

COUNTY COMMISSION MEETING - MARCH 17, 1997

REGULAR SESSION

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MARCH 17, 1997, 9:00 O'CLOCK A. M., IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE GIL HODGES, COUNTY EXECUTIVE, GAY B. FEATHERS, COUNTY CLERK AND KEITH CARR, SHERIFF OF SAID BOARD OF COMMISSIONERS OF SULLIVAN COUNTY, TO WIT:

Commissioners present and answering roll call are as follows:

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

24 present

Motion was made by Commissioner Ralph Harr and second by Commissioner Marvin Hyatt to approve the minutes of the regular session of the Commission meeting held on February 17, 1997. This motion was approved by voice vote of the Commission.

In the absence of County Executive Gil Hodges and also Chairman of the County Commission, Chairman Pro Tempore O. W. Ferguson presided in the afternoon session of the Commission.

The following pages indicates the action taken by the Commission on approval of Notary Applications and Notary Bonds, re-zoning requests and resolutions.

STATE OF TENNESSEE
 COUNTY OF SULLIVAN

FEBRUARY 17, 1997

ELECTION OF NOTARIES

Elinor M. Baker	Dolly Linkous
Tammy K. Bates	Joan Lindamood
Kelly Birdwell	Barbara Ly
Judy Browning	Linda G. McBride
Rita B. Buckner	Virginia M. McClain
Patricia A. Bunch	Betty K. McConnell
Jama Burnett	Joy B. McDermitt
Mack H. Carr	Carrie J. McKeehan
Carole H. Carter	B. A. Meshaw
Sue H. Castle	Ervin Anson Mitchell
Etta B. Coates	Barbara W. Overbay
L. Shantay Coleman	Wendy Overbay
Raymond C. Conkin, Jr.	Clara Jean Perry
Cynthia A. Crussell	Ritchie G. Phillips
R. Marcine Eastridge	Patricia S. Pitts
Deborah P. Emmette	Sherry Ramey
Jean English	Teresa Saddler
David G. Ford	Virginia D. Smelser
Wilma R. Ford	David D. Snapp
Joenia Frady	Greta S. Stanley
Darla L. Freeman	Tony D. Urbani
William W. Grigsby, Jr.	Nancee S. Viers
Beulah F. Herron	R. A. Waid
Charles Robert Hicks	Patsy Faye Watts
Michelle Hribar	Paul R. Wohlford
Tammy Johnson	
Janice M. Jones	
Johnny H. King, Jr.	

Upon motion made by Commissioner Ralph Harr and second by Commissioner Mike Gonce to approve the above named Notary Applicants, said motion was approved by roll call vote of the Commission.

23 Aye, 1 Absent

MARCH 17, 1997

APPROVAL OF NOTARY PUBLIC
SURETY BONDS

Judy Ann Cody

Wilmer J. Duncan

Carol S. Dyer

B. J. Garst

Judy C. Helton

Elaine Long

Barbara J. Prater

Billy H. Ray

Patty A. Snapp

Stephen C. Stanfield

Gene H. Tunnell

Upon motion made by Commissioner Ralph Harr and second by Commissioner Mike Gonce to approve the Notary Bonds of the above listed names, said motion was approved by roll call vote of the Commission.

23 Aye, 1 Absent

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 1997.

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

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1996.

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

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

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

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

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

Duly passed and approved this 17th day of March, 1997

Gay B. Teague
County Clerk

Date: 3/17/97 *Gil Hodges* Date: 3/17/97
County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote	X				

COMMENTS: Motion by: Comm. Harr and 2nd by: Comm. Hyatt
TO APPROVE! APPROVED 3/17/97 VOICE VOTE

SULLIVAN COUNTY BOARD OF COUNTY COMMISSIONERS

March 17, 1997

Consider the following:

- (1) **File # 2/97-1** A request by Phillip Mullins et. al. to rezone the property described below from R3A to PBD-3:

Approved 3/17/97 ROLL CALL 22 Aye, 1 Nay, 1 Absent
 "Being a tract of land located in the 10th Civil District on the north side of Bloomingdale Road at its intersection with Kingsley Ave and further described as parcel 17.00 group E map 14-O of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File No. 2/97-1, Phillip Mullins et. al. Request

Phillip Mullins et. al. requested that a tract of land located in the 10th Civil District on the north side of Bloomingdale Road at its intersection with Kingsley Ave. be rezoned from R3A to B3 to permit the location of unspecified business.

Andrew Shively was present representing the applicants. No opposition was presented. Staff stated that proposed business development would be compatible with existing zoning and land use patterns and recommended a change in zoning to PBD-3 to allow site plan review. Mr. Shively accepted staff recommendation.

Motion Childress, second Kiser to approve the request for PBD-3 as recommended by staff. Vote in favor of the motion unanimous.

- (2) **File # 2/97-3** A request by Timothy H. Jones to rezone the property described below from A-1 to B-3: Approved 3/17/97 ROLL CALL 18 Aye, 5 Nay, 1 Absent

"Being a tract of land located in the 1st Civil District on the east side of New Hickory Tree Road at its intersection with Boyd Road and further described as the westernmost 200 feet wide portion of parcel 149.00 map 84 of the Sullivan County Tax Maps."

The Planning Commission took the following action:

"File No. 2/97-3, Timothy H. Jones Request

Timothy H. Jones requested that a tract of land located in the 3rd Civil District on the east side of New Hickory Tree Road at its intersection with Boyd Road be rezoned from A-1 to B-3 to permit the location of an automobile repair shop.

The applicant was present, spoke in support of the request and presented a signed petition of individuals supporting the request, a number of which apparently did not reside in the immediate neighborhood or the state of Tennessee. Roger Cox also spoke in support of the request stating that the business, located on heavily traveled New Hickory Tree Road, was an asset to the community and would not create problems for adjacent residential development. The applicant requested that the area to be rezoned contain 1 acre on the west property line fronting New Hickory Tree Road and Old Oak Lane. No opposition was presented. Staff stated that the proposed auto repair shop would not be compatible with adjacent mobile home park and other residential land uses and recommended the request be denied.

Motion Childress, second Mullins to approve the request based on comments of those in support of the request. Vote in favor of the motion: Greene Childress, Goodwin, Mullins, Hickam; vote opposed Belcher, Brown; abstain: Kiser. The motion to approve zoning to B-3 carried 5 to 2 with 1 abstention.

- (3) **File # 2/97-4** A request by Terry Lee to rezone the property described below from A-1 to B-3: Approved 3/17/97 ROLL CALL 23 Aye, 1 Absent

"Being a tract of land located in the 2nd Civil District on the north side of Bristol Caverns Hwy. approximately 400 feet east of its intersection with Booher Lane and further described as that

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11/11/2023 10:11:11 AM

part of parcel 127.20 map 38 of the Sullivan County Tax Maps fronting Bristol Caverns Hwy. for 200 feet and 50 feet in depth."

The Planning Commission took the following action:

" File No. 2/97-4, Terry Lee Request

Terry Lee requested that a tract of land located in the 2nd Civil District on the north side of Bristol Caverns Hwy. approximately 400 feet east of its intersection with Booher Lane be rezoned from A-1 to B-3 to permit the location of an automobile storage yard.

The applicant was present and spoke in support of the request, noting that the proposed storage yard would be an expansion of an existing business. Mr. Gordon Shearer spoke in opposition to the request stating that expansion of existing business operations could have a potentially negative impact on nearby residential development. Staff stated that the request was for a small area - 50 feet by 200 feet and that it would be compatible with existing commercial development. Staff recommended the request be approved.

Motion Goodwin, second Childress to approve the request as recommended by staff. Vote in favor of the motion: Goodwin, Childress, Brown, Belcher, Hickam, vote opposed: none; abstain: Mullins, Kiser. The motion carried 5 to 0 with 2 abstentions.

(4) **File # 2/97-6** A request by Patrick Hennessee to rezone the property described below from R-1 to R-2:

Approved 3/17/97 ROLL CALL 18 Aye, 5 Nay, 1 Absent
 "Being a tract of land located in the 9th Civil District on the west side of Poplar Ridge Road approximately 400 feet north of its intersection with State Route 34 and further described as parcel 26.00 group C map 124F of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/97-6, Patrick Hennessee Request

Patrick Hennessee requested that a tract of land located in the 9th Civil District on the west side of Poplar Ridge Road approximately 400 feet north of its intersection with State Route 34 be rezoned from R-1 to R-2 to permit the location of a single-wide mobile home.

The applicant was present and spoke in support of the request. A neighbor, Mr. Beard, was present and also spoke in support of the request stating that the location of a mobile home was acceptable as far as he was concerned. No opposition was presented. Staff stated that the proposed zoning to allow single wide mobile homes in the existing low density neighborhood would be intrusive and out of character, setting an inappropriate precedent for the area. Staff recommended the request be denied.

Motion Mullins, second Childress to approve the request based on statements of the applicant and neighbors supporting the request and because there was an existing mobile home across the street. Vote in favor of the motion: Mullins, Childress, Kiser, Hickam, Goodwin, vote opposed Brown, Belcher. The motion carried 5 to 2.

(5) **File # 2/97-8** A request by Steven C. Kerney to rezone the property described below from R-1 to M-1: **APPROVED 3/17/97 ROLL CALL 23 Aye, 1 Absent**

"Being a tract of land located in the 13th Civil District on the west side of S. Wilcox Drive approximately 4500 feet south of its intersection with U.S. Hwy. 181 and further described as parcel 28.00 group A map 90E of the Sullivan County Tax Maps."

The Planning Commission took the following action:

" File No. 2/97-8, Steven C. Kerney Request

Steven C. Kerney requested that a tract of land located in the 13th Civil District on the west side of S. Wilcox Drive approximately 4500 feet south of its intersection with U.S. Hwy. 181 be rezoned from R-1 to M-1 to permit the location of Component Building System Inc. expansion.

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The applicant was present and spoke in support of the request. No opposition was presented. Staff stated that the proposal was compatible with existing land use patterns but recommended the commission consider zoning to PMD-1 to allow site plan review.

Motion Brown, second Goodwin to approve the request for M-1 based on the applicants statements that preparation of a site plan for the proposed construction would not be beneficial because of the topography of the property and isolation of the building site dictating the location of the new building. Vote in favor of the motion unanimous.

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RESOLUTION NUMBER 42

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF February 1997.

RESOLUTION AUTHORIZING Acceptance of a Grant Awarded to the Sullivan County Health Department by the March of Dimes

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of February 1997.

THAT WHEREAS, The East Tennessee Chapter of the March of Dimes has awarded the Sullivan County Health Department a \$1,350.00 grant to purchase booklets "Myself/My Baby Health Diary" to be furnished to young mothers in Sullivan County, and

WHEREAS, This is a one-time grant and does not involve County funds.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves acceptance of the \$1,350.00 grant from the East Tennessee Chapter of the March of Dimes and authorizes the allocation of said funds to the Health Department Fund for FY 1996-97, Account 55110.437 [Supplies and Materials].

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

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

Duly passed and approved this 17th day of March, 1997

Gay B. Features
County Clerk

Date: 3/17/97

Gil Hodges
County Executive

Date: 3/17/97

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: _____
SECONDED BY COMMISSIONER Harr FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			<u>2/13/97</u>
Budget	✓			<u>2/13/97</u>
Executive	✓			<u>2/15/97</u>

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

COMMENTS: DEFERRED 2/17/97 APPROVED 3/17/97 ROLL CALL

RESOLUTION NUMBER 53

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF February 1997.

RESOLUTION AUTHORIZING Approval of State HIV/AIDS Contract for Calendar Year, January-December, 1997

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of February 1997.

THAT WHEREAS, The Sullivan County Health Department has received the HIV/AIDS contract for the calendar year, January-December, 1997.

NOW, THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners approves the HIV/AIDS contract and funds to be allocated as follows:

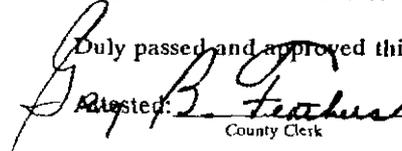
55112.000 HEALTH-AIDS GRANT	\$65,800.00
55112.100 Personal Services	\$44,200.00
55112.355 Contracted Services	3,500.00
55112.400 Supplies and Materials	1,700.00
55112.700 Capital Outlay	2,900.00
58600.201 Matching FICA	2,739.41
58600.204 TN Consolidated Retirement	3,265.20
58600.205 Matching Medicare	640.67
58600.212 Employee/Dependant Insurance	6,854.72
CONTRACT TOTAL	\$65,800.00

FURTHER BE IT RESOLVED, That no County funds are appropriated for this contract, and if funding is discontinued, the employees will be terminated.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 17th day of March, 1997


 County Clerk Date 3/17/97

 County Executive Date: 3/17/97

INTRODUCED BY COMMISSIONER HYATT ESTIMATED COST: _____
 SECONDED BY COMMISSIONER HARR FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			<u>2/13/97</u>
Budget	✓			<u>2/23/97</u>
Executive	✓			<u>2/15/97</u>

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

COMMENTS: FIRST READING 2/17/97
APPROVED 3/17/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF February 1997.

RESOLUTION AUTHORIZING Requesting the General Assembly to Enact Legislation to Amend or Supersede the Personal Property Depreciation Tables Found in T.C.A. § 67-5-903(f) in Order to Remedy the Inequities and Loss of Revenue Caused by Such Tables

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of February 1997.

THAT WHEREAS, The Tennessee General Assembly enacted statutory depreciation tables for personal property in 1991, which had the effect of immediately reducing the aggregate local personalty assessments by at least thirteen percent (13%), and

WHEREAS, This reduction has already triggered litigation by utility taxpayers, including the state's five largest airlines and second and third largest railroads, which have complained that these tables unfairly and unconstitutionally cause these utilities to pay taxes at a rate higher than other personalty taxpayers, and

WHEREAS, Such litigation has resulted in settlements which equalize the assessments of those taxpayers by 15%, with language specifically stating that such reductions will be effective for 1996 and future tax years until T.C.A. § 67-5-903(f) is amended or superseded by legislative action, thus potentially requiring local governments to raise local property taxes in order to refund large amounts of money to these litigants and to make up for the revenue shortfalls, and

WHEREAS, Subsequent to these settlements, Bellsouth Telecommunications, the state's largest single taxpayer representing 30% of the total public utility assessment statewide, has also filed for equalization relief and other major taxpayers are expected to follow suit, and

WHEREAS, The depreciation tables and the litigation which has occurred as a direct result of these tables have reduced the tax burden of commercial enterprises and utilities, thus shifting the tax burden to the residential family homeowner, and

WHEREAS, The State of Tennessee and all its local governments are challenged daily to find the revenues to continue providing the services which are necessary and fundamental to the health, welfare, and safety of the residents of this state, and are facing especially difficult economic concerns at this time with the rising costs of programs such as the Basic Education Program, TennCare, and Families First, while also facing massive anticipated budgetary shortfalls,

NOW THEREFORE, BE IT RESOLVED by the Sullivan County Board of Commissioners, That the Tennessee General Assembly is strongly urged to amend or supersede the personal property depreciation tables found in T.C.A. § 67-5-903(f), as soon as possible, in order to remedy the inequities and loss of revenue caused by such tables, and

FURTHER BE IT RESOLVED, That the County Clerk shall mail certified copies of this Resolution to the members of the Tennessee General Assembly representing the people of Sullivan County.

INTRODUCED BY COMMISSIONER Williams ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Ferguson/Harr FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			3/3/97
Budget			✓	2/13/97
Executive	✓			3/5/97

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: FIRST READING 2/17/97 WITHDRAWN 3/17/97

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF February 1997.

RESOLUTION AUTHORIZING Establishing a Committee to Study a County-Wide Geographical Information System

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of February 1997

THAT WHEREAS, A county-wide Geographical Information System would greatly enhance services now provided by Sullivan County, and

WHEREAS, It may enable the County to provide services in the future that we are not now able to provide, and

NOW, THEREFORE BE IT RESOLVED, That a committee be established to study a Geographical Information System with the Sullivan County Assessor of Property as its Chairman, with representatives from the cities of Bristol and Kingsport, one (1) County Commissioner, Sullivan County Highway Department, Sullivan County Department of Education, E-911 Agency, the Register of Deeds, and any other interested County department, and

FURTHER BE IT RESOLVED, That either private or public utilities or any other commercial party be ex-officio members, and

FURTHER BE IT RESOLVED, That this committee be requested to give a report to the County Commission as soon as possible, information that includes but not limited to, the cost and amount of service that can be provided by a Geographical Information System.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 7th day of March, 1997

Attested: Ray B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Blalock ESTIMATED COST: _____
SECONDED BY COMMISSIONER Boyd FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			3/3/97
Budget			X	3/13/97
Executive	✓			3/5/97

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RESOLUTION No. 45
Page Two

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

COMMENTS: FIRST READING 2/17/97
APPROVED 3/17/97 ROLL CALL

RESOLUTION NO. 126

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17th DAY OF FEBRUARY, 1997.

RESOLUTION AUTHORIZING Adoption of Procedures to Follow When Closing/Abandoning a County Road or Right-of-Way

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 17th day of February, 1997;

THAT, WHEREAS, recent confusion has arisen concerning the proper method for closing/abandoning a county road or right-of-way;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby adopt the attached procedures for closing/abandoning a county road or right-of-way.

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

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

Duly passed and approved this ____ day of _____, 1997.

Attested: _____ Date: _____
County Clerk County Executive

INTRODUCED BY COMMISSIONER M. Vance ESTIMATED COST: _____
 SECONDED BY COMMISSIONER P. Hubbard FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative <i>No Action</i>				<i>3/3/97</i>
Budget <i>No Action</i>				<i>3/13/97</i>
Executive	✓			<i>3/5/97</i>

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call					
Voice Vote					

COMMENTS: DEFERRED - VOICE VOTE OF THE COMMISSION 2/17/97
WITHDRAWN 3/17/97

Substitute Attachment No. 1 to Resolution No. 6

**STEPS TO FOLLOW WHEN ADJOINING PROPERTY OWNERS
PETITION COUNTY TO:**

- (I) CLOSE ROAD WHEN COUNTY OWNS ROAD IN FEE; OR
- (II) SELL EXCESS ROAD FRONTAGE WHEN COUNTY OWNS ROAD FRONTAGE IN FEE

(Note: In most situations, the county only owns an easement/right-of-way.)

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- (1) Signed written request for closing from all effected property owners.
- (2) Survey showing area to be closed and identity of adjoining property owners (reviewed by Highway Department).
- (3) Submit to the Appropriate Planning Commission.
- (4) Submit to the Executive Committee.
- (5) County has property appraised at cost to requesting parties. Requesting parties shall be required to pay deposit in amount equal to estimated cost of appraisal(s) prior to appraisal(s) being ordered.
- (6) Upon appraisal(s) being completed and submitted to Executive Committee, purchase price is negotiated.
- (7) Resolution to County Commission to close area which shall provide authorization for County Executive to execute Quitclaim Deed after approved as to form by County Attorney.
- (8) If deed is desired, interested parties will provide: (1) Survey; (2) Description of closing; (3) Preparation of Deed(s); and (4) Recording Fees.

See Amendment below

Amendment(5) Motion by: Comm. Blalock
2nd by: Comm. Gonce

or property to be rejoined to original parcel of land at the cost of the original cost.

AMENDMENT APPROVED 3/17/97 ROLL CALL

13 Aye, 10 Nay, 1 Absdnt

Substitute Attachment No. 2 to Resolution No. 6

**STEPS TO FOLLOW WHEN ADJOINING PROPERTY OWNERS
PETITION COUNTY TO:**

- (I) CLOSE ROAD WHEN COUNTY OWNS ONLY EASEMENT/RIGHT-OF-WAY;
OR
- (II) SELL EXCESS ROAD FRONTAGE WHEN COUNTY OWNS FRONTAGE BY
EASEMENT/RIGHT-OF-WAY

=====

- (1) Signed written request for closing from all effected property owners.
- (2) Survey showing area to be closed and identity of adjoining property owners
(reviewed by Highway Department).
- (3) Submit to the Appropriate Planning Commission.
- (4) Submit to the Executive Committee.
- (5) Resolution to County Commission to close area which shall provide authorization
for County Executive to execute Quitclaim Deed after approved as to form by
County Attorney.
- (6) If deed is desired, interested parties will provide: (1) Survey; (2) Description of
closing; (3) Preparation of Deed(s); and (4) Recording Fees.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF February 1997.

RESOLUTION AUTHORIZING Requesting Tennessee Department of Transportation to Authorize School Zone Signalization on SR-126 at Akard Elementary School

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of February 1997

THAT BE IT RESOLVED. That the Sullivan County Board of Commissioners requests the Tennessee Department of Transportation to authorize the installation of school zone lights on SR-126 in the Akard Elementary School Area. Cost of two zone lights is estimated at \$5,600.00 which will be funded by Sullivan County.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 17th day of March, 1997

Attest: B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			3/3/97
Budget				
Executive	✓			3/5/97

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

COMMENTS: FIRST READING 2/17/97
APPROVED 3/17/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 1997.

RESOLUTION AUTHORIZING Amending Private Act Relative to the Election of General Sessions Judges

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1997

THAT BE IT RESOLVED, That the Private Acts of Tennessee relating to the General Sessions Courts of Sullivan County, specifically, chapter 349 of the Private Acts of 1947, as amended, be further amended by the Legislature of Tennessee as follows:

1. That in sections 3, 4 and 17 of Chapter 349 of the Private Acts of 1947, as amended, the words "voting precinct" be substituted for the words "civil district" in each place in which the words "civil district" appear in those sections.

2. That Section 4 be deleted and in its place substituted the following:

Section 4. That when the defendant in any civil action resides or is served with process in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth Voting Precinct of Sullivan County, the case shall be tried at Kingsport, Tennessee. All criminal charges preferred in the Seventh-A, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, or Fifteenth Voting precinct of Sullivan County shall be heard in Kingsport.

3. That in Section 17 that portion of the first paragraph after the semi-colon be deleted and in its place substituted:

that the judges of Division II and III of said court shall each be elected by a majority of all the qualified voters in the territory embraced in the Seventh-A, Tenth, Eleventh, Twelfth, thirteenth, Fourteenth and Fifteenth Voting Precincts of Sullivan County.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 17th day of March, 1997

Attested: Gay B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Conkin FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			3/17/97
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22		1	1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 1997.

RESOLUTION AUTHORIZING Amending Private Act to Create Division IV of General Session Court

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1997.

THAT BE IT RESOLVED, That the Private Acts of Tennessee relating to the General Sessions Courts of Sullivan County, specifically, chapter 349 of the Private Acts of 1947, as amended, be further amended by the Legislature of Tennessee as follows:

1. That Section 1 be amended by substituting the word "four" for the word "three" in the first sentence and by substituting the words and numerals "Divisions I and IV" for the word and numeral "Division I" in the first sentence.

2. That the first sentence of Section 2 be deleted and in its place substituted "The Judges of the Court of General Sessions, Divisions I and IV, shall hold court at Bristol, Tennessee or such other place within the division they deem necessary."

3. That Section 3 be deleted and in its place substituted the following:

Section 3. That when the defendant in any civil action resides or is served with process in the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Sixteenth, Seventeenth, Eighteenth, Nineteenth, Twentieth, Twenty-first or Twenty-second Voting Precinct of Sullivan County, the case shall be tried in Division I or IV of the court. All criminal actions charged in those districts shall be heard in Division I or IV of the court.

4. That in section 5, the word and numeral "Division I" be deleted and replaced by the words and numerals "Divisions I and IV."

5. That the first sentence of Section 10 be deleted and in its place substituted "The court in Divisions I and IV shall be open from 9:00 a.m. until 5:00 p.m. each week day."

6. That in Section 17 in the first sentence the words and numeral "judge of Division I of said court shall be" be deleted and replaced by "judges of Divisions I and IV of said court shall each be".

7. That in the last paragraph of Section 17 "three (3)" be deleted and replaced by "four (4)" and the period at the end of the sentence be deleted and the following added to the end of the sentence:

and "Candidates for Judge of the Court of General Sessions, Division IV."

8. That Section 18 be amended by adding the following new paragraph after the last paragraph:

That the office of Judge of Court of General Sessions, Division IV, shall begin on September 1, 1998 and shall be filled by the voters, as set forth in Section 17, at the August general election in 1998.

9. That Section 19 be amended by adding the following new paragraph:

That as to Divisions I and IV of the court, the judge with the greater number of years of service as judge of the court shall be the presiding judge. If they should have the same amount of service, the judge of Division I shall be the presiding judge. The presiding judge shall be responsible for the administrative duties of the court including the assignment of cases and courtrooms and responsibility for division of the workload.

22

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

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

Only passed and approved this 17th day of March, 1997

Attest: B. Fitchner Date: 3/17/97 Bill Hodgra Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER HARR ESTIMATED COST: _____
SECONDED BY COMMISSIONER CONKIN FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			3/3/97
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	19	3	1	1	
Voice Vote					

COMMENTS: AMEND: Motion by: Comm. Blalock and 2nd by: Comm.
 Gonce - All of 7th be included in Division 2 & 3
 Motion failed - Roll Call 7 Aye, 16 Nay, 1 Absent
 Waiver of Rules RESOLUTION APPROVED 3/17/97 ROLL CALL

RESOLUTION NUMBER 13

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 19 97.

RESOLUTION AUTHORIZING Application for a Grant from the Tennessee Industrial Infrastructure Program (TIIP) to Benefit Exide Corporation in Site Preparation for its Expansion Project

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 19 97.

THAT WHEREAS, Exide Corporation will be constructing a 113,000 sq. ft. distribution facility adjacent to its manufacturing facility on Exide Drive, and

WHEREAS, Exide Corporation will create sixty (60) jobs as a result of the project and will invest \$1,785,000 in the building and \$1,000,000 in equipment, and

WHEREAS, Grant funds from the Tennessee Industrial Infrastructure Program (TIIP) of the Tennessee Department of Economic and Community Development can be used to provide site preparation for the benefit of Exide Corporation, and

WHEREAS, The estimated cost of the site preparation project is \$168,100, with proposed funding of \$76,370 from the Tennessee Industrial Infrastructure Program (TIIP) and \$91,730 from Exide Corporation.

NOW THEREFORE BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the application for a grant from the Tennessee Industrial Infrastructure Program (TIIP) of the Tennessee Department of Economic and Community Development to benefit Exide Corporation in site preparation for its expansion project; and further, authorizes the County Executive to execute the appropriate documents to implement the program.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 17th day of March, 1997

Attested: _____ Date: _____ Gil Hodges Date: 3/9/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Vance FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative	✓			3/3/97
Budget				
Executive	✓			3/5/97

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22		1	1	
Voice Vote					

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

24

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 1997.

RESOLUTION AUTHORIZING Transfer of Funds within Highway Fund (FY 1996-97 Budget)

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1997.

THAT BE IT RESOLVED. That the Sullivan County Board of Commissioners authorizes the transfer of funds within the Highway Fund [FY 1996-97 Budget] as follows:

FROM ACCOUNT: _____ AMT OF TRANSFER _____

Highway Administration [Contracted Services]	61000.300	\$25,000.00
Highway Administration [Contracted Services]	61000.300	12,000.00
Highway Administration [Contracted Services]	61000.300	2,000.00
Highway/Bridge Maint. [Supplies & Materials]	62000.400	20,000.00

TO ACCOUNT: _____

Maintenance of Equip. [Contracted Services]	63100.300	\$25,000.00
New Building Project [Capital Outlay]	68100.700	12,000.00
New Building Project [Contracted Services]	68100.300	2,000.00
Highway/Bridge Maint. [Contracted Services]	62000.300	20,000.00

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

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

Duly passed and approved this 17th day of March, 1997

Sam B. Teague
County Clerk

Date: 3/17/97 *Gil Hodges* Date: 3/17/97
County Executive

INTRODUCED BY COMMISSIONER McConnell ESTIMATED COST: _____
SECONDED BY COMMISSIONER Blalock FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget	✓			3/6/97
Executive	✓			3/5/97

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March, 1997.

RESOLUTION AUTHORIZING STOP Signs on Barger Road and Hicks Avenue - 6th and 10th Civil Districts

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1997

THAT BE IT RESOLVED, That STOP signs be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

6th CIVIL DISTRICT:

STOP Sign - on Barger Road at Island Road

10th CIVIL DISTRICT:

STOP Sign - on Hicks Avenue at Bloomingdale Road

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

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

Duly passed and approved this 17th day of March, 1997

Attest: B. Teague Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Jones ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Blalock/Gonce FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

0026

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Roads

*Attachment
Route 16*

279-2820

March 7, 1997

COMMISSIONERS: Jim Blalock
Mike Gonce
Jack Jones

Dear Commissioners:

I would like to request that you consider passing the following resolutions:

- (1) A STOP sign be placed on Barger Road at Island Road in the 6th Civil District.
- (2) A STOP sign be placed on Hicks Avenue at Bloomingdale Road in the 10th Civil District.

If you have any questions, please feel free to contact me.

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

RESOLUTION NUMBER 17

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 1997.

RESOLUTION AUTHORIZING STOP Sign and Speed Limit Signs on Various Roads - 13th and 14th Civil Districts

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1997

THAT BE IT RESOLVED, That STOP signs and speed limit signs be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

13th CIVIL DISTRICT:

STOP Sign - on Oasis Lane at Jayne Road

14th CIVIL DISTRICT:

The 15 MPH SPEED LIMIT on Shadyside Drive be increased to 35 MPH from Moreland Drive to Lindenwood Drive and increased to 25 MPH from Lindenwood Drive to Beechwood Drive.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 17th day of March, 1997

Ray B. Feather Date: 3/17/97 *Gil Hodges* Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Conkin ESTIMATED COST: _____
SECONDED BY COMMISSIONER Williams/Carter/Krell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

0028

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

*Attachment
Page # 17*

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

March 7, 1997

COMMISSIONERS: Raymond C. Conkin
Eddie Williams
June Carter
Carl Krell

Dear Commissioners:

I would like to request that you consider passing the following resolution:

- (1) A STOP sign be placed on Oasis Lane at Jayne Road in the 13th Civil District.
- (1) The 15 MPH SPEED LIMIT on Shadyside Drive be changed to 35 MPH from Moreland Drive to Lindenwood Drive and 25 MPH from Lindenwood Drive to Beechwood Drive.

These are in the 13th and 14th Civil Districts.

If you have any questions, please feel free to contact me.

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 19 97.

RESOLUTION AUTHORIZING STOP Sign on Olympus Circle - 14th C.D.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 19 97.

THAT BE IT RESOLVED. That a STOP sign be placed on Olympus Circle at Olympus Drive as recommended in correspondence from the Sullivan County Highway Department:

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

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

Duly passed and approved this 17th day of March, 19 97

Attest: Gay B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Carter ESTIMATED COST: _____
SECONDED BY COMMISSIONER Krell FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

SULLIVAN COUNTY
HIGHWAY DEPARTMENT

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

*Attachment
Re # 18*

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

March 7, 1997

COMMISSIONERS: June Carter
Carl Krell

Dear Commissioners:

I would like to request that you consider passing the following resolution:

A STOP sign be placed on Olympus Circle at Olympus Drive, in the 14th Civil District.

If you have any questions, please feel free to contact me.

Sincerely,

Wayne Jones
Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 1997.

RESOLUTION AUTHORIZING STOP Signs on Various Roads in the 11th Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1997.

THAT BE IT RESOLVED, That STOP signs be placed on the roads listed below as recommended in correspondence from the Sullivan County Highway Department:

STOP Sign - on Cove Street at Idle Hour Road

STOP Sign - on Belden Road at Haywood Drive

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 17th day of MARCH, 1997

Attest: B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Hubbard ESTIMATED COST: _____
SECONDED BY COMMISSIONER Surgenor FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL' CALL

0032

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

*Attachment
Res # 19*

John R. LeSueur, Jr.
Commissioner of Roads

279-2820

March 7, 1997

COMMISSIONERS: Pat Hubbard
Michael Surgenor

Dear Commissioners:

I would like to request that you consider passing the following resolution:

- (1) A STOP sign be placed on Cove Street at Idle Hour Road.
- (2) A STOP sign be placed on Belden Road at Haywood Drive.

These are in the 11th Civil District.

If you have any questions, please feel free to contact me.

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 1997.

RESOLUTION AUTHORIZING 15 MPH Speed Limit on Almaroad Road - 5th Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 1997.

THAT BE IT RESOLVED, That a 15 MPH speed limit be placed on Almaroad Road as recommended in correspondence from the Sullivan County Highway Department.

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

This resolution shall become effective on _____, 1997, the public welfare requiring it.

Duly passed and approved this 17th day of March, 1997

Gay B. Feathers
County Clerk

Date: 3/17/97

Gil Hodges
County Executive Date: 3/17/97

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

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

34

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

*Attachment
Page 20*

John R. LaSueur, Jr.
Commissioner of Roads

279-2820

March 7, 1997

COMMISSIONERS: Carol Belcher
Edley Hicks
Paul Milhorn

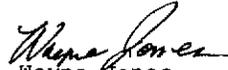
Dear Commissioners:

I would like to request that you consider passing the following resolution:

A 15 MPH SPEED LIMIT be placed on Almaroad Road in the 5th Civil District.

If you have any questions, please feel free to contact me.

Sincerely,


Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 19 97.

RESOLUTION AUTHORIZING 15 MPH Speed Limit on Old J.A. Hodge Road - 20th Civil District

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 19 97.

THAT BE IT RESOLVED, That a 15 MPH speed limit be placed on Old J.A. Hodge Road as recommended in correspondence from the Sullivan County Highway Department.

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

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

Duly passed and approved this 17 day of March, 19 97

Attest: B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER Hyatt ESTIMATED COST: _____
SECONDED BY COMMISSIONER Mason FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

Commission Action	Aye	Nay	Pass	Absent	Total
Roll Call	22			2	

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

36

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LaSueur, Jr.
Commissioner of Roads

*Attachment
Rm # 21*

279-2820

March 7, 1997

COMMISSIONERS: Marvin Hyatt
Dwight Mason

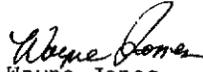
Dear Commissioners:

I would like to request that you consider passing the following resolution:

A 15 MPH SPEED LIMIT be placed on Old J. A. Hodge Road, in the 20th Civil District.

If you have any questions, please feel free to contact me.

Sincerely,


Wayne Jones
Traffic Coordinator

WJ/jb

c: Shirley Gurganus

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 19 97.

RESOLUTION AUTHORIZING The Purchasing Agent to Conduct a Public Auction Sale by Sealed Bids to Dispose of Surplus Property for Various County Departments

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th day of March 19 97

THAT BE IT RESOLVED, That the Sullivan County Board of Commissioners authorizes the Purchasing Agent to conduct a public auction sale by sealed bids to dispose of surplus and/or obsolete equipment and materials for various Sullivan County Departments, after appropriate advertisement of said sale. Equipment and materials to be sold will be displayed at the school Maintenance Shop for public viewing prior to sealed bid opening date. The following dates have been tentatively scheduled for the Public Auction Bid:

Public Viewing - Monday, April 14, 1997

Bid Opening THURSDAY April 17, 1997

A listing of all items to be sold will be compiled and available to any interested party prior to the viewing and opening dates.

WAIVER OF RULES REQUESTED

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

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

Duly passed and approved this 17th day of March, 19 97

Attested: B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
 County Clerk County Executive

INTRODUCED BY COMMISSIONER Jack Jones ESTIMATED COST: _____
 SECONDED BY COMMISSIONER Mike Gonc FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

38

RESOLUTION NUMBER 24

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 17th DAY OF March 19 97.

RESOLUTION AUTHORIZING Budget amendment to provide funding to cover the cost of housing additional prisoners at the jail.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 17th of March, 19 97

THAT WHEREAS the prisoner population at the Sullivan County Jail far exceeded expectations for the fiscal year 1996/1997, and,

WHEREAS the expenses associated with housing those inmates increased dramatically, and,

WHEREAS the planned 96/97 budget cannot accommodate the unplanned increase.

NOW therefore be it resolved that a transfer of funds be authorized from Account 54110-100 \$25,000, Account 54210-100 \$25,000 (both surpluses resulting from extended unpaid leave) and an allocation of \$85,824 from unallocated surplus.

These funds would be transferred to cover increased costs in water/sewer, inmate food, medicine, and indigent care.

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

This resolution shall become effective on March 17, 19 97 the public welfare requiring it.

Duly passed and approved this 17th day of March, 19 97.

[Signature]
Proposed by B. Feathers Date: 3-17-97
County Clerk
[Signature]
County Executive Gil Hodges Date: 3/17/97

INTRODUCED BY COMMISSIONER Harr ESTIMATED COST: _____
SECONDED BY COMMISSIONER Williams FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: Waiver requested.
This has been reviewed by Larry Bailey.

WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

Budget amendment to provide funding to cover the cost of additional prisoners at the Jail.

*Attachment
Sheet 24*

INCREASES IN APPROPRIATIONS:

54210 300	Contracted Services	\$ 15,000
54210 400	Supplies and Materials	70,824
55511 300	Contracted Services	50,000
	Total Increases	\$ 135,824

SOURCES OF FUNDING:

54110 100	Personal Services	\$ 25,000
54210 100	Personal Services	25,000
39900	Unappropriated Surplus	85,824
	Total Sources	\$ 135,824

*both resulting from
extended unpaid leave
surplus.*

Post-It™ brand fax transmittal memo 7671		# of pages >	
To	Jim DeVault	From	Larry Sullivan
Co.	Sheet	Co.	Rocky Ridge
Dept.		Phone #	
Fax #		Fax #	

40

RESOLUTION NO. 25

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17th DAY OF MARCH, 1997.

RESOLUTION AUTHORIZING The Appropriation of \$16,792.00 For Library Grant Computers pursuant to Resolution No. 11, approved November 18, 1996.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 17th day of March, 1997 ;

THAT, WHEREAS, The Computer Equipment Grant for 1996-97 made possible through funds from State of Tennessee has been approved for the Sullivan County Libraries with the county providing \$1,800 for each Library to match funds provided by the State.

NOW, THEREFORE, BE IT RESOLVED That \$16,792.00 for Library Computers be appropriated to 56502.700.
Source of funding - 46800 Other State Revenue Library Grant \$9,000.00
39000 Unappropriated funds 7,792.00

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

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

Duly passed and approved this 17th day of March, 1997.

Gay B. Feachus Date: 3/17/97 *Gil Hodges* Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER CARTER ESTIMATED COST: \$16,792.00
SECONDED BY COMMISSIONER HUBBARD FUND: GENERAL

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

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RESOLUTION NO. _____

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17th DAY OF MARCH, 1997.

RESOLUTION AUTHORIZING Ratification of Private Chapter No. 3 (House Bill No. 398) of the 100th General Assembly of the State of Tennessee Regarding Creation of "Northeast Tennessee Corridor Overlay District"

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 17th day of March, 1997;

That, Whereas, Private Chapter No. 3 (House Bill No. 398) of the Private Acts of 1997 has been approved by the 100th General Assembly of the State of Tennessee subject to ratification by the governing bodies of the County of Sullivan and the City of Kingsport;

NOW, THEREFORE, BE IT RESOLVED that the Sullivan County Board of Commissioners hereby ratify Private Chapter No. 3 (House Bill No. 398) of the Private Acts of 1997, a copy of which is attached hereto.

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

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

Duly passed and approved this 17th day of March, 1997.

Attest: B. Feathers Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER P. Hubbard ESTIMATED COST: _____
SECONDED BY COMMISSIONER R. Conkin FUND: _____

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

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State of Tennessee



Department of State

To all to whom these Presents shall come, Greeting:
I, Riley C. Darnell, Secretary of State
of the State of Tennessee, do hereby certify that the annexed is a true
copy of

PRIVATE CHAPTER NO. 3
HOUSE BILL NO. 398
PRIVATE ACTS OF 1997

the original of which is now on file and a matter of record in this office.

In Testimony Whereof, I have hereunto
subscribed my Official Signature and by order of the Governor affixed
the Great Seal of the State of Tennessee at the Department in the
City of Nashville, this 7th day
of March, A.D. 19 97



Riley C. Darnell
Secretary of State



State of Tennessee

PRIVATE CHAPTER NO. 3
HOUSE BILL NO. 398

By Representatives Westmoreland, Godsey, Mumpower

Substituted for: Senate Bill No. 301

By Senator Ramsey

AN ACT to create the "Northeast Tennessee Corridor Overlay District" in Sullivan County and to repeal Chapter 77 of the Private Acts of 1995.

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

SECTION 1. Short Title - This act shall be known and may be cited as the "Northeast Tennessee Corridor Overlay District Act."

SECTION 2. Legislative Findings - Public and Governmental Character of District - Declaration of Public Necessity.

a. It is declared that a clear need exists in a specific area of Sullivan County, Tennessee, for improved management of the natural and man-made resources required for the attraction, expansion and continued support of industrial and commercial development and the subsequent creation and expansion of employment opportunities for all of Tennessee's citizens through the promotion of business development. To this end, it shall be the purpose of this act to place physical development review responsibilities and other powers specified herein in a specially designated body, and that such body shall have the authority to exercise such powers to more effectively manage the natural and man-made resources to effect the location, expansion and support of the industrial and commercial development within the specific geographic area designated by this act.

b. It is further declared that the Northeast Tennessee Corridor Review Commission created pursuant to this act shall be a public and governmental body acting as an agency and instrumentality of Sullivan County and the City of Kingsport; and that the responsibilities, management authority, and other powers designated herein are declared to be for public and governmental purposes and a matter of public necessity.

SECTION 3. Definitions. - The following words or terms whenever used or referred to in this act shall have the following respective meanings unless different meanings clearly appear from the context:

- a. "Commission" means the Northeast Tennessee Corridor Review Commission created pursuant to the provisions of this act.
- b. "County Governing Body" means the chief legislative body of Sullivan County.
- c. "Municipal Governing Body" means the chief legislative body for the City of Kingsport.
- d. "Municipality" means the City of Kingsport, Tennessee.
- e. "County" means Sullivan County, Tennessee.
- f. "State" means the State of Tennessee.

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g. "Corridor Overlay District" means the Northeast Tennessee Corridor Overlay District.

SECTION 4. Commission Established - Purposes.

a. There is established in Kingsport and Sullivan County, Tennessee, a commission to be known as the "Northeast Tennessee Corridor Review Commission".

b. The Commission shall be established for the purposes of:

(1) Developing and adopting a comprehensive development plan for the Northeast Tennessee Corridor Overlay District delineated elsewhere in this act.

(2) Developing, adopting, and administering site design, architectural design and development standards for the Corridor Overlay District to ensure a high quality living and working environment conducive to the requirements of commercial and industrial business.

(3) Effecting sound development of the *designated area*, through the construction, renovation or modification of public service facilities in cooperation with the County, Municipality and utility districts as deemed necessary and appropriate for the location, siting, maintenance, and support of the commercial and industrial development.

SECTION 5. Corridor Overlay Zones, Establishment, Definition, Delineation.

a. In order to accomplish the purpose of this act, Corridor Overlay Zones shall be established by the governing body having jurisdiction of the area of the zone, within which the Commission shall exercise powers described herein to effect the purposes of this act. The powers described shall be exercised in cooperation with the County Governing Body and the Municipal Governing Body and other police powers. Both Governing Bodies shall amend their respective zoning authority to establish corridor overlay zones in accordance with the provision of their zoning resolutions and the general law of the state. Where design and development standards, regulations, policies, and procedures are adopted for the Corridor Overlay Zone by the Commission pursuant to this act, such standards, regulations, policies and procedures shall apply, provided that, the permitted and prohibited property uses, zoning, land management procedures and regulations otherwise applicable within the municipal limits shall also apply within the city limits and the permitted and prohibited property uses, zoning, land management procedures and regulations otherwise applicable within Sullivan County shall also apply within the area under the jurisdiction of the county.

b. The geographic area defined as the Northeast Tennessee Commercial and Industrial Corridor and over which the Commission shall exercise its powers shall be that portion of Kingsport and Sullivan County, Tennessee.

SECTION 6. Northeast Tennessee Corridor Review Commission - Sanctioning Authority - Governing Board - Members - Appointment - Terms.

a. The governing body of the Commission shall be a board of commissioners established in accordance with the terms of this act and charged with the promotion and support of economic-based growth for the Northeast Tennessee Corridor Overlay District in the State of Tennessee.

b. The Board of Commissioners shall be composed of seven members, three of whom shall be appointed by the County Governing Body, three of whom shall be appointed by the Municipal Governing Body and one which will be jointly appointed

by both governing bodies. The County Governing Body shall appoint an architect, the Planning Director, and one member of the County Governing Body to the Commission. The Municipal Governing Body shall appoint an architect, the Planning Director and one member of the Municipal Governing Body to the Commission. The seventh member shall be appointed by both governing bodies. No person, whether or not a land owner or developer, with any property interest in any property within the Corridor shall be nominated for, or appointed to serve, as a commissioner. If, after being appointed, a Commissioner acquires property or any interest in property within the District, such Commissioner shall relinquish his or her position on the Commission and the vacancy shall be filled as set out in this act. The terms of office of the members appointed from the governing bodies shall coincide with their term of office on their respective boards. The remaining commissioners first appointed to the Commission shall be appointed for terms of three, four and five years-respectively, but thereafter each commissioner shall be appointed for a term of five years except as otherwise provided herein. Terms of office shall begin not more than one month after ratification of this act by the governing bodies. Any vacancy by reason of incapacity, resignation or death shall be filled in a like manner for the unexpired term. Subsequent commissioners shall be appointed by the governing body that made the initial appointment, and commissioners may serve more than one term. A resolution of each governing body approving the nominees of the initial Board of Commissioners shall be adopted, and upon approval, the Commission shall be authorized to conduct business.

c. All members of the Commission shall serve without compensation, but may be allowed necessary expenses while engaged in the business of the Commission, as provided and approved by the Sullivan County Executive and the City Recorder of the City of Kingsport.

d. The Commissioners shall elect from its members a Chairman and Vice-Chairman, each of whom shall continue to be voting members, and shall adopt its own bylaws and rules of procedure. A majority of the commissioners shall constitute a quorum for the transaction of business. The initial bylaws and rules of procedure shall be submitted to the County Governing Body and the Municipal Governing Body for approval by majority vote. Any amendments of the bylaws or rules of procedure of the Commission shall also be submitted and approved by both governing bodies by majority vote.

e. A commissioner may be removed from office for good cause, including voting in matters of personal interest in violation of Tennessee Code Annotated, Section 12-4-101, but only after notice of the cause of such removal has been served upon the commissioner, in accordance with Article 7, Section 1, of the Tennessee Constitution, Tennessee Code Annotated, Section 12-4-102, and the general law.

SECTION 7. General Powers. The Commission shall have the powers necessary to accomplish the purpose of this chapter including, but not limited to, the following:

a. To adopt and oversee implementation of a comprehensive development plan comprised of land use, architectural standards, public facilities, and capital improvement plans for the entire Corridor Overlay Zone for the purpose of developing a systematic land management policy and guidance for any person in the development process;

b. To serve as a review board for the purpose of accepting, considering, approving or denying applications for "certificates of appropriateness" as defined herein, prior to action on requests for rezoning or variance from the provisions of the zoning regulations in effect within the Corridor Overlay Zone, and prior to action on applications for building or grading permits within the Corridor Overlay Zone by any person authorized to issue such permits for Sullivan County or the City of Kingsport in order to ensure that development within the zone is consistent with the policies and plans of the Commission; and to administer and enforce such developmental

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and architectural standards, regulations, and related rules and procedures as the Commissioners may adopt from time to time for the review and consideration of applications for such certificates, provided, however, that such standards, regulations and rules and procedures are first approved by both the County Governing Body and the Municipal Governing Body.

c. To do all acts and things necessary, or deemed necessary or convenient to carry out the powers expressly given in this act.

SECTION 8. Application for Permits for Construction in Corridor Overlay Zone - Certificates of Appropriateness.

All Applications for rezoning or variances from the provisions of adopted zoning ordinances, or for permits for construction, alteration, repair, rehabilitation, or relocation of a building, structure or other improvements to real estate situated within the Corridor Overlay Zone, shall be reviewed by the Commissioners, which shall have broad powers to request detailed plans and related data pertinent to thorough review of the proposal. No rezoning or variance to zoning provisions shall be granted, nor shall construction, alteration, repair, rehabilitation or relocation to any building, structure or other improvement to real property situated within the Corridor Overlay Zone be performed without the issuance of a certificate of appropriateness by the Commissioners. No building permit issuing authority in Sullivan County or in the City of Kingsport shall issue any such permit for new structure or improvements within the Corridor Overlay Zone without issuance of a certificate of appropriateness by the Commission.

SECTION 9. Issuance or Denial of Certificate of Appropriateness Guidelines.

a. The Commission shall, as soon as it is reasonably possible, but in all cases within thirty (30) working days following the filing of an application with the required data, grant a certificate of appropriateness with or without attached conditions, or deny the certificate, and shall state the grounds for denial in writing. In its review of applications for certificates of appropriateness, the Commission shall apply its adopted review criteria and standards, rules and regulations and give prime consideration to:

1. The proposed structure's or development's consistency with the comprehensive development plan and development standards jointly adopted by the Commission for the Corridor Overlay Zone;
2. The relationship of the proposed development's design or the proposed structure's exterior architectural features to the surrounding area and/or the character of the entire overlay zone;
3. The general compatibility of the structure or development proposal and its projected impacts on development already in the vicinity of the proposal, as well as those projected and reflected in the adopted comprehensive plan for the zone; and
4. Any other factor, including functional and/or aesthetic, which is reasonably related to the purposes of this act.

b. Failure by the Commission to act on an application within the time required herein shall constitute approval of the certificate, provided, however, that an extension may be granted upon concurrence of the applicant.

SECTION 10. Agricultural Structures and Residential Structures Areas Excluded.

The structures, facilities and land uses identified herein shall not be required to apply for a certificate of appropriateness from the Northeast Tennessee Corridor Review Commission;

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a. Agricultural uses and structures or appurtenances located in agricultural zones and used solely for the production of agricultural products for sale to wholesale or retail markets and not part of or functionally related to manufacturing, commercial, or industrial enterprises within the designated Corridor Overlay Zone.

b. All residential structures when such structures are located within subdivisions approved by the appropriate planning commission or otherwise permitted by the general law.

c. Nothing contained in this act shall be construed to require any change, or limit in any way any existing use of land permitted by any zoning in effect at the time of the enactment of this act.

SECTION 11. Appeal of Authority Actions.

Any interested party who is aggrieved by any action of the Commission, including the approval or denial of a certificate of appropriateness, may appeal its decision to the Chancery Court in Kingsport, Tennessee, by filing a Writ of Certiorari within sixty (60) days of the action of the Commissioners. An appeal shall be defended by both the County Attorney for Sullivan County, and the City Attorney for the City of Kingsport with all filing fees, court fees and any litigation expenses being jointly shared by Sullivan County and the City of Kingsport.

SECTION 12. Enforcement of Northeast Tennessee Corridor Review Commission Decisions.

Where a building or structure is erected, constructed, reconstructed, altered, maintained, or used, or any land is used in violation of this act or any regulation or provisions enacted or adopted by the Commission under the powers granted by this act, the Board of Commissioners, the Building Official for Sullivan County, the Building Official for the City of Kingsport, or any adjacent or neighboring property owner who would be specially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin or abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance, or use. Any action filed under this section shall be jointly prosecuted by the County Attorney and the City Attorney with all filing fees, court fees and any litigation expenses being jointly shared by Sullivan County and the City of Kingsport.

SECTION 13. Construction of Act.

a. The powers, authority and rights conferred by this act shall be in addition and supplemental to any other general, special or local law conferring powers to counties, industrial development corporation or port authorities, and the limitations imposed by this act shall not affect the powers conferred to any county, industrial development corporation or port authority created by any other general, special or local law.

b. This act is remedial in nature and shall be liberally construed to effect its purposes of promoting economic development within and in proximity to the Northeast Tennessee Corridor Overlay Zone as defined herein, facilitating the attraction, siting and support of industries in Kingsport, and encouraging the effective utilization of the natural, educational, and technological resources therein to the ultimate growth and development of commerce and industry in Sullivan County and throughout the State of Tennessee.

c. Nothing in this chapter shall be construed to prevent the extension of the Corridor Overlay Zone into other counties by adoption of similar legislation for such counties, and upon adoption of such legislation this act should be amended to provide for participation by representatives of that county or those counties on the Board of Commissioners by the appointment of additional members of the Board

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from either that county or those counties, and by providing for the governing body of such county to serve in all respects as the governing body for the development in such county.

d. If any of the provisions of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect the other provisions or applications of this act which can be given effect without the invalid provision or application, and for that purpose the provisions of this act are separable.

SECTION 14. Chapter 77 of the Private Acts of 1995, and all other acts amendatory thereto, is hereby repealed.

SECTION 15. Ratification.

This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Governing Body of Sullivan County and a two-thirds (2/3) vote of the Municipal Governing Body of the City of Kingsport. Its approval or non-approval shall be proclaimed by the presiding officer of each governing body and certified to the Secretary of State.

SECTION 16. Effective Date.

For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming law, the public welfare requiring it. For all other purposes it shall be effective upon being approved as provided in Section 15.

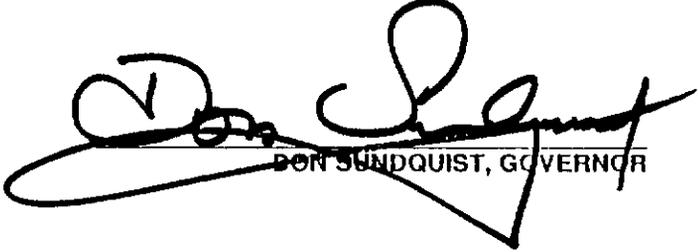
HOUSE BILL NO. 398

PASSED: FEBRUARY 24, 1997


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 4th day of March 1997


DON SUNDQUIST, GOVERNOR

TO THE HONORABLE GIL HODGES, COUNTY EXECUTIVE, AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 17th DAY OF MARCH, 1997.

RESOLUTION AUTHORIZING APPROPRIATION OF \$800,000 FOR SITE DEVELOPMENT FOR THE SULLIVAN COUNTY JAIL.

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

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 17th day of March, 1997 ;

THAT, WHEREAS, A CONTRACT FOR SITE DEVELOPMENT FOR THE SULLIVAN COUNTY JAIL EXPANSION BE APPROVED FOR BIDDING.

NOW, THEREFORE, BE IT RESOLVED, THAT \$800,000 BE APPROPRIATED FROM UNDESIGNATED FUND BALANCE 39000 - GENERAL FUND.

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

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

Duly passed and approved this 17th day of MARCH, 1997

Attest: B. Teuchner Date: 3/17/97 Gil Hodges Date: 3/17/97
County Clerk County Executive

INTRODUCED BY COMMISSIONER WILLIAMS ESTIMATED COST: \$800,000
SECONDED BY COMMISSIONER HARR FUND: GENERAL

Committee Action	Approved	Disapproved	Deferred	Date
Administrative				
Budget				
Executive				

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

COMMENTS: WAIVER OF RULES APPROVED 3/17/97 ROLL CALL

SULLIVAN COUNTY JAIL EXPANSION
PRELIMINARY SITE WORK ESTIMATE

0051
#29

File 14654-03
 March 13, 1997

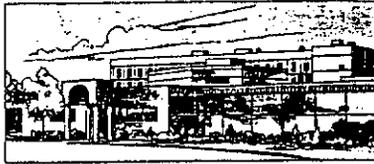
ITEM	PHASE I			FUTURE	
	UNIT PRICE	EST. QTY	AMOUNT	EST. QTY	AMOUNT
Grading	\$5/CY	36,000	\$180,000	2,000	\$10,000
Waste Compaction	\$1/CY	30,000	\$30,000	---	---
Paving	\$13/SY	4,220	\$54,860	1460	\$18,980
Conc. SW	\$4	2,250	\$9,000	700	\$2,800
Conc. Curb	\$10.00/LF	2,030	\$20,300	600	\$6,000
Sanitary Sewer	\$25/LF	870	\$21,750	240	\$6,000
Manholes	\$1,500/EA	8	\$12,000	1	\$1,500
8" Fire Protection Line	\$25/LF	660	\$16,500	160	\$4,000
8" Valves	\$450/EA	2	\$900	---	---
Fire Hydrant and 6" Valves	\$1,500/EA	4	\$6,000	1	\$1,500
Post Indicator Valve	\$1,000/EA	2	\$2,000	2	\$2,000
Storm Sewer	\$30/LF	525	\$15,750	330	\$9,900
Catch Basins	\$1,500	5	\$7,500	2	\$3,000
Manhole	\$1,500/EA	1	\$1,500	---	---
Gas Line	\$20/LF	550	\$11,000	200	\$4,000
Concrete Retaining Wall 1	\$350/CY	280	\$98,000	---	---
Concrete Retaining Wall 2	\$350/CY	200	\$70,000	---	---
Security Fence	\$160/LF	510	\$81,600	530	\$84,800
Existing Fuel Station Removal	\$0	1	\$0	---	---
Installation of New Fuel Station Island: Pump and 25,000 gallon capacity tanks	\$0	1	\$0	---	---
Electrical Relocation	\$0	0	\$40,000	0	\$0
Lighting	\$0	0	\$40,000	0	\$0
Telephone Relocation	\$0	0	\$20,000	0	\$0
SUBTOTAL CONSTRUCTION ESTIMATE			\$738,660		\$154,480
A/E FEES AND CONTINGENCY			\$61,340		\$23,000
GRAND TOTAL			\$800,000		\$177,480

RADATA\WLB\14654-03\PSWK EST

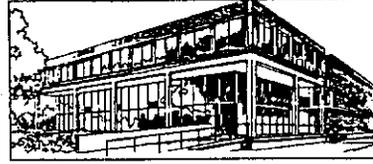
BD&C

COST TRENDS 3/97

Building and materials cost information from R.S. Means Co.



Three-story, 32,000-sq.-ft. jail with 12-ft. story heights; face brick with concrete block back-up; steel frame.



Three-story, 60,000-sq.-ft. courthouse with 12-ft. story heights; face brick with concrete block back-up; steel frame.



Two-story, 11,000-sq.-ft. police station with 12-ft. story heights; limestone with concrete block back-up; bearing walls.



One-story, 13,000-sq.-ft. post office with a 14-ft. story height; face brick with concrete block back-up; steel frame.

Metropolitan cost comparisons

NOTE: Costs as shown are for the basic building and do not include:
1. sitework (site cleaning and grading, utilities, paving, landscaping, site improvements); 2. land costs;
3. development costs. 4. specialty finishes or equipment.

Square foot costs vary significantly from project to project due to quality, complexity and economic climate. Each project should be examined individually. For a detailed list of building components included in these figures, see Means Square Foot Costs.

R.S. Means Co.
100 Construction Plaza
P.O. Box 800
Kingston, MA 02164
(617) 585-7880
(800) 448-8182

Cost Comparisons Per Square Foot

	Jail		Courthouse 2-3 story		Police station		Post office	
	'97	'96	'97	'96	'97	'96	'97	'96
Atlanta	145.30	137.72	96.87	93.03	103.31	100.18	63.80	59.84
Baltimore	150.23	145.55	100.16	98.33	106.82	105.88	65.96	63.25
Boston	195.16	188.90	130.10	127.61	138.76	137.41	85.69	82.08
Chicago	177.88	172.75	118.59	116.69	126.48	125.66	78.10	75.06
Cleveland	166.52	161.71	111.02	109.24	118.40	117.63	73.12	70.26
Dallas	142.17	137.88	94.78	93.14	101.09	100.29	62.42	59.91
Denver	153.20	148.91	102.13	100.59	108.93	108.32	67.26	64.70
Detroit	173.11	168.59	115.40	113.88	123.08	122.63	76.01	73.25
Houston	147.60	143.80	98.40	97.14	104.95	104.60	64.81	62.48
Kansas City	156.16	151.47	104.11	102.32	111.03	110.18	68.57	65.82
Los Angeles	184.79	179.78	123.19	121.45	131.39	130.78	81.14	78.12
Miami	144.80	139.80	96.54	94.44	102.96	101.69	63.58	60.74
Minneapolis	181.17	176.74	120.78	119.40	128.82	128.57	79.55	76.80
New Orleans	142.34	138.04	94.89	93.25	101.21	100.41	62.50	59.98
New York City	222.47	217.37	148.31	146.84	158.18	158.12	97.68	94.45
Philadelphia	182.32	175.47	121.55	118.53	129.64	127.64	80.05	76.24
Phoenix	150.07	144.27	100.05	97.46	106.70	104.95	65.89	62.69
Pittsburgh	168.66	162.67	112.44	109.89	119.93	118.33	74.06	70.68
Portland	175.90	169.55	117.27	114.53	125.07	123.33	77.24	73.67
St. Louis	167.02	161.07	111.35	108.81	118.76	117.16	73.33	69.99
San Diego	178.54	173.87	119.02	117.45	126.95	126.47	78.39	75.55
San Francisco	206.84	200.90	137.89	135.71	147.07	146.14	90.82	87.29
Seattle	173.44	169.23	115.62	114.32	123.32	123.10	76.15	73.53
Washington, D.C.	157.15	154.83	104.76	104.59	112.67	112.63	69.00	67.28
Winston/Salem	129.67	126.04	86.44	85.14	92.20	91.68	56.93	54.77

SULLIVAN COUNTY JUSTICE CENTER

PRELIMINARY COST ANALYSIS BASED ON 1996 DOLLARS

March 1997 File 14654-03

PHASE I 800,000

- SITE PREPARATION

PHASE II

- NEW CONSTRUCTION

A. New Jail Pod	7,850,076
B. New Sheriff's Administration	1,008,100

PHASE III

- RENOVATION

A. Female/Kitchen Renovation	2,168,452
B. Dorm Space Renovation	1,642,576

PHASE IV

- Future Pod 7,000,000

PHASE V

- Future Pod 7,000,000

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PUBLIC COMMENTS

MARCH 17, 1997

Senator Ron Ramsey, Representatives Steve Godsey and Jason Mumpower were present to hear comments from the general public regarding the proposed access roads to Tri-City Airport.

Those present and opposing the proposed studies:

Dr. Riggins
Muddy Creek Rd.
Blountville, TN

Lynn Smoke
Greeneville, S.C.

Hubert Christian
Blountville, TN

Steven Baldridge
Kingsport, TN

Wallce Mitchell - Spoke in support of the study.
Bristol, TN

Commissioner Edley Hicks inquired what the feasibility would be of widening Hwy. 75.

Comm. Carol Belcher asked for a clarification on the comment made by the legislators stating the County Commissioners had the authority to oppose this study. Answer - If the full Commission opposed the study, it would probably have a great deal of bearing on the study, but would not stop the study.

THE FOLLOWING INDIVIDUALS SPOKE IN OPPOSITION TO RESOLUTION NO. 8 "JUNK LAW"

- Bobby Goodson
- Steve Baldridge
- Hubert Christian
- Wallace Mitchell
- Russell Dye
- Eddie Booker
- Jerry Dykes
- Scott McClellan
- Joe Campbell
- ~~Rudy Weiberg~~
- Rudy Weiberg

ty'

Earl Hendry, Attorney for the 'Concerned Citizens Group of Sullivan County' recommended that this be put to the vote of the people which would be the fairest way to settle this issue.

TOM CUTHILL - Regarding elected officials and past elected officials.

AND THEREUPON COUNTY COMMISSION ADJOURNED TO MEET
AGAIN IN REGULAR SESSION APRIL 21, 1997

GIL HODGES, COUNTY EXECUTIVE

