly some adjustments to the turning radii at Franklin Drive and Blountville Boulevard. This option would also require some local examination to determine if it is desired to have through trucks on Franklin Drive east of Highway 394; unlike Blountville Bypass and Blountville Boulevard, this portion of roadway has not functioned as a state route in the past, temporarily or otherwise. It may or may not be desirable to introduce additional truck traffic on this portion of Franklin Drive from a quality-of-life standpoint, since Franklin Drive does lead to some residential areas. It may turn out that additional trucks on this portion of Franklin Drive are not desired.

***Highway 126 Truck Routes and Race Weekend Operations***

For the heavy pre-race and post-race traffic in Blountville associated with NASCAR events at Bristol Motor Speedway six miles east of Blountville, it may be necessary for some trucks to operate on the "non-truck" portion of Highway 126 anyway because of lane closures and turn prohibitions at the intersection of Franklin Drive and Highway 394. For instance, in pre-race traffic, left turns and through movements from either direction of Franklin Drive at Highway 394 are prohibited; only right turns are permitted. During post-race flows, some of these restrictions are lifted while others are not. For Race Weekends, it may be required for trucks to operate along the main thoroughfare of Highway 126 past the courthouse to avoid these restrictions.

If you have any questions, please let me know,

Sincerely,



David N. Metzger  
Transportation Planning Engineer

cc: Hon. Richard Venable, Sullivan County Mayor  
John R. LeSueur, Sullivan County Highway Commissioner

## **AMENDMENT #2**

**To Resolution 2005-05-037**

Submitted May, 2005

Amend by adding the following paragraph:

**NOW THEREFORE BE IT FURTHER RESOLVED** that the intent of this Resolution is to prohibit heavy trucks from utilizing the section of State Route 126 between State Route 394 and Blountville By-Pass/Blountville Boulevard as a main thoroughfare through Downtown Historical Blountville. Heavy trucks will, however, be permitted to deliver to local businesses located on Highway 126 between these intersections.

---

Amendment submitted by Sponsor

Commission Action: Amendment approved with Resolution 07-18-05.

Sullivan County, Tennessee  
Board of County Commissioners

4  
Item ~~40~~  
Executive  
No. 2005-06-050  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 27<sup>th</sup> day of June 2005.

**RESOLUTION To Authorize Traffic Sign Changes in the 14<sup>th</sup> Civil District**

WHEREAS, Commissioner Brotherton requested the Sullivan County Highway Department to make traffic sign changes on Meadow Lane in the 14<sup>th</sup> Civil District (7<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

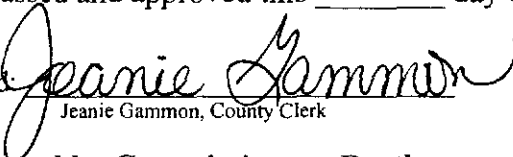
14<sup>th</sup> Civil District (7<sup>th</sup> Commission District)

**To place 30 MPH Speed Limit signs on Meadow Lane.**

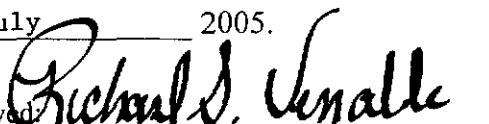
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18th day of July 2005.

Attested

  
Jeanie Gammon, County Clerk

Approved

  
Richard S. Venable, County Mayor

**Introduced by Commissioner: Brotherton**

**Seconded by Commissioner(s): Jones**

Hwy

2005-06-050	Administrative	Budget	Executive	County Commission
ACTION				Approved 7-18-05 22 Aye, 2 Absent

Notes: 1st Reading 06-27-05;

## RESOLUTION REQUEST REVIEW

DATE: 06-08-05

TO: Sullivan County Commission

REQUEST MADE BY: James Brotherton

SUBJECT: To increase MPH SPEED LIMIT on Meadow Lane from  
25 MPH to 30 MPH  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14 CIVIL DISTRICT

7 COMMISSIONER DISTRICT Sam Jones  
James Brotherton  
\_\_\_\_\_

X RECOMMENDED BY HIGHWAY DEPARTMENT

\_\_\_\_ NOT RECOMMENDED BY HIGHWAY DEPARTMENT

COMMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
TRAFFIC COORDINATOR

6/8/2005

  
\_\_\_\_\_  
HIGHWAY COMMISSIONER

6/8/2005

2005-06-050

Sullivan County, Tennessee  
Board of County Commissioners

5  
Item 11  
Executive  
No. 2005-06-051  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 27<sup>th</sup> day of June 2005.

**RESOLUTION To Authorize Traffic Sign Changes in the 4<sup>th</sup> & 5<sup>th</sup> Civil Districts**

WHEREAS, Commissioner Brotherton requested the Sullivan County Highway Department to make traffic sign changes on Collin Lane ad Ellis Road in the 4<sup>th</sup> & 5<sup>th</sup> Civil Districts (4<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

**4<sup>th</sup> Civil District (4<sup>th</sup> Commission District)**

**To place 25 MPH Speed Limit signs on Collin Lane; and**

**5<sup>th</sup> Civil District (4<sup>th</sup> Commission District)**

**To place a 25 MPH Speed Limit signs on Ellis Road.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18th day of July 2005.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

Approved: Richard S. Venable  
Richard S. Venable, County Mayor

**Introduced by Commissioner: Blackburn**

**Seconded by Commissioner(s): Brittenham, Houser**

Hwy

2005-06-051	Administrative	Budget	Executive	County Commission
ACTION				Approved 7-18-05 23Aye, 1Absent

Notes: 1st Reading 06-27-05;

## RESOLUTION REQUEST REVIEW

DATE: 06-08-05

TO: Sullivan County Commission

REQUEST MADE BY: Garth Blackburn

**SUBJECT:** To place a 25 MPH SPEED LIMIT on Collin Lane.

4 CIVIL DISTRICT

4 COMMISSIONER DISTRICT Linda Brittenham

Dennis Houser

Garth Blackburn

X RECOMMENDED BY HIGHWAY DEPARTMENT

**NOT RECOMMENDED BY HIGHWAY DEPARTMENT**

**COMMENT:** \_\_\_\_\_

*Roger C. [Signature]* 6/8/2005  
TRAFFIC COORDINATOR

John R. Z. [Signature] 6/8/2005  
HIGHWAY COMMISSIONER

2005-06-051

## RESOLUTION REQUEST REVIEW

DATE: 06-08-05

TO: Sullivan County Commission

REQUEST MADE BY: Garth Blackburn

SUBJECT: To place a 25 MPH SPEED LIMIT on Ellis Road.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5 CIVIL DISTRICT

4 COMMISSIONER DISTRICT Linda Brittenham  
Dennis Houser  
Garth Blackburn

X RECOMMENDED BY HIGHWAY DEPARTMENT

       NOT RECOMMENDED BY HIGHWAY DEPARTMENT

COMMENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

 6/8/2005  
TRAFFIC COORDINATOR

 6/8/2005  
HIGHWAY COMMISSIONER

2005-06-051

Sullivan County, Tennessee  
Board of County Commissioners

6  
Item 13  
Executive  
No. 2005-06-053

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 27<sup>th</sup> day of June 2005.

**RESOLUTION To Request The State Legislature and Tennessee Department of Transportation to Name the Interchange at State Route 394 and U.S. Highway 11-E in Memory of Larry Carrier**

WHEREAS, Larry Carrier was a lifetime resident of the Bristol area; he was one of the builders and the former owner of the Bristol International Speedway; he was the founder of the World Boxing Federation and the International Hot Rod Association; and also owned several businesses in the Bristol area; and,

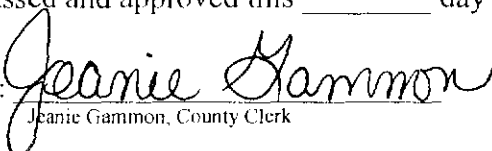
WHEREAS, Larry Carrier further gave to his community through his commitment and support of local youth programs and the Bristol Rescue Mission;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby requests the State Legislature and Tennessee Department of Transportation to name the Interchange at State Route 394 and U.S. Highway 11-E as the Larry Carrier Memorial Interchange – Founder of Bristol International Speedway.

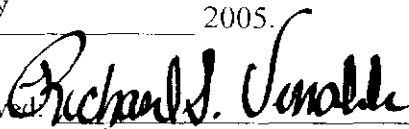
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18<sup>th</sup> day of July 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Introduced by Commissioner: Eddie Williams**

**Seconded by Commissioner(s): James "Buddy" King**

at

2005-06-053	Administrative	Budget	Executive	County Commission
ACTION				Approved 7-18-05 23 Aye, 1 Absent

Notes: 1st Reading 06-27-05; Amended by sponsor to add all Commissioners voting in the affirmative as co-sponsors.

AMENDMENT # 1  
TO  
RESOLUTION No. 2005-06-053

Submitted: July 2005

**AMEND AS FOLLOWS:**

Add the following language:

**BE IT FURTHER RESOLVED** that the Board of Sullivan County Commissioners hereby urges the State Legislature and the Tennessee Department of Transportation to name the section of Highway 11-E located between the bridge at the interchange with State Route 394 to the Twin City Drive-In located on Highway 11-E as the "Larry Carrier Memorial Parkway – Founder of Bristol International Speedway".

---

Amendment submitted by Commissioner James "Buddy" King

Commission Action: Amendment approved with Resolution 07-18-05.

Sullivan County, Tennessee  
Board of County Commissioners

7  
Item 15  
Budget

No. 2005-06-055

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 27<sup>th</sup> day of June 2005.

**RESOLUTION To Accept and Appropriate Grant from Tennessee Emergency Management Agency – Homeland Security**

WHEREAS, grant funds are available to Sullivan County in the amount of \$263,250 through the Tennessee Emergency Management Agency – Homeland Security for the purchase of equipment, training, and supplies;

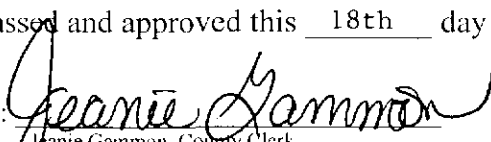
WHEREAS, said grant is funded one hundred percent (100%) through the Tennessee Emergency Management Agency and therefore no matching funds are required by Sullivan County;

**NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve accepting and appropriating a grant in the amount of \$263,250 available through the Tennessee Emergency Management Agency – Homeland Security to be used for the purchase of equipment, training, supplies, as accepted and approved by the Sullivan County Task Force Committee. Account codes to be assigned by the Director of Accounts and Budgets.**

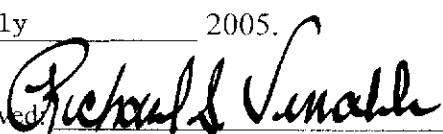
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18<sup>th</sup> day of July 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsored by: Herron**

**Prime Co-Sponsor(s): McConnell, Williams, Crawford**

at

2005-06-055	Administrative	Budget	Executive	County Commission
ACTION				Approved 7-18-05 23 Aye, 1 Absent

Notes: 1st Reading 06-27-05;

AMENDED BY SPONSOR 07-18-05 to add the following language "The Sullivan County Commission authorizes the County Mayor, on behalf of the Sullivan County Commission, with the advice of the Sullivan County Attorney to enter into a Contract with the State. Amendment approved along with Resolution 07-18-05.



**EMERGENCY MANAGEMENT AGENCY**  
**SULLIVAN COUNTY**  
**3425 HIGHWAY 126**  
**SUITE 201**  
**BLOUNTVILLE, TN 37617**  
**423-323-6912**



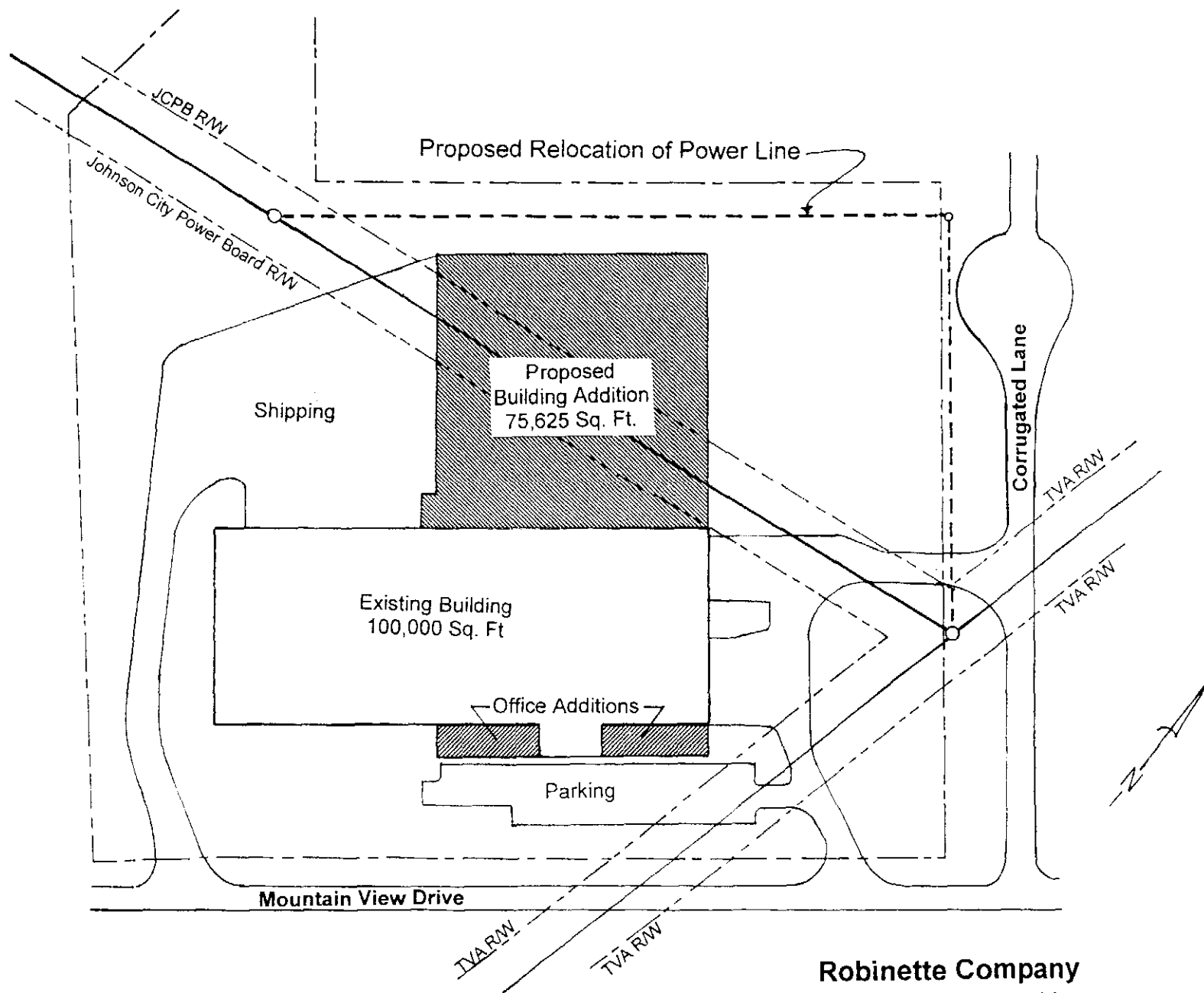
*Jerry A. Fleenor*  
*Director*

*Tina J. Fraley*  
*Administrative Asst.*

**SULLIVAN COUNTY TASK FORCE COMMITTEE**

**2005 GRANT EXPENDITURES**

<b>CBRNE</b>	<b>\$ 94,667</b>	<b>Haz-Mat Specialized equipment, supplies &amp; training</b>
<b>CCP &amp; EQUIPMENT</b>	<b>\$ 3,816</b>	<b>Red Cross</b>
<b>TRAINING</b>	<b>\$ 16,013</b>	<b>All Responders (At least awareness level)</b>
<b>INCIDENT RESPONSE UNIT</b>	<b>\$ 30,000</b>	<b>Bristol</b>
<b>MASS CASUALTY TRAILER</b>	<b>\$ 8,000</b>	<b>County</b>
<b>JOINT COMMAND CENTER</b>	<b>\$110,754</b>	<b>County</b>



**Robinette Company**  
Relocation of Power Line

Sullivan County, Tennessee  
Board of County Commissioners

Item 8  
Executive  
No. 2005-07-058  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Authorize Traffic Sign Changes in the 3<sup>rd</sup> Civil District**

WHEREAS, Commissioner Marvin Hyatt requested the Sullivan County Highway Department to make traffic sign changes on Pleasant Hill Place in the 3<sup>rd</sup> Civil Districts (5<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

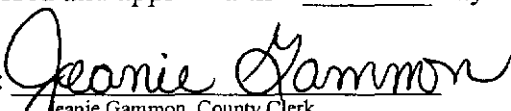
**3<sup>rd</sup> Civil District (5<sup>th</sup> Commission District)**

**To place 15 MPH Speed Limit signs on Pleasant Hill Place.**

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18th day of July 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Introduced by Commissioner: Hyatt**

**Seconded by Commissioner(s): McKamey**

Hwy

2005-07-058	Administrative	Budget	Executive	County Commission
ACTION			Approve 6-7-05	Approved 23 Aye, 1 Absent

Notes:

## RESOLUTION REQUEST REVIEW

**DATE:** June 28, 2005

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Marvin Hyatt

**SUBJECT:** To place a 15 MPH SPEED LIMIT on Pleasant Hill Place  
off of Walnut Grove Road. This is a dead end road.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3 **CIVIL DISTRICT**

5 **COMMISSIONER DISTRICT**

John McKamey

Marvin Hyatt  
\_\_\_\_\_

X **RECOMMENDED BY HIGHWAY DEPARTMENT**

       **NOT RECOMMENDED BY HIGHWAY DEPARTMENT**

**COMMENT:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
**TRAFFIC COORDINATOR**

06/28/2005

  
\_\_\_\_\_  
**HIGHWAY COMMISSIONER**

06/28/2005

2005-07-058

**Sullivan County, Tennessee**  
**Board of County Commissioners**

Item 9  
Budget  
No. 2005-07-059

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Approve Local Government Assessment for First Tennessee Human Resource Agency**

WHEREAS, legislation was adopted by the General Assembly of the State of Tennessee and signed by the Governor that amends Tennessee Code Annotated, Title 13, Chapter 26, relative to human resource agencies; and,

WHEREAS, as adopted, it confirmed the intent of the State to assist financially by adopting a budget requiring a certain per capita assessment and the State shall be authorized to match the local contribution according to the following schedule:

Local Assessment Cents/Capita	Annual State Contribution	Contribution Cap/County
1-5	\$30,000	\$7,500
6-10	\$60,000	\$7,500
11-15	\$90,000	\$10,000

WHEREAS, such local contribution shall be based upon, in the case of counties, an amount not to exceed fifteen cents (.15) per capita based on the latest decennial census, one-half (1/2) of which may be contributed by local incorporated cities or other private, public or semi-public bodies; and,

WHEREAS, provided, however, that no county shall be required to contribute more than ten thousand dollars (\$10,000) annually; and,

WHEREAS, said funds will allow for serving more effectively our frail elderly, low income, and disadvantaged individuals;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby indicates willingness by adopting a budget requiring a certain per capita assessment for said purpose; and approved by the Board for said purpose; and that said resolution is effective for Fiscal Year 2006.

**BE IT FURTHER RESOLVED** that the per capita assessment, based upon the 2000 and subsequent decennial census, is hereby established at \$ .11 per capita.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsor: Williams**

**Prime Co-Sponsor(s): Harr**

at

2005-07-059	Administrative	Budget	Executive	County Commission
ACTION			Approve 6-7-05	

Notes:

1st Reading 07-18-05;

Sullivan County, Tennessee  
Board of County Commissioners

Item 10  
Executive  
No. 2005-07-060

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July.

**RESOLUTION To Submit Application & Accept Grant Funds to Relocate Power Line in the Tri-County Industrial Park**

WHEREAS, Sullivan County wishes to submit an application for grant funds from the Tennessee FastTrack Infrastructure Program of the Tennessee Department of Economic and Community Development; and

WHEREAS, the program funds will be used to relocate a power line to allow for the expansion of the Robinette Company, a manufacturer of paper and plastic bags located at 621 Mountain View Drive in the Tri-County Industrial Park, Piney Flats, Tennessee; and

WHEREAS, the project is necessary to allow for the expansion of an existing building, which will accommodate new presses valued at \$4.5 million; and,

WHEREAS, FastTrack funds can be used to provide such utility relocation; and,

WHEREAS, the estimated cost of the line relocation project is \$160,000 with proposed funding of \$116,800 from the FastTrack program and \$43,200 to be provided by Sullivan County.

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves Sullivan County submitting an application to the FastTrack program for the power line relocation project with proposed funding of \$116,800 provided by FastTrack and funding of \$43,200 to be provided by Sullivan County.

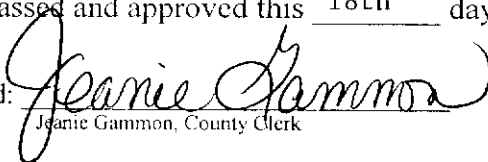
**BE IT RESOLVED** that the County Mayor is authorized to enter into any and all agreements, assurances, and/or contracts to accept grant funds and implement this project.

**BE IT FURTHER RESOLVED** that upon approval of said grant application, Sullivan County is hereby authorized to receive, appropriate, and expend said grant funds; and appropriate and expend said matching funds as required. Account codes to be assigned by the Director of Accounts & Budgets.

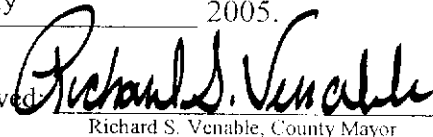
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18<sup>th</sup> day of July 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

jl

**Sponsored by: Marvin Hyatt**

**Prime Co-Sponsor(s): John McKamey**

2005-07-060	Administrative	Budget	Executive	County Commission
ACTION			Approve 6-7-05	Approved 23 Aye, 1 Absent

Notes: AMENDED by Sponsor 07-18-05 that the appropriation would come from restricted funds account. Amendment approved with Resolution 07-18-05.

Sullivan County, Tennessee  
Board of County Commissioners

Item 11  
Executive  
No. 2005-07-061  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Accept State Contract Relative to Industrial Access Road to Serve Edwards & Associates**

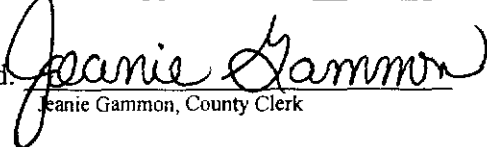
WHEREAS, as authorized by Resolutions 2005-02-013 and 2005-02-014 approved February 2005, the Sullivan County Commission approved the construction of the industrial access road to serve Edwards & Associates; approved the application to TDOT for the funding assistance of the industrial access road; and appropriated funds for grading of the roadway; and,

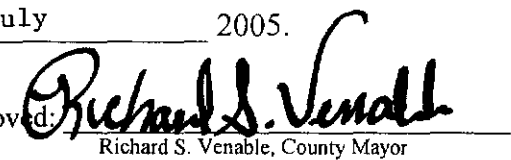
WHEREAS, the Tennessee Department Transportation approved funding the project;

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes that the County Mayor, on behalf of the County, to enter into Contract No. 050069 (*attached*) with the Tennessee Department of Transportation for assistance in construction and completion of the proposed industrial access road.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18th day of July 2005.

Attested:   
Jeanie Gammon, County Clerk

Approved:   
Richard S. Venable, County Mayor

Sponsored by: Marvin Hyatt  
Prime Co-Sponsor(s): John McKamey

at

2005-07-061	Administrative	Budget	Executive	County Commission
ACTION			Approve 6-7-05	Approved 22Aye, 2Absent

Notes:

CONTRACT NO:050069

PIN NO: 106218.00

**STATE INDUSTRIAL ACCESS ROAD**

THIS CONTRACT, made and entered into by and between The State of Tennessee, acting by and through its Department of Transportation, hereinafter referred to as the "Department" and Sullivan County hereinafter referred to as the "Local Government."

**WITNESSETH:**

WHEREAS, the Department will allocate certain funds for the construction of an Industrial Access Road as described in Section I hereof, provided the Local Government will faithfully perform those duties as set out hereinafter.

NOW THEREFORE, in consideration of the premises, the Department and the Local Government hereby enter into agreement to provide for funding and performance of the project.

SECTION I: The project to be performed is described as follows:

"SIA, serving Edwards and Associated, Incorporated a distance of  
approximately 0.15 miles"

SECTION II: The Department will prepare a set of plans, if required for either right-of-way acquisition or construction.

SECTION III: The Local Government agrees to acquire the rights-of -way and/or easements determined by the Department to be necessary for the construction of the project, including without

2005-07-06/

COPY

limitation, relocation assistance services and property management as applicable. The Local Government also agrees to clear the right-of-way of all encroachments within the project limits. The Local government understands and agrees that it must acquire this land in accordance with all state and federal laws, rules and regulations.

**SECTION IV:** Certification of right-of-way acquisition shall take the form of recorded deeds or certified orders of possession. Certification is not complete or acceptable until recorded deeds, orders of possession, *or executed right-of-entry* on all tracts have been received and approved by the Regional ROW Office. Letters of intent or *non-executed right-of-entries* are not sufficient for certification.

**SECTION V:** The Local Government agrees that in the event of the institution of any civil actions in cross- eminent domain, condemnation or inverse condemnation, it will defend the same and pay judgments resulting therefrom.

**SECTION VI:** The local government shall *assist and* insure that all utility relocation plans are submitted by the utilities and received by the Regional TDOT Utility Office *per TDOT'S coordination instructions* for approval prior to the project advertisement for bids. All cost of utility relocation shall be the responsibility of the local government.

**SECTION VII:** The Local Government agrees to provide for and have accomplished all utility connections within the right-of-way and easements prior to the paving stage of the construction.

**SECTION VIII:** The Local Government shall be solely responsible for all claims and damages arising out of authorizations by the local government to allow existing utilities to remain in place that result in the state contractor being unduly delayed or endangered. For the purpose of fulfilling

this obligation, in accordance with Section 29-20-404 of the Tennessee Code, the local government will purchase a policy or contract of insurance to cover its liability. That policy shall contain limits of liability equal to the maximum limits of the state's liability under Section 9-8-307 of the Tennessee Code, as it may from time to time be amended or construed, or as may otherwise be established by law

**SECTION IX:** In the event that a railroad is involved, the Department will manage all rail-highway work for the project. Project costs may be increased by federally required crossing improvements. The Local Government agrees to provide its contractual share of actual costs of any required railroad adjustment or improvement when so requested by the Department in writing. The Local Government shall provide such services as necessary to realize these improvements if requested by the Department in writing and may have to enter into additional agreements. The Local Government agrees to provide fifty percent (50%) of the actual cost of any required adjustment or improvement to any railroad highway crossings when so requested by the Department in writing. The Local Government shall provide these funds by (a) check, made payable to the Department of Transportation; or (b) deposit in the Local Government Investment Pool; or (c) Irrevocable Letter of Credit.

**SECTION X:** In the event of the failure of the Local Government to accomplish all of its obligations as provided for herein within a reasonable time as determined by the Department, the Department shall have the option of terminating this Contract upon written notification of its intent to do so within no fewer than thirty (30) days prior to the date of said termination without liability. Upon such termination, the Local Government agrees to reimburse the Department for all expenses incurred to the date of termination.

**SECTION XI:** The Local Government agrees to comply with all applicable federal and state laws and regulations in the performance of its duties under this agreement. The parties hereby

agree that failure of the Local Government to comply with this provision shall constitute a material breach of this agreement and subject the Local Government to the repayment of all damages suffered by the State and or the Tennessee Department of Transportation as a result of said breach.

**SECTION XII:** It is hereby understood and agreed that the participation of the Department in the cost of the herein described Project is hereby made contingent upon the actual construction of the industry to be served by the Project. Accordingly, the Department will not award a contract for the construction or begin construction work with its own forces on the herein described Project until the industry has actually begun the physical construction of its plant facility at the location described in Section I hereof.

Should the industry terminate its plans to build the plant facility as described herein, the Local Government will reimburse the Department for development costs.

In addition, the Local Government hereby agrees to reimburse the Department for all funds expended on the Project should the industry fail to complete its facility and operate it for a reasonable period of time, as defined by the Department, following the completion of the road.

**SECTION XIII:** In accordance with T.C.A 54-5-405, no part of the highway shall be constructed within an industrial site/park or a privately owned tract of land, unless the site/park is a link in a highway serving areas beyond the park or private property in which event the right-of-way or easements shall be conveyed to the State as with other highways.

**SECTION XIV:** Following the completion of all matters set forth in the preceding paragraphs, or an arrangement therefore in a manner satisfactory to the Department, the Department will proceed with the construction of the Project by entering into a contract with respect to the same or by the use of its own forces.

**SECTION XV:** It is agreed that following the completion of construction and acceptance thereof by the Department, the Local Government will accept full responsibility for maintenance.

**SECTION XVI:** The Department agrees to keep accurate accounting records of Project expenditures and said records shall be available for review for a period of three (3) years from the date the final payment is made to the contractor.

**SECTION XVII:** The Local Government agrees to pay all costs of any part of this project which are not eligible for state funding. These funds shall be provided upon written request therefor by either (a) Irrevocable Letter of Credit, (b) check, or (c) deposit to the Local Government Investment Pool, whenever requested.

**SECTION XVIII:** The Contract is subject to the appropriation and availability of State funds. In the event that the funds are not appropriated or are otherwise unavailable, the State reserves the right to terminate the Contract upon written notice to the Local Government. Said termination shall not be deemed a breach of Contract by the State. Upon receipt of the written notice, the State shall cease all work associated with the contract. Should such an event occur, the Contractor shall be entitled to compensation for all satisfactory and authorized services completed as of the termination date. Upon such termination, the Contractor shall have no right to recover from the State any actual, general, special, incidental, consequential or any other damages whatsoever of any description or amount.

**SECTION XVIV:** The Contractor shall maintain documentation for all charges against the State under this Contract. The books, records, and documents of the Contractor, insofar as they relate to the work performed or money received under this contract, shall be maintained for a period three (3) full years from the date of the final payment and shall be subject to audit at any

reasonable time and upon reasonable notice by the State, the Comptroller of the Treasury, or their duly appointed representatives. The financial statements shall be prepared in accordance with general accepted accounting principles.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed by their respective authorized officials on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Sullivan County

By: Richard S. Venable  
County Mayor

State Of Tennessee  
Department of Transportation

By: \_\_\_\_\_  
Gerald F. Nicely  
Commissioner

Approved as to Form and  
Legality

By: \_\_\_\_\_  
Attorney

Approved as to Form and  
Legality

By: \_\_\_\_\_  
John H. Reinbold  
General Counsel

Sullivan County, Tennessee  
Board of County Commissioners

Item 12  
Budget/Executive  
No. 2005-07-062

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Approve Acceptance of Grant for Projects at the Tri-Cities Regional Airport, TN/VA**

WHEREAS, grants have been made available from the Federal Aviation Administration to the Tri-Cities Airport Commission in the amount of up to approximately \$1,200,000 for improvements to the Tri-Cities Regional Airport, TN/VA; and,

WHEREAS, these projects include Terminal Building Roof Replacement, General Aviation Area Parking Lot Reconstruction, Airfield Lighting Vault Rehabilitation, Property Acquisition, Aviation Development Planning, and the Environmental Monitoring;

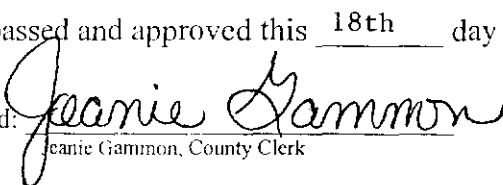
WHEREAS, Airport owners are required to formally accept said grants and authorize the execution of documents relating thereto;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorize that the County Mayor enter into a Grant Agreement with the United States of America, acting through the Federal Aviation Administration, for the purpose of obtaining federal funds to be used for capital projects at the Tri-Cities Regional Airport, and that the County Mayor is authorized to sign any and all documents necessary to approve and accept said grant.

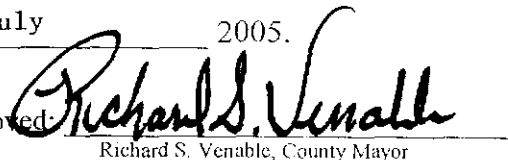
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18th day of July 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsored by: Brotherton**

**Prime Co-Sponsor(s): Jones**

at

2005-07-062	Administrative	Budget	Executive	County Commission
ACTION				Approved 21Aye, 3Absent

Notes:

Sullivan County, Tennessee  
Board of County Commissioners

Item 13  
Administrative/Budget/Executive  
No. 2005-07-063

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July.

**RESOLUTION To Encourage the Inclusion of the Memphis to Bristol Rail Connection in the State of Tennessee's Multimodal Transportation System**

WHEREAS, the Tennessee Department of Transportation (TDOT) is now preparing a 25-Year, Long-Range Multimodal Transportation Plan and is actively seeking input on that plan from local governments; and

WHEREAS, TDOT has indicated that the State's future transportation system must allow for all of the modes of transportation to work together in an optimal way which provides mobility for freight and for people in a cost-effective manner; and

WHEREAS, growth trends in freight movements and changes in the demographic structure of Tennessee's population indicate that Tennessee must make adjustments in transportation programs to meet the mobility needs of the future; and

WHEREAS, the highway corridor formed by Interstate Highway 40 (I-40) and Interstate Highway 81 (I-81) stretching from Memphis to Bristol, links population centers which, together, compromise over 60 percent of Tennessee's population; and

WHEREAS, I-40 and I-81 are currently carrying a volume of heavy truck traffic which is 100% greater than anticipated in the original design of these highway; and

WHEREAS, approximately fifty percent of the heavy truck traffic on non-urban sections of these interstate highways is compromised of long-distance trucks moving between origins and destinations which are outside of Tennessee; and

WHEREAS, Tennessee should take deliberate steps to conserve the remaining effective roadway capacity of I-40 and I-81 to benefit in-state economic interests and to provide for the mobility of citizens of Tennessee; and

WHEREAS, the enormous costs of widening all of I-40 and all of I-81 to six or more lanes can be phased in over a longer period of time if long-distance freight movements can be encouraged to divert to movement on the parallel railroads; and

WHEREAS, studies in Tennessee and Virginia have shown that by linking I-81 corridor railroad improvements in both states, the benefits of truck-to-rail freight diversions can be greatly magnified; and

WHEREAS, the TDOT Rail System Plan has shown that cross-state competitive rail freight service and rail passenger service could be provided at costs which will be exceeded by shipper benefits and other public benefits;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby support the efforts of the Tennessee Department of Transportation to develop a Long-Range Multimodal Transportation Plan.

BE IT RESOLVED, that TDOT is encouraged to consider the Memphis to Bristol Railroad Connection as a project of statewide strategic importance and not in direct competition for transportation funding with projects which have local or regional economic value.

BE IT RESOLVED, that we call upon Transportation Commissioner Gerald Nicely to formulate a program of implementation steps to begin to make timely progress on the building of a Memphis to Bristol Rail Connection.

BE IT RESOLVED, that the State of Tennessee should actively seek the cooperation of the State of Virginia in coordinated railroad improvements in the I-81 corridor providing for interstate rail freight movements which greatly magnify the public benefits in both states.

BE IT FURTHER RESOLVED that TDOT and Commissioner Gerald Nicely are requested to fully support the phased construction of the Memphis to Bristol Railroad Connection by securing the cooperative efforts of the railroads involved, the cooperative efforts of the State of Virginia and by including appropriate projects in the next 3-Year Program of Projects and in the 10-Year Investment Plan which will be prepared as part of the Long-Range Multimodal Transportation Plan.

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18th day of July 2005.

Attested: Jeanie Gammon  
Jeanie Gammon, County Clerk

Approved: Richard S. Venable  
Richard S. Venable, County Mayor

Sponsored by: James "Buddy" King

Prime Co-Sponsor(s): Joe Herron, Eddie Williams, Ralph Harr

at

2005-07-063	Administrative	Budget	Executive	County Commission
ACTION				Approved 21Aye, 3Absent

Notes: Amended 07-18-05 by Sponsor to add all Commissioners voting in the affirmative as co-sponsors.

Sullivan County, Tennessee  
Board of County Commissioners

Item 14  
Executive  
No. 2005-07-064  
ATTACHMENT

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Authorize Traffic Sign Changes in the 18<sup>th</sup> Civil District**

WHEREAS, Commissioner Jones requested the Sullivan County Highway Department to make traffic sign changes on Wynhaven Drive and Kimberly Drive in the 14<sup>th</sup> Civil District (7<sup>th</sup> Commission District); and,

WHEREAS, the Sullivan County Highway Department reviewed the request and approved same;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby authorizes the following changes to traffic signs in Sullivan County:

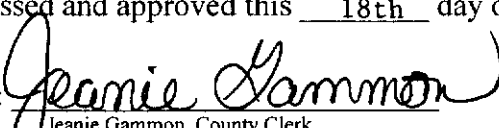
**14<sup>th</sup> Civil District (7<sup>th</sup> Commission District)**

**To place a 25 MPH Speed Limit on Wynhaven Drive;  
To place a STOP sign on Wynhaven Drive and Kimberly Drive; and  
To place a STOP sign on Kimberly Drive and Wynhaven Drive.**

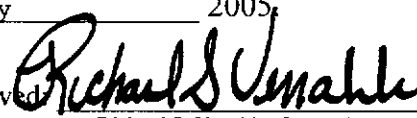
This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18<sup>th</sup> day of July 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsor: Sam Jones**

**Prime Co-Sponsor(s): James "Moe" Brotherton**

HWY

2005-07-064	Administrative	Budget	Executive	County Commission
ACTION				Approved 21 Aye, 3 Absent

Notes:

## RESOLUTION REQUEST REVIEW

**DATE:** 07-14-2005

**TO:** Sullivan County Commission

**REQUEST MADE BY:** Sam Jones

**SUBJECT:** To place a 25 MPH SPEED LIMIT on Wynhaven Drive.  
To place a STOP sign on Wynhaven Drive and Kimberly Drive.  
To Place a STOP sign on Kimberly Drive and Wynhaven Drive.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

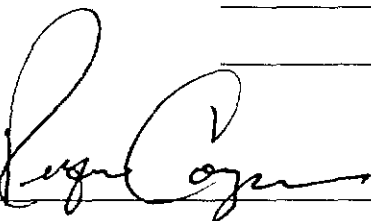
14 **CIVIL DISTRICT**

7 **COMMISSIONER DISTRICT** Sam Jones  
James Brotherton  
\_\_\_\_\_

X **RECOMMENDED BY HIGHWAY DEPARTMENT**

       **NOT RECOMMENDED BY HIGHWAY DEPARTMENT**

**COMMENT:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

 07/14/2005  
**TRAFFIC COORDINATOR**

 07/14/2005  
**HIGHWAY COMMISSIONER**

Sullivan County, Tennessee  
Board of County Commissioners

Item 15  
Executive/Budget  
No. 2005-07-065

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Authorize the Submission of a Grant Application to Provide a Fire Booster Protection Pump to Assist in the Expansion of Edwards and Associates**

WHEREAS, Sullivan County wishes to submit an application for grant funds from the Tennessee FastTrack Infrastructure Program of the Tennessee Department of Economic and Community Development; and

WHEREAS, the program funds will be used to provide for a fire protection booster pump to allow for the expansion of Edwards and Associates, a helicopter customizer and refurbisher; and

WHEREAS, the project is necessary to assist in the relocation of the helicopter facility to a new site in the Tri-County Industrial Park, which will result in an \$8 million investment in building and equipment; and the addition of 65 new jobs; and

WHEREAS, FastTrack funds can be used to provide such infrastructure improvements; and

WHEREAS, the estimated cost of the fire booster protection pump project is \$150,000 with proposed funding of \$109,500 from the FastTrack program and \$40,500 provided by Sullivan County.

**NOW, THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves Sullivan County submitting an application to the FastTrack program for the fire booster protection pump project with proposed funding of \$109,500 provided by FastTrack and \$40,500 provided by Sullivan County.

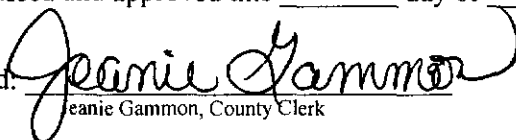
**BE IT RESOLVED** that the County Mayor is authorized to enter into any and all agreements, assurances, and/or contracts to accept grant funds and implement this project.

**BE IT FURTHER RESOLVED** that upon approval of said grant application, Sullivan County is hereby authorized to receive, appropriate, and expend said grant funds; and appropriate and expend said matching funds as required. Account codes to be assigned by the Director of Accounts & Budgets.


This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this 18<sup>th</sup> day of July, 2005.

Attested:

  
Jeanie Gammon, County Clerk

Approved:

  
Richard S. Venable, County Mayor

**Sponsor: Marvin Hyatt**

**Prime Co-Sponsor(s): John McKamey**

2005-07-065	Administrative	Budget	Executive	County Commission
ACTION				Approved 21Aye, 3Absent

Notes:

**Sullivan County, Tennessee**  
**Board of County Commissioners**

Item 16  
Administrative/Budget/Executive  
No. 2005-07-066

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July 2005.

**RESOLUTION To Approve Appointments to the Three Standing Committees for the 2005-2006 Fiscal Budget Year**

WIIEREAS, committee appointments are made and approved each year; and,

WHEREAS, each of the following Commissioners was voted upon and elected to office in their respective districts to represent their constituents on matters concerning the running operations of county government; and,

WHEREAS, each member thus elected, has been found worthy and well qualified by their constituents of their respective districts to perform the duties of any and all committee appointments within the realm of this elected office; and,

WHEREAS, it is the necessity for all County Commissioners to share the responsibilities of county government equally and on the same level, as responsible elected officials;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session, hereby approve the following appointments for the 2005-2006 fiscal budget year:

<b>BUDGET</b>	<b>ADMINISTRATIVE</b>	<b>EXECUTIVE</b>
Blackburn, Garth	Ferguson, O.W.	Brittenham, Linda
Conkin, Ray	Harr, Ralph	Brotherton, James "Moe"
Crawford, John	Herron, Joe	Groseclose, Clyde
Jones, Sam	Houser, Dennis	Kilgore, Elliott
King, James	Hyatt, Marvin	McConnell, Wayne
McKamey, John	King, James "Buddy"	Surgenor, Micheal
Patrick, Howard	Hall, Larry	Vance, Mark
Sitgreaves, Jack	Morrell, Randy	Williams, Eddie

This resolution shall take effect from and after its passage. All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Attested: \_\_\_\_\_  
Jeanie Gammon, County Clerk

Approved: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsored By: Michael Surgenor**  
**Prime Co-Sponsor(s): ~~Howard Patrick~~**

ms

2005-07-066	Administrative	Budget	Executive	County Commission
ACTION				

Notes: Comm. Patrick request to be removed as co-sponsor 07-18-05;  
Resolution Withdrawn by Sponsor 07-18-05.

Sullivan County, Tennessee  
Board of County Commissioners

Item 17  
Executive  
No. 2005-07-067

To the Honorable Richard S. Venable, Mayor of Sullivan County, and the Board of Sullivan County Commissioners meeting in Regular Session this 18<sup>th</sup> day of July, 2005.

**RESOLUTION Abandoning Sullivan County's Interest, If Any, in Portion of Adaline Street**

WHEREAS, Adaline Street located in the 10<sup>th</sup> Civil District of Sullivan County was set aside by plat as a public right-of-way; however, a portion of Adaline Street never became a public road; and

WHEREAS, the owners of property which adjoins the portion of Adaline Street which never became a public road have requested that Sullivan County abandon any interest, if any, which it might have in and to said property; and

WHEREAS, upon consideration of the petition of the adjoining property owners and upon consideration of the recommendations of the Highway Commissioner, the Sullivan County Planning Commission and the Executive Committee of the Sullivan County Board of Commissioners;

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 18<sup>th</sup> day of July, 2005 hereby abandon any interest as a public way which Sullivan County has, if any, in and to the portion of Adaline Street as shown on the attached survey and hereby authorize the transfer of any and all rights of Sullivan County, Tennessee, if any, to said property to The Church of Jesus Christ and Evelyn Haynes, said property to be split on a 50/50 basis. The County Mayor is hereby authorized to execute and deliver quitclaim deeds to said property subject to said transfers being done at no cost to Sullivan County.

**WAIVER OF RULES REQUESTED**

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

Duly passed and approved this 18<sup>th</sup> day of July, 2005.

Attested:

*Jeanie Gammon*  
Jeanie Gammon, County Clerk

Date

Approved:

*Richard S. Venable*  
Richard S. Venable, County Mayor

Date

**Introduced By: Commissioner: Patrick**

**Seconded By: Commissioner(s): Hall**

2005-07-067	Administrative	Budget	Executive	County Commission
ACTION				Approved 7-18-05 22Aye, 2Absent

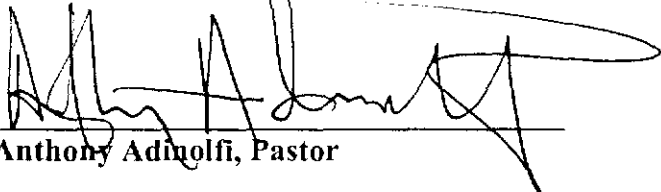
Comments: Waiver of Rules Requested

## AGREEMENT

The undersigned hereby requests Sullivan County to abandon any and all interest, if any, it has in and to the portion of Adaline Street as shown on the attached survey as a public way and hereby agrees to split the property on a 50/50 basis. In exchange for Sullivan County abandoning any interest which it might have in the subject property, the undersigned hereby agrees to waive any and all claims for damages which the undersigned, their heirs, successors and assigns might have as a result of the abandonment of the subject property.


Date: July 18, 2005

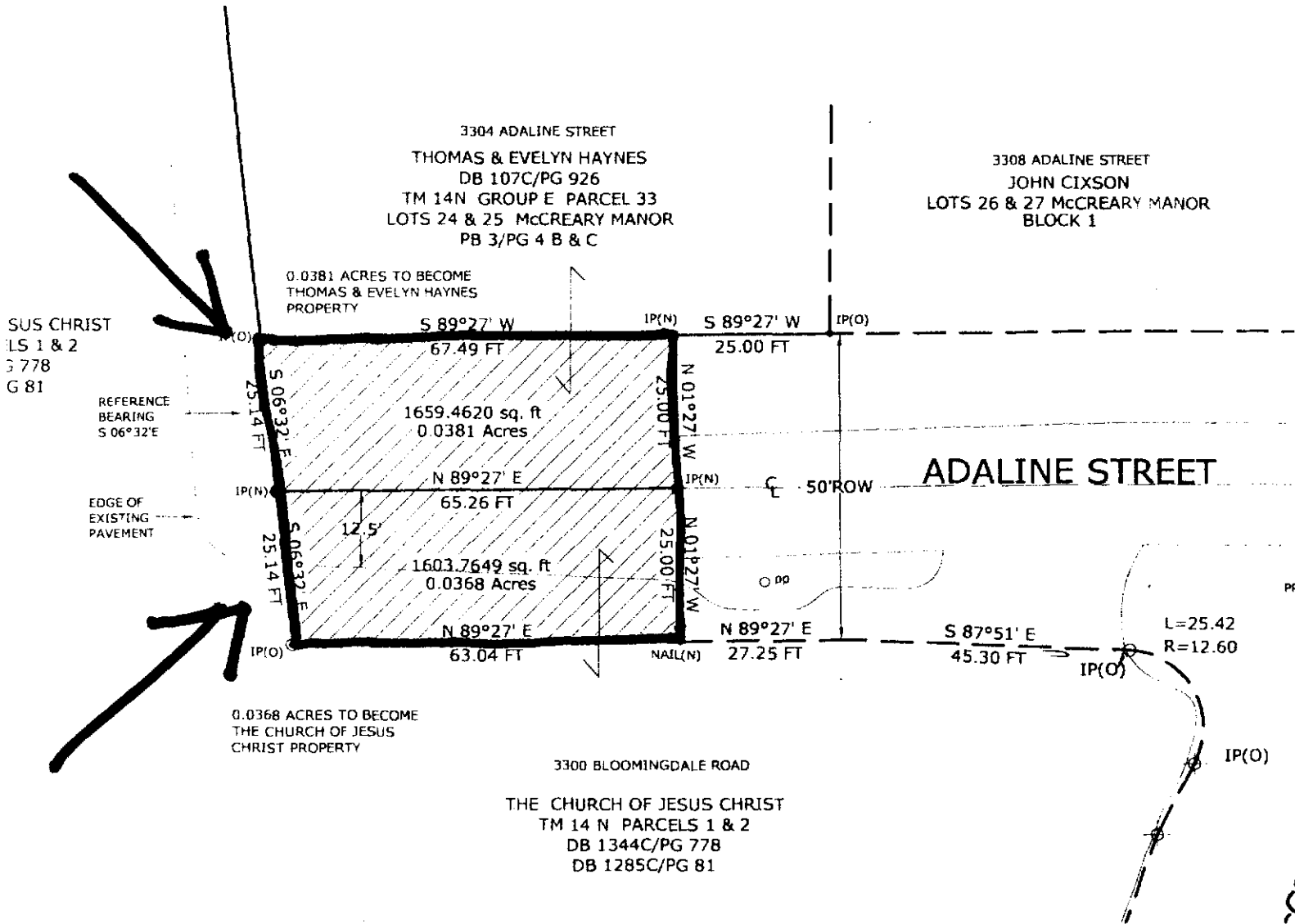
**THE CHURCH OF JESUS CHRIST**

By:   
Anthony Adinolfi, Pastor

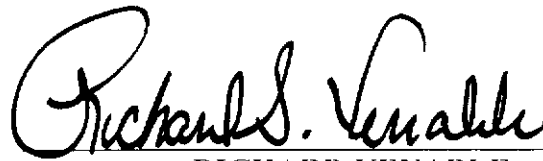
Date: July 18, 2005

**EVELYN HAYNES**

By:   
**TERESA BROWN, Power of Attorney**  
For Evelyn Haynes



AND THEREUPON COUNTY COMMISSION ADJOURNED UPON  
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR  
SESSION AUGUST 15, 2005.

A handwritten signature in black ink, reading "Richard S. Venable". The signature is written in a cursive style with a large initial "R".

---

RICHARD VENABLE

COMMISSION CHAIRMAN

