

COUNTY COMMISSION- REGULAR SESSION

MAY19, 2003

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, MAY 19, 2003, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE . PRESENT AND PRESIDING WAS HONORABLE RICHARD S. VENABLE, COUNTY EXECUTIVE, JEANIE F. GAMMON, COUNTY CLERK AND WAYNE ANDERSON, SHERIFF OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by County Executive Richard S. Venable. Sheriff Wayne Anderson opened the commission and Comm. Dennis Houser gave the invocation. Pledge to the flag was led by Sheriff Wayne Anderson.

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
JAMES "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. Morrell and seconded by Comm. Ferguson to approve the minutes of the April 21, 2003 Regular Session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS: MAY 19, 2003

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

- 1. Mr. Burton Whitaker, new CEO of Holston Valley Hospital.**

BEFORE THE COUNTY EXECUTIVE OF SULLIVAN COUNTY, TENNESSEE

In re:)
)
TRI-CITIES/SULLIVAN UTILITY DISTRICT)
OF SULLIVAN COUNTY, TENNESSEE)

CERTIFICATION OF NOMINEES FOR APPOINTMENT
OF UTILITY DISTRICT COMMISSIONER

The undersigned Commissioners of Tri-Cities/Sullivan Utility District of Sullivan County, Tennessee do hereby certify that a vacancy will exist on the District's Board of Commissioners by the expiration of the term of Commissioner on May 12, 2003, and pursuant to T.C.A. § 7-82-307(a), the Board of Commissioners hereby certify the nomination of the following qualified individuals for appointment to such vacancy being listed in order of preference:

1. Bobby J. Sanders
2. Joel M. Van Ryn
3. Donald Wayne Shipley

Wherefore, the District petitions the County Executive to make an appointment from such nominees to fill the said vacancy within 21 days from and after the date of the filing of this certification with the County Executive.

This 25th day of April, 2003

x Joe W. Brewer
Commissioner

Joseph W. Combs
Commissioner

SEAL

COUNTY OF SULLIVAN

ELECTION OF NOTARIES

APRIL 21, 2003

Kelly Jo Bailey	Anissa I. Kittrell
John S. Bingham	Carolyn V. Martin
Judy S. Blalock	Mary K. Miller
Brenda J. Bradshaw	Ben Neeley
Anissa L. Byington	Rita Neeley
Angie Carr	Elizabeth M. Potter
J. Richard Carroll	Elizabeth Anne Rhymer
Renee Lovelace-Carter	Kathie G. Salyers
Patricia C. Davis	Rebecca A. Spangler
Wendi Davis	R. Thomas
Melissa L. Duffy	Peggy H. Trevitte
Patricia M. Freeman	Susie D. Vaughn
Ronnie W. Gordon	Cynthia R. Welch
Aimee Burke-Grossberger	John F. Wetzell, Jr.
David M. Hacker	Christie L. Wolfenbarger
Brandon Hicks	Judith A. Daugherty
Melissa R. Hogston	James M. Eller
Ginger Hood	William David Richards
R. Grant Hyatt	
Sherry K. Hyatt	
Roslyn S. Justice	
Deborah A. Kanipe	
Kimberly L. Kelly	
Melissa M. Kern	
Tracy King	

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. 23 AYE, 1 ABSENT.

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLIC BONDS

MAY 19, 2003

Judy E. Campbell
Patricia S. Canter
Patricia J. Hagy
William L. Harris
William A. Hicks
Edward A. Hitt
Anita R. Hughes
Brenda Hurley
Stephen R. Lambert
Susan K. Lloyd
David L. Lyons
Kathy M. Shadden
Gaines Stafford

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 VOTE OF THE COMMISSION. 23 AYE, 1 ABSENT.

REZONING OVERVIEW

SULLIVAN COUNTY COMMISSION MEETING

May 19 2003

[illegible]

Agenda

Sullivan County Board of County Commission
May 19, 2003

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, May 19, 2003 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 03/03/01 Mike Bauguess
Reclassify A-1 & B-3 property at the northwest corner of Hwy -75 and Stevenson Hill road to P.M.D. -1 (Planned Manufacturing District-1) for the purpose of future sale of the property. Property ID. No. Tax map 108, Parcel 5.50 located in the 18th Civil District. **Sullivan County Planning**
- (2) File No. 03/03/02 Larry Harrison
Reclassify R-1 property at 615 Chadwell Road to B-3 for the purpose of future commercial use. Property ID. No. Tax map 14, Parcel 15.12 located in the 10th Civil District. **Sullivan County Planning**
- (3) File No. 03/03/03 Paul Spears
Reclassify P.R.D. (Planned Residential Development) property at 393 pearl Lane to A-1 for the purpose of protection against multi-family housing. Property ID. No. Tax map 78, Parcel 94.00 located in the 7th Civil District. **Kingsport Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING # 03/03/01

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

Property Owner Mike L. Bauguess

Address #4 Edgewater Court
Johnson City, TN 37615

Phone 477-7585 Date of Request 02/24/03

Property Located in 18 Civil District

x Mike L. Bauguess
Signature of Applicant

OFFICE USE ONLY

Meeting Date 04/15/03 Time 7pm

Place Blountville Courthouse
2nd floor

7pm 04/15/03
Planning Commission Approved _____
Denied _____

9am 05/19/03
County Commission Approved X
Denied _____

Other Roll Call Vote 24 AYE

Final Action Date 05/19/03

PROPERTY IDENTIFICATION

14.67 acres

Tax Map 108 Group Parcel 5.50

Zoning Map 25 Zoning District A-1/B³ Proposed District PMD-1

Property Location Stevenson Hill Rd, Blountville
(Sullivan County planned growth area)

Purpose of Rezoning future sale of property for
prospective businesses

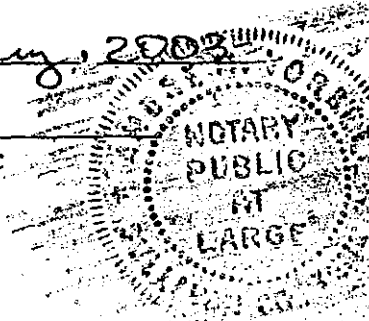
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

x Mike L. Bauguess

Sworn to and subscribed before me this 24th day of February, 2003

J. J. J. J.
Notary Public

My Commission Expires: August 31, 2005



**Sullivan County
Board of County Commissioners
Staff Comments –May 19, 2003**

**AGENDA ITEM E 1
REZONING REQUEST File 03/03 #1**

Property Owner:	Mike Bauguess
Rezoning Request	A-1/B-3 to PMD-1
Purpose:	Future sale of property for perspective businesses
Parcel ID:	Tax Map 108, Parcel 005.50
Location:	Stevenson Hill Road, Blountville
Civil District:	18 th
Surrounding Zoning:	PMD-2, B-3, A-1, and PMD
PC 1101 Growth Plan:	Sullivan County Planned Growth Area

Staff Field Notes:

- This property is approximately 14.67 acres and has existing commercial businesses (Trading Post) on site fronting Hwy 75 across from the Tri-Cities Regional Airport.
- The rear portion of the land has not been developed but has recently been re-platted into two additional tracts.
- There are public utilities to serve this property; although it is currently served by septic. Johnson City has not expanded the sewer at this time.
- Due to the proximity to the airport and industrial centers, the trend for this rezoning request in this area, and the compatibility with the adjacent commercial and manufacturing sites, staff recommends in favor of this rezoning request.

Discussion at Planning Commission Meeting:

Tom McKee, attorney, was present to represent the case.

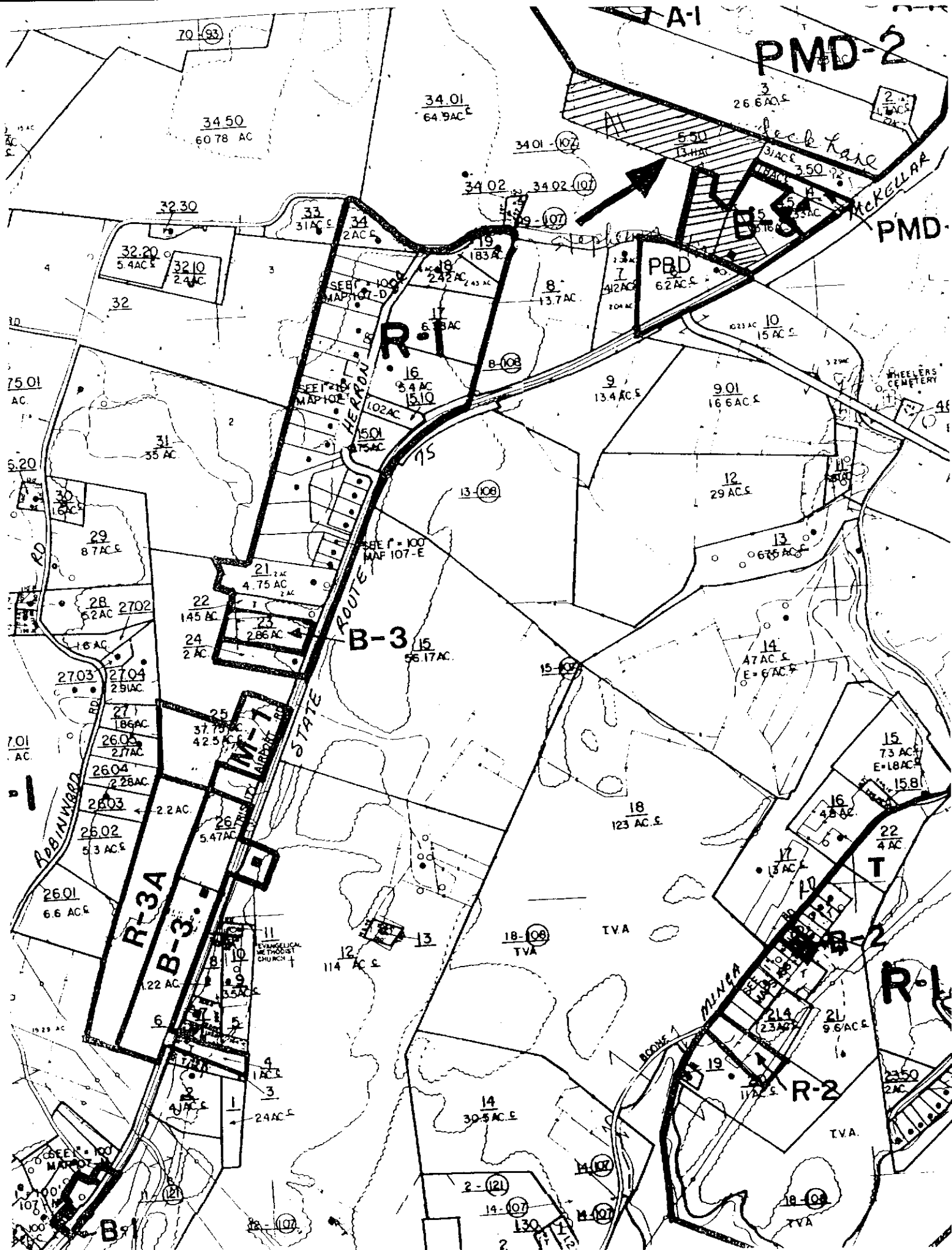
Neighborhood Opposition:

None noted prior to or at the meeting.

Sullivan County Regional Planning Commission Action: - April 29, 2003	
Approval: Bronner, Dutton (4 yes, 0 no, 5 members present – passed unanimously)	
Denial:	Reason for denial:
Defer:	Reason for denial:

Sullivan County Board of County Commissioners Action: - May 19, 2003	
Approval: 05-19-03	
Denial:	Reason for denial:
Defer:	Reason for denial:





PETITION TO SULLIVAN COUNTY FOR REZONING

03/03/02

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

Property Owner LARRY HARRISON
Address 234 Olinger Dr.
Kingsport, TN 37660
Phone 288-4911 Date of Request 3-6-03
Property Located in 10th Civil District

Larry Harrison POA
Signature of Applicant
Alexandra J. Lewari

OFFICE USE ONLY

Meeting Date 4-15-03 Time 7:00 P.M.
Place Courthouse - Blountville
Comm. Room

Planning Commission Approved _____
Denied _____

County Commission Approved _____
Denied X

Other Roll Call Vote 24 NAY

Final Action Date 05-19-03

PROPERTY IDENTIFICATION

Tax Map 14 Group _____ Parcel 15.12
Zoning Map 6 Zoning District R-1 Proposed District B-3
Property Location 615 Chadwell RD.

Purpose of Rezoning Future Commercial

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 6th day of MARCH, 2003.

Larry Harrison POA
Alexandra J. Lewari
Jack Morrison
Notary Public

My Commission Expires: 12-20-03

**Sullivan County
Board of County Commissioners
Staff Comments – May 19, 2003**

**AGENDA ITEM E 2
REZONING REQUEST File 03/03 #2**

Property Owner:	Larry Harrison
Rezoning Request	R-1 to B-3
Purpose:	Future General Retail Business
Parcel ID:	Tax Map 014, Parcel 015.12
Location:	615 Chadwell Road, Kingsport area
Civil District:	10th
Surrounding Zoning:	R-1 with R-2, R-3A and two small B-3 zones in area but none adjacent
PC 1101 Growth Plan:	Sullivan County Planned Growth Area

Staff Field Notes:

- This property is approximately 1.92 acres and does not front on a public road; the access is a private drive/easement.
- The parcel has been used for a general contractor's storage and office. Mr. Harrison has been a contractor and has had a business license since April of 1986.
- According to county records available, the detached garage was built in 1988. Staff considers this building and contractor's office as a legal but non-conforming use and structure (grandfather clause).
- The site has poor access and very poor visibility, as the driveway is at the crest of a hill – not suitable for general business and retail traffic.
- While this area is within a planned growth area, commercial growth on a rural residential road is not appropriate or compatible with the single-family homes surrounding this site.
- Staff cannot recommend in favor of this rezoning classification, as the site is surrounded by established single-family homes, large tracts and farms, is not suitable for the broad range of business uses permitted under B-3, and the traffic would be flowing through neighboring land via an easement.
- Any future commercial districts in this area should be on collector roads, be extensions of existing and established districts, should have public services, and direct public access without creating a nuisance on neighboring residences.

Discussion at Planning Commission Meeting:

Several citizens of the community were present to speak against this property rezoning request:

Paul Hoover, Ninan Jones, Loyl Harris, Jerry Jones

Alexandria Ferrari represented the applicant stating the purpose of the rezoning was for a gun and pawn shop. Mr. Jim DeVault spoke in favor of the request

Neighborhood Opposition:

Staff received a call from a neighbor adjacent to the site. This person strongly opposes the rezoning to commercial.

Sullivan County Regional Planning Commission Action: - April 29, 2003
Approval:
Denial: Bronner, Peterson (4 yes, 0 no, 5 members present - passed unanimously) Reason for denial:
Defer: Reason for denial:

Sullivan County Board of County Commissioners Action: - May 19, 2003
Approval:
Denial: 05-19-03 Reason for denial:
Defer: Reason for denial:

518.10

VIRGINIA

TENNESSEE

17.20

8.6 ACc

15.17

2.52 AC.

15.16

4.72 AC.

15.01

19.1 ACc

15.15

4.7 AC.

47.10

6 AC.

16

1.45 AC.

15.20

2.51 AC.

15

5.74 AC.

RETROM FARM
P.B.5 PG. 15

FLEMING RD.

5.20

1.3 AC.

5.10

1.3 AC.

5.4

3.4 ACc

SEE 1"=100'
MAP 14-J

SEE 1"=100'
MAP 14-J

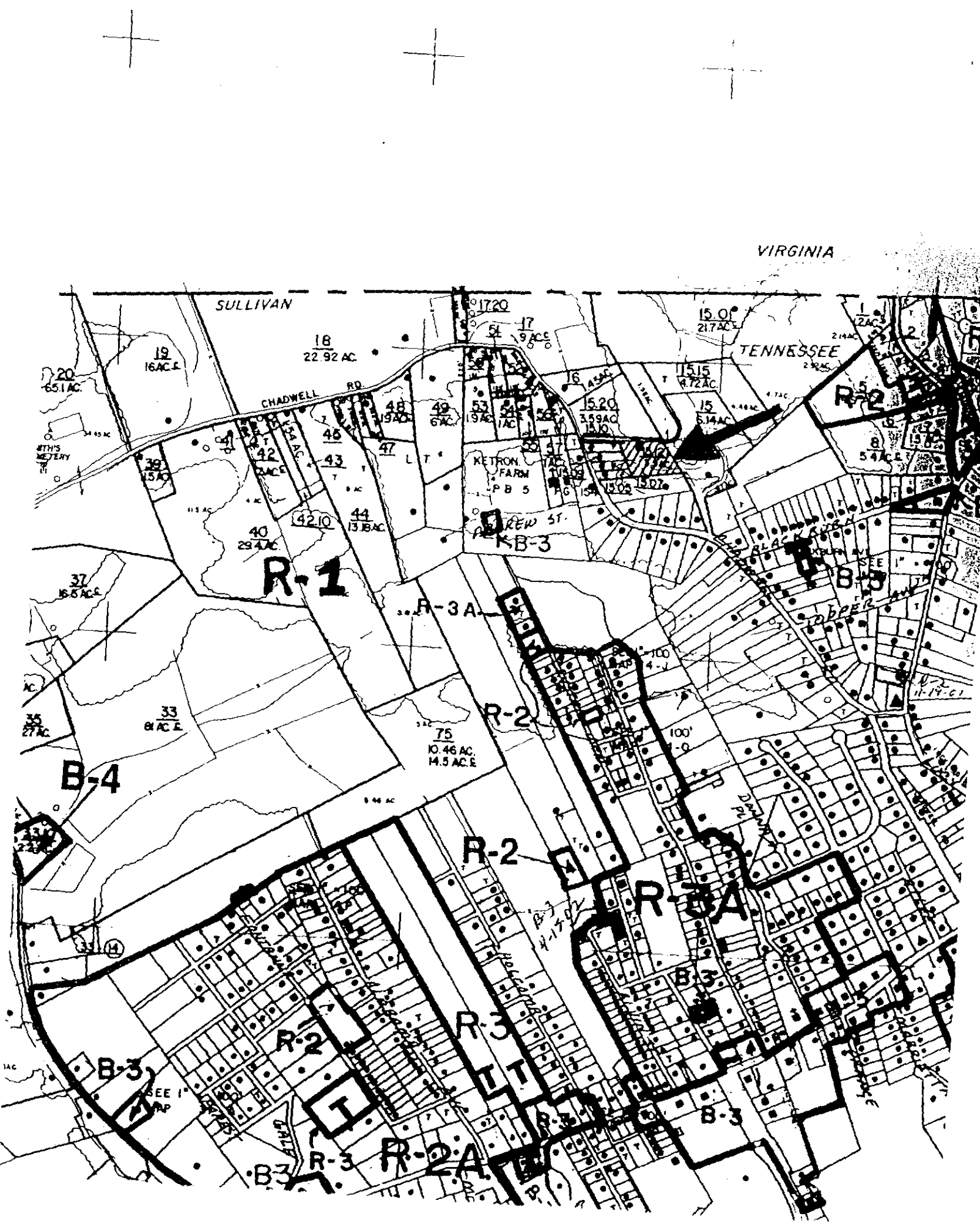
LUBY RD.

75

10.46 AC.

14.5 ACc

SEE 1"=100'
MAP 14-O



THE ZONING COMMITTEE OF SULLIVAN COUNTY, TN.

4/02/2003

WHAT IS THE BIG DEAL ABOUT MR. LARRY HARRISON HAVING TO REZONE HIS PROPERTY ,LOCATED ON CHADWELL ROAD,IN THE BLOOMINGDALE AREA?

MR. HARRISON HAS HAD A BUSINESS THERE FOR SEVERAL YEARS,HE SHOULD FALL UNDER THE GRANDFATHER LAW.ALL HE IS DOING IS CHANGING THE BUSINESS,NOT THE LOCATION,BUSINESS IS BUSINESS.

THIS LITTLE COMMUNITY IS SURROUNDED BY BUSINESSES,3 BODY SHOPS, 1 WELDING SHOP,1 LAWN SERVICE,1 BEAUTY SHOP,YES ALL ON LITTLE CHADWELL ROAD,I WOULD MUCH RATHER SEE A BUSINESS COME INTO THIS SUBDIVISION,THAN A DAMN MOSQUITO INFESTED POND,PRACTICALLY IN MY BACK YARD,NO FARM ANIMALS,AND WHEN IT RAINS IT FLOODS THE WHOLE STREET,AND THE OWNER IS TALKING ABOUT ENLARGING IT,ALL BECAUSE SULLIVAN COUNTY TENNESSEE HAS NO POND BUILDING LAW.

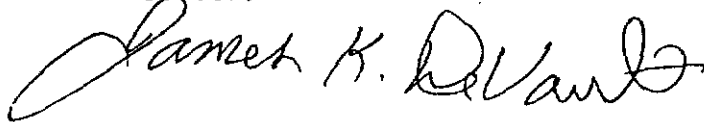
YOU CAN DISCUSS IT,BUT YOU DON'T LIVE HERE,SO YOU DON'T GIVE A RAT'S BUTT,MY BACK YARD IS USELESS TO ME,ALL I CAN DO IS MOW IT AND PAY TAXES ON IT,AND THAT IS ALL YOU PEOPLE ARE INTERESTED IN ANYWAY.COLLECTING TAX DOLLARS,AND FIGURING WAYS TO SCREW PEOPLE LIKE MR. HARRISON OUT OF MORE MONEY.

JUST ABOUT EVERYONE ON CHADWELL ROAD TRIES TO KEEP THEIR PROPERTY UP AND LOOKING NICE,JUST SO YOU PEOPLE CAN RAISE OUR TAXES.

QUIT HASSELING MR. HARRISON,HE FALLS UNDER THE GRANDFATHER LAW JUST LIKE ANY OTHER BUSINESS,AND START DOING SOMETHING OF IMPORTANCE TO IMPROVE THE TAX PAYERS WAY OF LIFE.

THANK YOU FOR YOUR VERY PRECIOUS TIME.

JAMES K. DeVAULT
536 CHADWELL ROAD
KINGSPORT, TN. 37660
343-7551



RECEIVED

APR 09 2003

SULLIVAN COUNTY, TN
LAND USE OFFICE

PETITION TO SULLIVAN COUNTY FOR REZONING # 03/03/03

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.

Property Owner PAUL SPEARS
Address 393 PEARL LANE
BLOUNTVILLE, TN 37617
Phone 323-6892 Date of Request 3-10-03
Property Located in 7th Civil District
x Paul Spears
Signature of Applicant

OFFICE USE ONLY

Meeting Date 4-12-03 Time 7:00 PM
Place CITY HALL 2nd FLOOR
.....
Planning Commission Approved _____
Denied _____
County Commission Approved X
Denied _____
Other Roll Call Vote 24 AYE
Final Action Date 05-19-03

PROPERTY IDENTIFICATION

Tax Map 78 Group _____ Parcel 94.00
Zoning Map 16 Zoning District PRD1 Proposed District A-1
Property Location 393 PEARL LANE

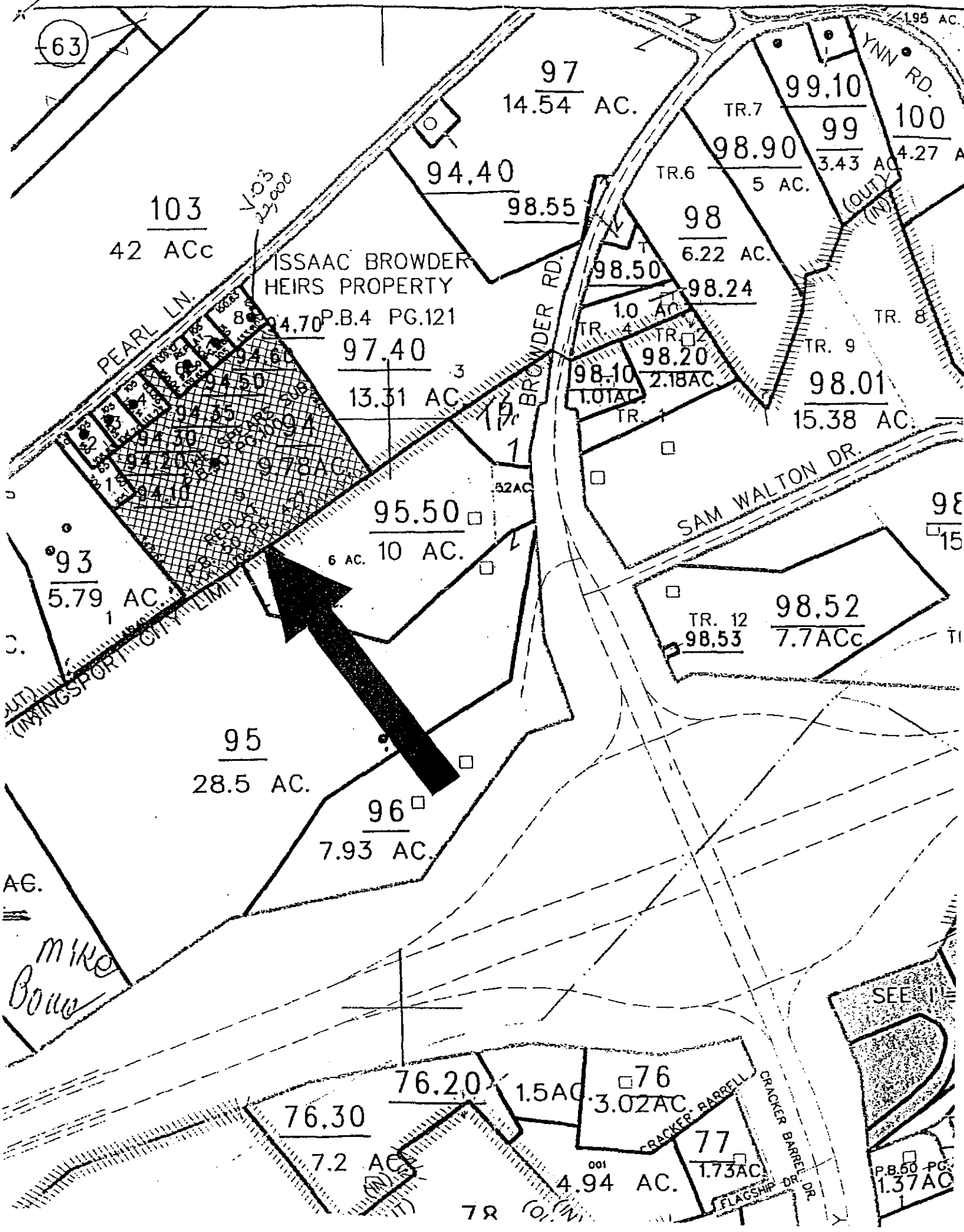
Purpose of Rezoning For protection Against Multi-Unit Housing
For Front Property Owners

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 10th day of MARCH, 2003.

x Paul Spears
Jack Morrison
Notary Public

My Commission Expires: 12-20-03



ISAAC BROWDER
HEIRS PROPERTY

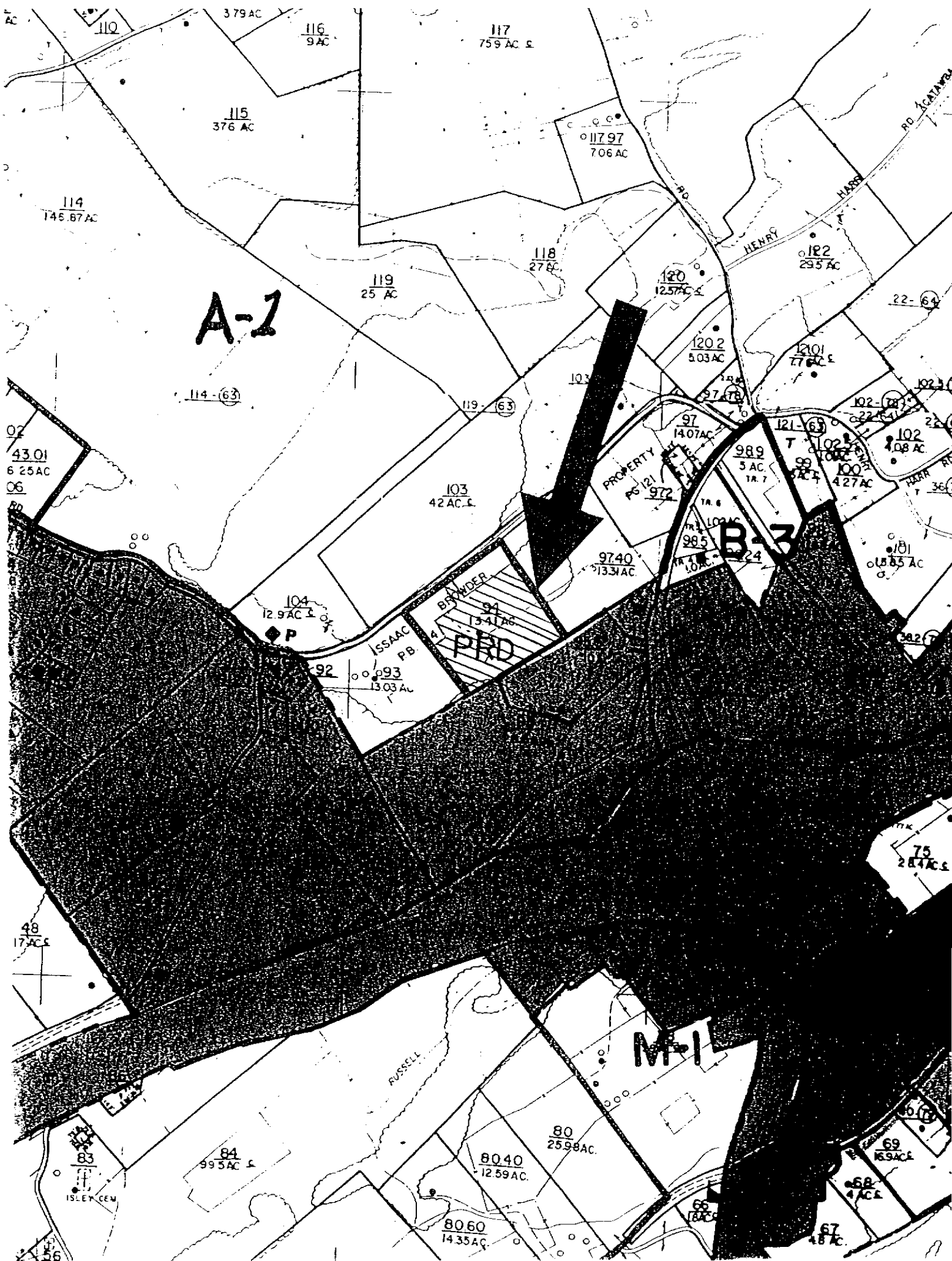
P.B.4 PG.121

WINGSPORT CITY LIMIT

MIKE
BOW

SEE 11

P.B.50 PG.
1.37 AC





CITY OF KINGSPORT, TENNESSEE

Amber Torbett
Sullivan County Planner
Fax: 279-2886

Dear Mrs. Torbett:

On April 17, 2003, the Kingsport Regional Planning Commission made the following recommendations concerning county cases.

04-06 County Rezoning 393 Pearl Lane (03-101-00001)

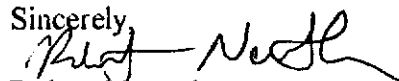
Paul Spears, property owner, requested a county rezoning of ~10 acres from PRD, Planned Residential District, to A-1, Agricultural District. The property was located on the southern side of Pearl Lane (Sullivan County tax map 78, parcel 94). The rezoning application stated that the proposed use was to "protect against multi-unit housing for front property owners." Staff recommended approving the rezoning as requested for the following reasons:

1. The rezoning is compatible with the surrounding county and city agriculture zoning districts.
2. The possible land uses in the A-1 zone would be compatible with the surrounding land uses.
3. The property owner submitted the request.
4. The East Kingsport Land Use & Transportation Study (2003) recommended the property for conservation, residential, and agricultural land use.

Staff stated that trailers on single lots were permitted in the A-1 county zone; however, a public street would have to be constructed with sidewalks and meet the minimum lot size requirements for the A-1 zone. Bruce Martin, front property owner, opposed, and questioned rezoning property from a zone that permitted apartments to a zone that permitted trailers on single lots. Mr. Spears stated difficulty developing it under the PRD zone, which he said the property was zoned when he purchased it. On a motion by Doug Releford, seconded by Mike McIntire, the Commission voted unanimously, 7-0, to accept the Staff rationale to rezone the property from PRD, Planned Residential District to A1, Agricultural District.

If you have any questions, please call me at 224-2482.

Sincerely,



Robert Nemeth

REZONING REPORT
FILE: 03-101-00001

TO: KINGSFORT REGIONAL PLANNING COMMISSION

FROM: Robert Nemeth, Planner

DATE: April 10, 2003

APPLICANT: Paul Spears, property owner

REQUESTED ACTION: County rezoning of 9.78 acres of property from PRD, Planned Residential District, to A-1, Agricultural District.

LOCATION: Property is located on the southern side of Pearl Lane off of Exit 63 on I-81 (Sullivan County tax map 78, parcel 94). The property is located outside the Kingsport City limits, within the Kingsport Urban Growth Boundary, in the 7th Civil District of Sullivan County.

EXISTING LAND USE: Single-family residence.

PROPOSED USE: The application states, "For protection against multi-unit housing for front property owners".

SURROUNDING COUNTY & CITY ZONING AND LAND USE:

North: County A-1. Vacant, wooded lot.

South: City A-1, and city B-3, General Business District. There is a commercial business accessed from Browder Drive. There is wooded property in the agriculture zone of the City.

East: County A-1. On the southern side of Pearl Lane are two houses, a vacant property, a utility building, vacant property, and a residence adjacent to Browder Drive. On the northern side of Pearl Lane there is agriculture use, and a residence adjacent to Browder Drive.

West: County A-1. Four houses on the southern side of Pearl Lane, Rocky Top Campground on the northern side of Pearl Lane, and a cluster of single-family houses at the intersection of Pearl Lane, and Rocky Branch Road.

LAND USE PLAN (S): The site is outside the city 2010 Conceptual Land Use Plan (Kingsport Land Use Plan, 1988).

UTILITIES: The Kingsport Water Division stated that a 12-inch diameter city water line is available to the property. The Kingsport Sewer Division stated that two city sewer lines are available measuring 8-inches in diameter adjacent to Pearl Lane, and 6-inches in diameter from Browder Road.

TRANSPORTATION:

The site requesting rezoning is located adjacent to the southern side of Pearl Lane, which has an approximate 24-foot pavement width. The Major Street & Road Plan (2000) designates Pearl Lane as a 60-foot collector street.

PHYSICAL CHARACTERISTICS:

The property requesting rezoning measures ~50 feet adjacent to Pearl Lane, extending south ~150 feet before widening ~600 feet for an approximate depth of 600 feet. The property rises from the front property line to form a hill with a single-family residence and accessory structure on the top.

CITIZEN RESPONSE:

None.

OPTIONS:

The Planning Commission's options are the following:

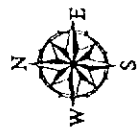
1. Approve the rezoning as requested.
2. Disapprove the rezoning, and state the reasons in writing.
3. Postpone action until additional information is presented.

STAFF RECOMMENDATION:

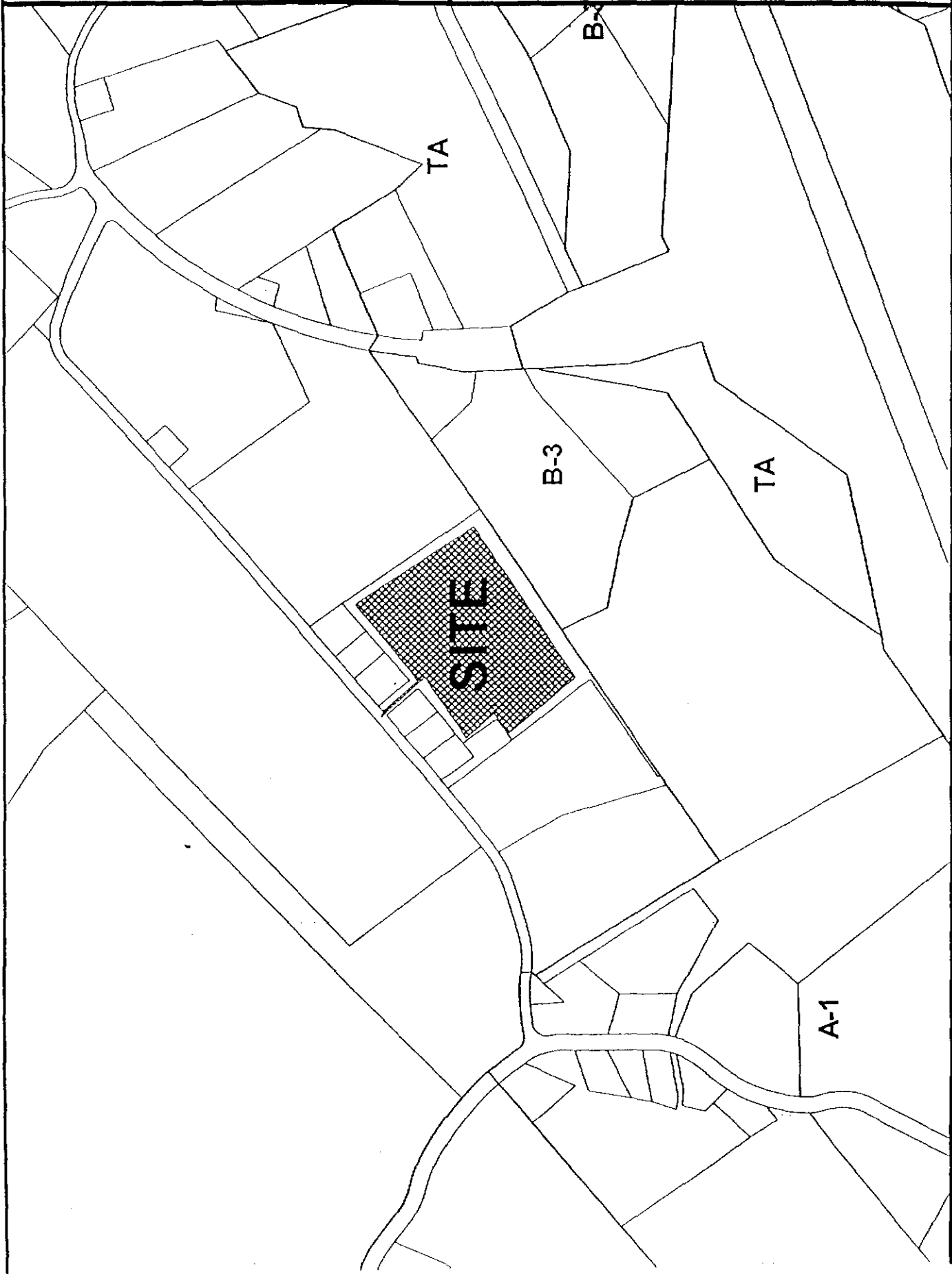
The Kingsport Planning Division recommends Option 1 for the following reasons:

1. The rezoning is compatible with the surrounding county and city agriculture zoning districts.
2. The possible land uses in the A-1 zone would be compatible with the surrounding land uses.
3. The property owner submitted the request.
4. The East Kingsport Land Use & Transportation Study (2003) recommends the property for conservation, residential, and agricultural land use.

- ▧ Parcels
- ▧ Interstate
- ▧ Zoning
- ▧ District Label
- ▧ River
- ▧ Water
- ▧ N

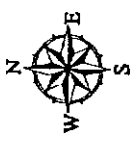
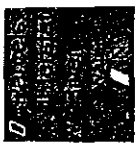


Kingsport



City Zoning Map

1 in. = 500.0 feet



Kingsport

393 Pearl Lane County Rezoning Request from PRD to A-1

1 in. = 500.0 feet

MINUTES

OF THE SULLIVAN COUNTY PLANNING COMMISSION

The regular meeting of the Sullivan County Planning Commission was to be held on April 15, 2003 and was canceled due to the lack of quorum. The rescheduled meeting was held on Tuesday April 29, 2003 at 7:00p.m., at the Courthouse in Blountville, Tennessee.

A. Members Present:

Harry Boggs, Chairman
Jack Dutton
Cathy Mullins
Gordon Peterson
Ken Bronner

Members absent:

Mark Selby, Vice Chairman
James "Buddy" King
Gil Hodges
Roy Settle

B. Recognition of Visitors

Staff Representatives:

Ambre Torbett, Sullivan County Planner
Tim Earles, Sullivan County Building Commissioner
Richard Henry, Sullivan County Planning Commission Secretary

The meeting was called to order at 7:03p.m. by the chairman with a quorum present.

C. Approval of March 18, 2003 Minutes

The minutes from the March 18, 2003 meeting were reviewed. Motion made by Bronner to accept the minutes as presented, seconded by Dutton. Motion to accept the minutes passed unanimously.

D. Public Hearing

(1) Text Amendment to the Sullivan County Subdivision Regulations.

ARTICLE III

SECTION C. (pg. 15)

3. Irregular Lots and Minimum Lot Size Standards

In order to ensure good design and buildable areas in any proposed lot, any portion of a lot contained within the pipe-stem (access or driveway area) or within any designated floodway areas, as identified by the best available data, shall not be applied to the minimum lot size standard, as required by the zoning district.

Jerry Dykes spoke against lot sizes in zoning regulations.

Mr. Peterson made the motion, seconded by Mrs. Mullins, to approve the text amendment change. The motion to change the text amendment passed unanimously.

E. Rezoning Requests

(1) File No. 3/03/01 Mike L. Bauguess

Reclassify A-1/B-3 property on Stevenson Hill Road to PMD-1. Property ID. No. Tax map 108, Parcel 5.50 located in the 18th Civil District.

Mr. Tom McKee was present and spoke on behalf of the rezoning request.

No one was present in opposition.

Staff Comments:

- This property is approximately 14.67 acres and has existing commercial businesses (Trading Post) on site fronting Hwy 75 across from the Tri-Cities Regional Airport.
- The rear portion of the land has not been developed but has recently been re-platted into two additional tracts.
- There are public utilities to serve this property; although it is currently served by septic. Johnson City has not expanded the sewer at this time.

Due to the proximity to the airport and industrial centers, the trend for this rezoning request in this area, and the compatibility with the adjacent commercial and manufacturing sites, staff recommends in favor of this rezoning request.

Mr. Bronner made the motion, seconded by Mr. Dutton, to approve the rezoning. The motion to recommend approval for the rezoning passed unanimously.

(2) File No. 3/03/02 Larry Harrison

Reclassify R-1 property at 615 Chadwell Road to B-3. Property ID. No. Tax map 14, Parcel 15.12 located in the 10th Civil District.

Mrs. Alexandria Ferrari spoke on behalf of Larry Harrison. She stated that Mr. Harrison would like to start a small gun and pawnshop on the property in question.

Mr. Jim Devalt asked why Mr. Harrison would not be grandfathered. Ambre Torbett explained the grandfathering process to Mr. Devalt.

Loal Harris expressed his concerns of liability, water drainage and traffic safety.

Nina Jones expressed her concerns of traffic safety, water drainage and mailbox problems.

Jerry Jones expressed his concern about not wanting a business in his neighborhood.

Paul Hoover expressed his concerns about traffic on Chadwell Rd.

Staff Comments:

This property is approximately 1.92 acres and does not front on a public road; the access is a private a business license since April of 1986.

- According to county records available, the detached garage was built in 1988. Staff considers this building and contractor's office as a legal but non-conforming use and structure (grandfather clause).
- The site has poor access and very poor visibility, as the driveway is at the crest of a hill – not suitable for general business and retail traffic.

While this area is within a planned growth area, commercial growth on a rural residential road is not appropriate or compatible drive/easement.

- • The parcel has been used for a general contractor's storage and office. Mr. Harrison has been a contractor and has had with the single-family homes surrounding this site.
- Staff cannot recommend in favor of this rezoning classification, as the site is surrounded by established single-family homes, large tracts and farms, is not suitable for the broad range of business uses permitted under B-3, and the traffic would be flowing through neighboring land via an easement.

Any future commercial districts in this area should be on collector roads, be extensions of existing and established districts, should have public services, and direct public access without creating a nuisance on neighboring residences.

Mr. Bronner made the motion, seconded by Mr. Peterson , to deny the rezoning. The motion to recommend denial of the rezoning passed unanimously.

F. Bond Release**(1) Mr. Lewis Buckles, Green Auto Sales, Hwy 11-E, Piney Flats TN**

Mr. Buckles was present and spoke on behalf of the bond. He stated that all regulations had been met.

- Staff recommends approval for the release of the bond of \$4,200. All site plan requirements have been completed and meet the zoning requirements.
- Staff noticed that some of the required evergreen trees appear to be dying. Any trees that do not survive must be replaced and maintained. All other landscaped areas must be maintained as well.

Motion was made by Peterson and a second by Bronner to approve the Bond Release. The motion to approve the Bond Release passed unanimously.

G. Subdivisions**(1) George Browder Property, *Final*****Staff Comments:**

The farm owner is proposing to divide 3 tracts to be sold at auction.

Motion was made by Dutton and a second by Bronner to approve the final subdivision. The motion to approve the final subdivision passed unanimously.

(2) Barb Lots, *Preliminary & Final*

Staff Comments:

All signatures certify code compliance.

No one present to represent the case. Staff briefed the members.

Motion was made by Dutton and a second by Mullins to approve the Preliminary and Final subdivision. The motion to approve the preliminary & final subdivision passed unanimously.

(3) Lois Marcella Burgess and grandson, *Preliminary & Final*

Staff Comments:

The lot closest to the road has an unstudied stream, which would require creek crossing permits from TDEC. Staff is waiting for a revised plat with signatures.

All signatures certify code compliance.

Motion was made by Peterson and a second by Bronner to defer the subdivision. The motion to defer the preliminary & final subdivision passed unanimously because of a lack of representation..

(4) Rosemary Court Villas, *Preliminary*

Staff Comments:

This site was split into two parcels, but has recently been platted to recombine the tracts (Kingsport Planning Commission). The property is approximately 2.472 acres total and can accommodate 14 units total, as the density for this district for single-family homes is 1 dwelling unit per 7,500 square feet or 5.88 per acre.

This plan meets the minimum setbacks, density, parking and access requirements with no room for error. The drainage plan will be incorporated into the erosion and sediment control plan. This will require a TDEC construction permit for stormwater. Staff recommends preliminary approval for these patio homes as the plan meets the county zoning requirements for the R-3 district. Pursuant to Title 66 of the TCA, Horizontal Property Act Regime, a final as-built survey plat must be submitted for Planning Commission approval to be recorded with the Master Deed and Home-Owners Association. Please note, this is not a subdivision of land, rather a plan for individual ownership of the unit and common ownership of the land.

Motion was made by Peterson and a second by Bronner to approve the preliminary subdivision. The motion to approve the preliminary condominium plan passed unanimously.

(5) Confirmation of Minor Subdivision Plats for March 2003.

Motion made by Dutton and a second by Bronner to confirm the approval of the subdivisions. The motion passed unanimously.

H. Site Plans

(1) Airport Business Park, Site Plan

Staff Comments:

This plan is for a 5,000 square foot building located on Deck Lane in Blountville, near the airport. Gammon Creek runs along Hwy 75 on this side of the road. The surveyor has calculated the elevation of the site and building pad in relation to the flood elevation, to prevent flooding of structures. All setbacks illustrate landscaping of shade trees and evergreen trees to the rear along non-commercial zones. Johnson City provides all utilities to this site. Staff recommends approval of this new development, as zoning code requirements have been planned.

Mr. Kem Richardson and Mr. Cline were present to represent the case. They explained that most of the grass would not be disturbed near the creek and that a detention pond would be constructed on site to filter out sediment from stormwater discharge.

Motion was made by Peterson, seconded by Mullins to approve the site plan. The motion to approve the site plan passed unanimously.

(2) Affordable Dentures in Bluff City Area, Site Plan Expansion of a Non-Conforming Use

Staff Comments:

The purpose of this expansion is to add 512 square feet in the rear for a bathroom, additional waiting area and three more dental chair exam rooms. This structure and use is considered legal but non-conforming as it was established prior to zoning and is currently zoned A-1. The surrounding zoning is A-1. According to the plans, no parking or landscaping will be affected by this expansion. Staff recommends approval of this plan.

- Where will the exterior HVAC system be relocated?
- Will any additional trees be planted to replace those that will be destroyed during construction?

Mark LaRue – was present to represent the request

Motion was made by Mullins, seconded by Dutton to approve the site plan expansion. The motion to approve the site plan expansion passed unanimously.

(3) Lamar Advertising, Site Plan Expansion

Staff Comments:

- This is a legal but non-conforming structure in a B-4 zone.
- The current billboard is too close to the road and does not meet the setbacks for the B-4 zone.
- The proposed replacement billboard will be V-shaped/Double-Sided and will be set the same distance – still not meeting the setbacks for this zone.
- Lamar Advertising has recently sued municipalities finding loopholes in their zoning codes. The court has established that section 13-7-208 of the TCA applies to counties as well as cities and therefore a billboard is considered a commercial facility (as opposed to a sign) and therefore would be allowed to expand as a non-conforming structure, per Planning Commission review and approval.
- One caveat to this TCA and court ruling is that this billboard may be allowed to expand provided there is room for expansion.
- Staff viewed site and materials as provided. Staff believes there is plenty of room for this new billboard (replacement) to meet all of the required zoning setbacks required for the B-4 district (50 feet on Fort Henry Drive and VFW Road, 25 feet rear and 30 feet side.
- There are many legal, but non-conforming billboards in the area and Sullivan County operated by this company and others. Any decision by the Planning Commission will set precedence for future billboard expansions or replacements.
- Staff recommends approval of the replacement billboard as designed; however the setbacks for the B-4 must be met, as no topographical hardship is present to warrant any need to request a variance. Any variance would have to be approved by the Board of Zoning Appeals.
- Staff is requesting 5 additional sets of plans to be presented to Planning Commission.
- Staff has requested a formal written recommendation and opinion from Stan Harrison, Regional Director of the State Local Planning Assistance Office. (see attached memo)

Tim Adrien was present to represent Lamar Outdoor Advertising.

Motion was made by Mullins, seconded by Dutton to deny the site plan expansion. The motion to deny the site plan expansion passed unanimously, due to new setbacks out of compliance.

- I. New Business - NONE**
- J. Old Business - NONE**
- K. Public Comments - NONE**
- L. Adjournment**

With no further business, a motion was made by Dutton and a second by Peterson to adjourn the meeting at 8:25 p.m.

Richard Henry, Sullivan County Planning Commission Secretary

RESOLUTIONS ON DOCKET FOR MAY 19, 2003

RESOLUTIONS	ACTION
#1 THE SULL. CO. BOARD OF COMM. TO CONSIDER AMENDMENTS TO THE SULL. CO. ZONING RESOLUTIONS AS AMENDED	APPROVED 05-19-03
#2 AUTHORIZING TRAFFIC SIGN CHANGES IN THE 4 TH C.D.	DEFERRED 05-19-03
#3 AMENDING THE 2002-2003 GEN. PURPOSE SCHOOL BUDGET FOR THE PURPOSE OF CORRECTING BUDGETED AMOUNTS FOR THE FOLLOWING FEDERAL THROUGH STATE GRANTS: HIGH SCHOOLS THAT WORK, ADULT EDUCATION AND FAMILIES FIRST	APPROVED 05-19-03
#4 AMENDING THE 2003-2003 GENERAL PURPOSE SCHOOL BUDGET FOR CORRECTING THE FAMILIES FIRST AND ADULT EDUCATION BUDGETS	APPROVED 05-19-03
#5 AMENDING THE 2002-2003 GENERAL PURPOSE SCHOOL BUDGET FOR THE TRANSITIONS SCHOOLS TO WORK (TSTW) GRANT FROM THE STATE OF TENNESSEE IN THE AMOUNT OF \$7,786.72	APPROVED 05-19-03
#6 AMENDING THE 2002-2003 GENERAL PURPOSE SCHOOL BUDGET FOR THE EASTMAN TEACHER ON LOAN PROGRAM IN THE AMOUNT OF \$1,500.00	APPROVED 05-19-03
#7 AMENDING THE 2002-2003 GENERAL PURPOSE SCHOOL BUDGET FOR THE EARLY CHILDHOOD EDUCATION GRANT (PRESCHOOL) FROM THE STATE OF TENNESSEE IN THE AMOUNT OF \$51,390.00	APPROVED 05-19-03
#8 AMENDING THE 2002-2003 GENERAL PURPOSE SCHOOL BUDGET FOR CORRECTING THE PERSONNEL BUDGET IN THE SERIES 72130 OTHER STUDENT SUPPORT	APPROVED 05-19-03
#9 AUTHORIZING REFUND OF 2002 PROPERTY TAXES PAID BY SULLIVAN COUNTY HISTORICAL PRESERVATION ASSOCIATION ON OLD DEERY INN AND RUTLEDGE HOUSE PROPERTIES	APPROVED 05-19-03
#10 AUTHORIZING SULLIVAN COUNTY LITTER GRANT PROGRAM FOR FY 2003-2004	1 ST READING 05-19-03
#11 AUTHORIZING SHIFT DIFFERENTIAL PAY INCREASE FOR SULLIVAN COUNTY SHERIFF'S OFFICE	1 ST READING 05-19-03
#12 TO AMEND LITIGATION TAX FOR SULLIVAN COUNTY	1 ST READING 05-19-03
#13 AUTHORIZE FUNDS TO SECURE RIGHT-OF-WAY NECESSARY TO IMPROVE EAST CARTER'S VALLEY	APPROVED 05-19-03
#14 AUTHORIZING SUBMISSION OF APPLICATION FOR HOMELAND SECURITY GRANT PROGRAM	APPROVED 05-19-03
#15 AMENDING THE SULLIVAN COUNTY ZONING RESOLUTION	1 ST READING 05-19-03

[illegible]

Sullivan County, Tennessee
Board of County Commissioners

Item 1
No. 2003-05-00

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing the Board of County Commissioners 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 19th day of May 2003.

Attested: *Jeanie Gammon* 5/19/03 Approved: *Richard S. Venable* 5/19/03
Jeanie Gammon, County Clerk Date Richard S. Venable, County Executive Date

Introduced By: Commissioner: King (Buddy)

Seconded By: Commissioner(s): Ferguson

2003-05-00	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03 23 Aye, 1 Absent

Comments: Motion made by Comm. Hyatt and seconded by Comm. Buddy King to approve.

Sullivan County, Tennessee
Board of County Commissioners

2
Item 8
Executive
No. 2003-03-24

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 17th day of March 2003.

RESOLUTION Authoring Traffic Sign Changes in the 4th Civil District

WHEREAS, the Sullivan County Highway Department has recommended the following traffic sign changes be made in the 4th Civil District

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

4th Civil District

To place "No Parking" signs on Old White Top Road.

Request made by Commissioner Linda Brittenham.

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

Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Brittenham

Seconded By Commissioner(s): Blackburn, Houser

2003-03-24	Administrative	Budget	Executive	County Commission
ACTION		---		

Comments: 1st Reading 03-17-03; Deferred 04-21-03; Deferred 05-19-03;

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

ATTACHMENT 2003 - 03 - 24
No. of Pages 1

John R. LeSueur, Jr.
Commissioner of Highways

(423) 279-2820
FAX (423) 279-2876

March 5, 2003

COMMISSIONERS: Linda Brittenham
Garth Blackburn
Dennis Houser

Dear Commissioners:

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

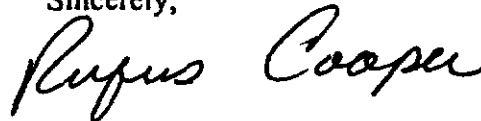
To place NO PARKING signs on Old White Top Road.

Request made by Commissioner Linda Brittenham.

This is in the 4th Civil District.

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

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: Angela Taylor

Sullivan County, Tennessee
Board of County Commissioners

3
Item ~~15~~
Budget
No. 2003-04-39

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of April 2003.

RESOLUTION AUTHORIZING Amending The 2002-2003 General Purpose School Budget For The Purpose Of Correcting Budgeted Amounts For The Following Federal Through State Grants: High Schools That Work, Adult Education And Families First

WHEREAS, the Sullivan County Department of Education Board approved amending the General Purpose School Budget, now

THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
Revenue		
47120.000	Adult Education Grant Program	9,171.02
47590.000	Other Federal thru State Grants	20,389.00
Expenditures		
71300.355	Travel	15,000.00
71600.116	Teachers	7,133.05
71600.201	Social Security	610.12
71600.204	State Retirement	90.16
71600.210	Unemployment Compensation	6.73
71600.212	Employer Medicare	140.74
71600.429	Instructional Supplies and Materials	4,909.59
72260.207	Medical Insurance	115.08
72260.355	Travel	534.56
72260.524	In Service/Staff Development	437.88
72260.599	Other Charges	522.13
72260.790	Other Equipment	59.98

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

Duly passed and approved this 19th day of May 2003.

Attested: Jeanie F. Gammon 5-19-03 Approved: Richard S. Venable 5/19/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, County Executive Date

Introduced By Commissioner: Hall

Seconded By Commissioner(s): Houser

2003-04-39	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03

24 Aye

Comments: 1st Reading 04-21-03; Motion made 05-19-03 by Harr and seconded by Comm. Morrell to vote on Resolutions 3-7 together. Motion approved by voice vote of the commission.

Sullivan County, Tennessee
Board of County Commissioners

4
Item ~~14~~
Budget
No. 2003-04-40

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of April 2003.

RESOLUTION AUTHORIZING Amending The 2002-2003 General Purpose School Budget For Correcting The Families First And Adult Education Budgets

WHEREAS, the Sullivan County Department of Education Board approved amending the General Purpose School Budget, now

THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
Expenditures		
71600.116	Teachers	3,322.00
71600.201	Social Security	32.00
71600.204	State Retirement	8.00
71600.212	Employer Medicare	73.00
71600.429	Instructional Supplies and Materials	2,753.00
72260.105	Supervisor	-2,888.00
72260.201	Social Security	-179.00
72260.204	State Retirement	-98.00
72260.210	Unemployment Compensation	-10.00
72260.212	Employer Medicare	-43.00
72260.524	In Service/Staff Development	-2,320.00
72260.599	Other Charges	-150.00
72260.790	Other Equipment	-500.00

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

Duly passed and approved this 19th day of May 2003.

Attested: Jeanie F. Gammon 5/19/03
Jeanie F. Gammon, County Clerk Date

Approved: Richard S. Venable 5/19/03
Richard S. Venable, County Executive Date

Introduced By Commissioner: Hall

Seconded By Commissioner(s): Houser

2003-04-40	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03

24 Aye

Comments: 1st Reading 04-21-03;

Sullivan County, Tennessee
Board of County Commissioners

5
Item 15
Budget
No. 2003-04-41

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of April 2003.

RESOLUTION AUTHORIZING Amending The 2002 – 2003 General Purpose School Budget For The Transitions Schools To Work (TSTW) Grant From The State Of Tennessee In The Amount Of \$7,786.72.

WHEREAS, the Sullivan County Department of Education Board approved amending the General Purpose School Budget for this grant, now

THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
Revenue		
47590.000	Other Federal thru State Grants	7,568.72
Expenditures		
71200.135	Assessment Personnel	1,068.72
72220.307	Communication	2,000.00
72220.348	Postal Charges	500.00
72220.355	Travel	3,000.00
72220.435	Office Supplies	500.00
72220.701	Administration Equipment	500.00

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 19th day of May 2003.

Attested: Jeanie F. Gammon 5/19/03 Approved: Richard S. Venable 5/19/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, County Executive Date

Introduced By Commissioner: Hall

Seconded By Commissioner(s): Houser

2003-04-41	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03

24 Aye

Comments: 1st Reading 04-21-03;

Sullivan County, Tennessee
Board of County Commissioners

6
Item ~~16~~
Budget
No. 2003-04-42

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of April 2003.

RESOLUTION AUTHORIZING Amending The 2002 – 2003 General Purpose School Budget For The Eastman Teacher On Loan Program In The Amount \$1,500.00, And

WHEREAS, the Sullivan County Department of Education Board approved amending the General Purpose School Budget, now

THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
Revenue		
43990.000	Other Charges for Services	1,500.00
Expenditures		
72210.355	Travel	1,500.00

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

Duly passed and approved this 19th day of May 2003.

Attested: Jeannie F. Gammon 5/19/03
Jeannie F. Gammon, County Clerk Date

Approved: Richard S. Venable 5/19/03
Richard S. Venable, County Executive Date

Introduced By Commissioner: Hall

Seconded By Commissioner(s): Houser

2003-04-42	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03 24Aye

Comments: 1st Reading 04-21-03;

Sullivan County, Tennessee
Board of County Commissioners

7
Item ~~17~~
Budget
No. 2003-04-43

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of April 2003.

RESOLUTION AUTHORIZING Amending The 2002 – 2003 General Purpose School Budget For The Early Childhood Education Grant (Preschool) From The State Of Tennessee In The Amount Of \$51,390.00

WHEREAS, the Sullivan County Department of Education Board approved amending the General Purpose School Budget for this grant, now

THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
Revenue		
47590.000	Other Federal thru State Grants	51,390.00
Expenditures		
71100.116	Teachers	16,235.00
71100.163	Educational Assistants	16,235.00
71100.204	State Retirement	675.00
71100.307	Communication	720.00
71100.348	Postal Charges	500.00
71100.429	Instructional Supplies and Materials	3,358.00
71100.499	Other Supplies	500.00
71100.524	In Service/Staff Development	2,000.00
71100.599	Other Charges	11,167.00

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 19th day of May 2003.

Attested Jeannie F. Gammon 5/19/03
Jeannie F. Gammon, County Clerk Date

Approved Richard S. Venable 5/19/03
Richard S. Venable, County Executive Date

Introduced By Commissioner: Hall

Seconded By Commissioner(s): Houser

2003-04-43	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03

24 Aye

Comments: 1st Reading 04-21-03;

Sullivan County, Tennessee
Board of County Commissioners

8
Item ~~18~~
Budget
No. 2003-04-44

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 21st day of April 2003.

RESOLUTION AUTHORIZING Amending The 2002-2003 General Purpose School Budget For Correcting The Personnel Budget In The Series 72130 Other Student Support

WHEREAS, the Sullivan County Department of Education Board approved amending the General Purpose School Budget, now

THEREFORE BE IT RESOLVED that the Sullivan County Board of Commissioners assembled in Regular Session approve amending the General Purpose School Budget as follows:

Account Number	Account Description	Amount
Expenditures		
72130.161	Secretaries	18,125.10
72130.201	Social Security	1,123.76
72130.204	State Retirement	1,801.63
72130.206	Life Insurance	56.16
72130.210	Unemployment Compensation	16.80
72130.212	Employer Medicare	262.81
72410.161	Secretaries	-18,125.10
72410.201	Social Security	-1,123.76
72410.204	State Retirement	-1,801.63
72410.206	Life Insurance	-56.16
72410.210	Unemployment Compensation	-16.80
72410.212	Employer Medicare	-262.81

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 19th day of May 2003.

Attested: Jeanie F. Gammon 5/19/03 Approved: Richard S. Venable 5/19/03
Jeanie F. Gammon, County Clerk Date Richard S. Venable, County Executive Date

Introduced By Commissioner: Hall

Seconded By Commissioner(s): Houser

2003-04-44	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03

Comments: 1st Reading 04-21-03;

23 Aye, 1 Absent

Sullivan County, Tennessee
Board of County Commissioners

Item 9
Budget Committee
No. 2003-05-45

To the Honorable Richard S. Venable, Sullivan County Executive, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May, 2003.

RESOLUTION Authorizing Refund of 2002 Property Taxes Paid by Sullivan County Historical Preservation Association on Old Deery Inn and Rutledge House Properties

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 5, as amended, on May 20, 2002 authorizing Sullivan County to accept the donation of the Old Deery Inn, Rutledge House and surrounding property from the Sullivan County Historical Preservation Association; and

WHEREAS, said property was transferred to Sullivan County by Warranty Deed dated September 19, 2002; and

WHEREAS, real property taxes accrued on the property for the period of January 1, 2002 through September 19, 2002, the date which Sullivan County received title to the property thereby rendering said property exempt; and

WHEREAS, taxes on said property for the period of January 1, 2002 through September 19, 2002 in the total sum of \$595.89 have been paid by the Sullivan County Historical Preservation Association as evidenced by the attached receipts; and

WHEREAS, the Sullivan County Historical Preservation Association, a non-profit corporation, has spent funds from its own budget and well as countless hours toward the purchase and restoration of this property; and

WHEREAS, Sullivan County has money appropriated within its budget with which to refund real property taxes when it is deemed appropriate;

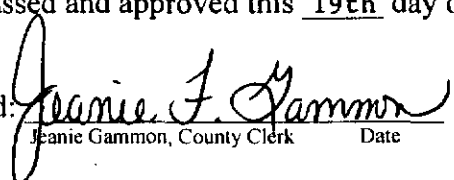
NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19th day of May, 2003 hereby authorizes the Sullivan County Accounts and Budgets Director to refund real property taxes paid for the tax year 2002 on the aforesaid property by the Sullivan County Historical Preservation Association in the total sum of \$595.89.

[WAIVER OF RULES REQUESTED]

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

Duly passed and approved this 19th day of May 2003.

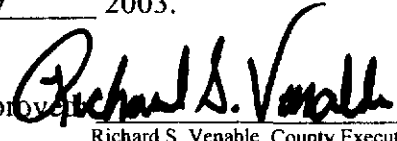
Attested:


Jeanie Gammon, County Clerk

Date

5/19/03

Approved:


Richard S. Venable, County Executive

Date

5/19/03

Introduced By: Commissioner: D. Houser

Seconded By: Commissioner(s): Brotherton; Brittenham; Hall

rrl

2003-05-45	Administrative	Budget	Executive	County Commission
ACTION	Approved 5-5-03	Approved 5-8-03	Approved 5-7-03	Approved 05-19-03 23 Ave. 1 Absent

Comments: Waiver of Rules Requested

Amendment made by Williams 05-19-03 that passage of this Resolution would be subject to the legal opinion. Motion accepted by Sponsor Houser and approved with Resolution.

Sullivan County, Tennessee
Board of County Commissioners

Item 10
Budget
No. 2003-05-46

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing Sullivan County Litter Grant Program for FY 2003-2004

WHEREAS, Sullivan County has participated in a litter abatement program through the State of Tennessee, Department of Transportation for several years; and,

WHEREAS, the County wishes to submit an application for the FY 2003-2004 for the Tennessee Department of Transportation Litter Grant Program;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves the County Executive submitting an application to the State of Tennessee, Department of Transportation on behalf of Sullivan County for a litter and trash collection grant.

BE IT RESOLVED that the Board acknowledges that Litter Prevention Education is included in the program plan and will be funded at the required level.

BE IT FURTHER RESOLVED that upon approval by the State of Tennessee, Department of Transportation, that the County Executive is hereby authorized to execute any and all contracts or other necessary documents which may be required to accept the grant funds.

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

Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Harr
Seconded By Commissioner(s): Williams

2003-05-46	Administrative	Budget	Executive	County Commission
ACTION		Approved 5-8-03	Approved 5-7-03	

Comments: 1st Reading 05-19-03;

Sullivan County, Tennessee
Board of County Commissioners

Item 11
Budget
No. 2003-05-47

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing Shift Differential Pay Increase For Sullivan County Sheriff's Office

WHEREAS, the Deputy Sheriffs of Sullivan County work alternating shifts in order to accomplish the legal requirements mandated to the Sheriff of Sullivan County; and,

WHEREAS, alternating shifts creates a hardship and stress that is not experienced by day shift workers; and,

WHEREAS, in the past the County Commissioners voted to compensate the officers that worked the evening shift twenty-five cents (.25¢) more per hour than they were paid on day shift and thirty-five cents (.35¢) more on night shift than paid on day shift; and,

WHEREAS, the cost of living has increased considerably since the shift deferential pay was decided; and,

WHEREAS, the officers working shift work have not received a pay increase over the past three years and are due some increase in their income;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves an increase in the shift differential pay for shift workers of the Sheriff's Office by ten cents (.10¢) per hour, so that the new shift differential pay will equal thirty-five cents (.35¢) per hour on evening shift and forty-five cents (.45¢) per hour on night shift.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Herron
Seconded By Commissioner(s): Crawford

2003-05-47	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

Sullivan County, Tennessee
Board of County Commissioners

Item 12
Budget
No. 2003-05-48

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION To Amend Litigation Tax for Sullivan County

WHEREAS, Chapter 488 of the Public Acts of 1981, which imposed a state litigation tax, has been interpreted by opinions of the State Attorney General dated November 9, 1981, and Attorney General Opinion U88-109 dated September 28, 1988, as allowing counties to levy a litigation tax in the same manner as the state litigation tax now levied by T.C.A. § 67-4-602 et seq. and T.C.A. § 16-15-5006 and 16-15-5008, in an amount not to exceed the amount of such state litigation tax; and,

WHEREAS, Resolution No. 11 of record in Minute Book 11, Page 122 in the Sullivan County Clerk's Office levied a tax which became effective on the 18th day of January 1983, in the amount of: \$5.25 on all civil suits instituted within Sullivan County and \$5.00 on all criminal cases instituted within Sullivan County; and,

WHEREAS, Resolution No. 17 approved May 19, 1997 by the Sullivan County Board of Commissioners amended the above referenced resolution which became effective on July 1, 1997 levying litigation taxes in the following amounts: \$11.25 on all civil cases and \$11.00 on criminal cases; and,

WHEREAS, Sullivan County is in need of additional revenues to fund employee health insurance costs;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves amending the litigation taxes levied in Sullivan County as follows:

All civil cases shall be taxed at a rate of \$13.75 per case and
All criminal cases shall be taxed at a rate of \$28.50 per case.
Said tax rate to become effective July 1, 2003.

BE IT FURTHER RESOLVED that the clerks of various courts who are required to collect the state litigation tax shall also collect the tax imposed by this Resolution in the same manner as the state litigation tax imposed by T.C.A. § 67-4-602 et seq. And shall be paid over monthly to the County Trustee who shall deposit said taxes in the General Fund.

BE IT FURTHER RESOLVED that the tax imposed by this Resolution shall be subject to the same exceptions as are granted by general law to the state privilege tax in T.C.A. § 67-4-602, Item J, and shall therefore, not be collected on original proceedings in a juvenile court or in any hearing before a court of the judiciary.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Harr
Seconded By Commissioner(s): Williams

2003-05-48	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

Sullivan County, Tennessee
Board of County Commissioners

Item 13
Budget Committee
P-No. 2003-05-49

To the Honorable Richard S. Venable, Sullivan County Executive, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May, 2003.

RESOLUTION Authorizing Utilization of Up to Sum of \$2,000.00 from Account 91200-723 [Highway and Street Capital Projects] to Secure Right-of-Way Necessary to Improve East Carter's Valley Road

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session on the 19th day of May, 2003 hereby authorizes the utilization of up to the sum of \$2,000.00 from Account No. 91200-723 [Highway and Street Capital Projects] to secure right-of-way necessary to improve East Carter's Valley Road.

[WAIVER OF RULES REQUESTED]

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

Duly passed and approved this 19th day of May 2003.

Attested: *Jeannie F. Gammon*
Jeannie Gammon, County Clerk Date 5/19/03

Approved: *Richard S. Venable* 5/19/03
Richard S. Venable, County Executive Date

Introduced By: Commissioner: McConnell
Seconded By: Commissioner(s): Ferguson

trl

2003-05-49	Administrative	Budget	Executive	County Commission
ACTION			Approved 5/7/03	Approved 05-19-03 24 Aye

Comments: Waiver of Rules Requested

Sullivan County, Tennessee
Board of County Commissioners

Item 14
Budget
No. 2003-05-50

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing Submission of Application for Homeland Security Grant Program

WHEREAS, the Sullivan County Emergency Management Office wishes to submit a grant application for approximately \$175,000.00 through the State of Tennessee, Office of Homeland Security; and,

WHEREAS, this grant will help cover costs related to the purchase of specialized equipment to enhance homeland security and provide for the design, development, conduct, and evaluation of exercises to enhance capabilities to prevent, protect against, and respond to terrorist attacks; and,

WHEREAS, the funding for this grant is 100% federal monies and there is no local match.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session authorize the Sullivan County Emergency Management Office to submit a grant application requesting \$175,000.00 of funds from the State of Tennessee, Office of Homeland Security to be used for costs associated with properly equipping local first responders and defenders for the homeland security mission through the acquisition of incident prevention, communications equipment, personal protective equipment and detection equipment.

BE IT FURTHER RESOLVED that these funds shall be expended as needed and required by the terms and conditions of this grant and that any personnel positions created by this grant shall cease upon the termination of this grant. Account Codes to be assigned by the Director of Accounts and Budgets.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this 19th day of May 2003.

Attested: Joanie F. Gammon 5/19/03 Approved: Richard S. Venable 5/19/03
Joanie F. Gammon, County Clerk Date Richard S. Venable, County Executive Date

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Harr

2003-05-50	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03
22 Aye, 2 Absent				

Comments:

Sullivan County, Tennessee
Board of County Commissioners

Item 15
Executive
No. 2003-05-51

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Amending the Sullivan County Zoning Resolution

WHEREAS, throughout the years, various structures in Sullivan County have been "grandfathered" into compliance within their particular zoning classifications when new and updated zoning rules and regulations effecting the county have been enacted; and,

WHEREAS, with all structures over a period of years it becomes necessary for property owners to replace, repair, update, and/or make improvements to these structures to ensure proper maintenance;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby amend the Sullivan County Zoning Resolution in an effort to ensure equitability and fairness to property owners of "grandfathered" properties.

BE IT FURTHER RESOLVED that any property owner possessing a "grandfathered" structure may replace, repair, update, and/or make improvements to that structure under the condition that said replacements, repairs, updates, and/or improvements do not *exceed* the original "grandfathered" foundation dimensions; and thereby shall remain in compliance continuing the structure's "grandfathered" status.

BE IT FURTHER RESOLVED that this amendment shall be retroactive covering all "grandfathered" structures presently existing within the County and shall also apply to any future structures deemed as "grandfathered" when zoning regulations are updated.

WAIVER OF THE RULES REQUESTED

All resolutions in conflict herewith are and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Ferguson
Seconded By Commissioner(s): McConnell

2003-05-51	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

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

Item 16
Budget
No. 2003-05-52

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Increasing the Tipping Fee at Sullivan County Transfer Stations

WHEREAS, with the approval of the FY 2000-2001 Budget, the Solid Waste Department's revenues generated from their portion of the tax levy was decreased by \$.05 in an effort to enable the county to provide additional funds to the Sullivan County School Department; and,

WHEREAS, over the past two fiscal years, the Solid Waste's Department has struggled to meet budget and maintain its service to county residents;

WHEREAS, a review of the surrounding counties indicate that Sullivan County's tipping fee continues to be one of the lowest, if not the lowest in the region; and,

WHEREAS, Sullivan County in an effort to make it's solid waste program more self-sufficient believes it is equitable to set the tipping fee at a level to impose the cost upon the users of the service; and,

WHEREAS, an increase of \$5.00 in the tipping fee should generate approximately \$200,000 annually toward reducing the deficit operation.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves increasing the fee to \$35.00 per ton for Sullivan County Transfer Stations to enable the Solid Waste Department to regain revenues.

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

Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

**Introduced By Commissioner: Williams
Seconded By Commissioner(s): Harr**

ATTACHMENT 1

2003-05-52	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

SCHEDULE OF TIPPING FEES

AT
TRANSFER STATIONS
MAY 16, 2003

Transfer Stations	Rate Per Ton	Source
Sullivan County	\$ 30.00	Inside
Johnson City	\$ 50.00	
Carter County	\$ 35.00	Inside
	\$ 38.00	Outside
Washington County, VA	\$ 32.50	Inside
	\$ 35.00	Outside
Greene County	\$ 38.47	Inside

Sullivan County, Tennessee
Board of County Commissioners

Item 17
Budget
No. 2003-05-53

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Amending Agreement with Frontier Health for Respite Youth Care

WHEREAS, Frontier Health currently provides Sullivan County Juvenile Courts respite services for juveniles at risk of out-of-home placement; and,

WHEREAS, the Board of County Commissioners authorized Sullivan County to enter into an agreement with Frontier Health for these services approving Resolution No. 2001-12-119 in January 2002; and,

WHEREAS, Frontier Health wishes to amend the current contract and the Sullivan County Juvenile Courts have agreed with the amendment;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the Sullivan County Executive to execute a Contract Amendment/Update to the current Agreement with Frontier Health for juvenile respite services.

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

Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Kilgore
Seconded By Commissioner(s): Vance, Jones

ATTACHMENT I

2003-05-53	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

CONTRACT AMENDMENT/ UPDATE

This contract amendment is entered into on the 1st day of October 2002 by and between the County of Sullivan, TN, hereinafter referred to as the "County", and Frontier Health, herein referred to as the "Contractor". This is an amendment to the existing contract entered into on April 1, 2001 between the County and the Contractor for Short Term Respite Services. The contract is amended as follows:

1. For the Federal Fiscal Year beginning October 1, 2002 and ending September 30, 2003, the contracted amount will be a maximum of \$79,353.00.
2. For the contracted amount listed below, the following services will be provided:
 - a. Short-term respite services (\$26,836) will be provided for up to 3 youth at any one time referred by any of the Sullivan County Juvenile Courts.
 - b. Observation and assessment services (\$52,517) will be provided to adolescent females on court referral from Sullivan County, Washington County, and Carter County.

All other terms and conditions from the original contract will remain in effect until otherwise modified by either party.

E. Douglas Varney, President, Frontier Health

Date

Richard S. Venable, County Executive
Sullivan County

Date

Sullivan County, Tennessee
Board of County Commissioners

Item 18
Executive
No. 2003-05-54

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing Traffic Sign Changes in the 13th Civil / 8th Commission District

WHEREAS, the Sullivan County Highway Department has recommended the following traffic sign changes be made;

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

13th Civil District

To Place a STOP sign on Lucille Place intersection with Pactolus Road

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

Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie F. Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Conkin

ATTACHMENT 1

2003-05-54	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

John R. LeSueur, Jr.
Commissioner of Highways

(423) 279-2820
FAX (423) 279-2876

May 14, 2003

COMMISSIONERS: Eddie Williams
Ray Conkin

Dear Commissioners:

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

To place a STOP sign on Lucille Place intersection with Pactolus Road.

This is in the 13th Civil District and 8th Commissioner District.

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

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: Angela Taylor

Sullivan County, Tennessee
Board of County Commissioners

Item 19
Executive
No. 2003-05-55

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing Replacement of Bridge at Reservoir Road

WHEREAS, a bridge located at the corner of Reservoir Road and Bays Mountain Road is partially in the city and in the county; and,

WHEREAS, the bridge is in poor condition and needs immediate repair; and,

WHEREAS, the parties agree to jointly repair the bridge as outlined in the attached agreement;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorize the Sullivan County Executive to enter into an Agreement with the City of Kingsport for the replacement of the bridge located at the corner of Reservoir Road and Bays Mountain Road as per the attached agreement.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 19th day of May 2003.

Attested: *Jeanie F. Gammon*
Jeanie F. Gammon, County Clerk Date 5/19/03

Approved: *Richard S. Venable* 5/19/03
Richard S. Venable, County Executive Date

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Conkin

ATTACHMENT 2				
2003-05-55	Administrative	Budget	Executive	County Commission
ACTION			2-5-03	Approved 05-19-03
22 Aye, 2 Pass				

Comments:

AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2003 by and between THE CITY OF KINGSPORT, TENNESSEE, hereinafter referred to as "CITY", and SULLIVAN COUNTY, TENNESSEE, hereinafter referred to as "COUNTY".

WITNESSETH:

WHEREAS, a bridge on or near Reservoir Road located at the corner of Reservoir Road and Bays Mountain Road is partially in the city and in the county; and

WHEREAS, the bridge is in poor condition and needs immediate repair; and

WHEREAS, the parties agree to jointly repair the bridge as outlined in this agreement;

NOW THEREFORE, in consideration of the mutual promises contained herein the parties agree as follows:

1. That all material and work for the repair of the bridge referred to as the Reservoir Road Bridge Project will conform to the specifications of CITY.
2. That CITY will be responsible to provide the following items, material and labor for the Reservoir Road Bridge Project:
 - a. City to annex entire bridge after construction is complete.
 - b. Purchase of pre-fabricated three-sided concrete bridge system which includes all pre-cast concrete sections, wing walls, head walls, and scour walls as required. This bridge system requires formed and poured in place foundations that are not supplied with the pre-cast parts. The material to construct these foundations will be provided by CITY. This also includes delivery of all pieces to the job site to be arranged by the bridge provider.
 - c. Purchase and installation of all guardrails to meet TDOT specifications.
 - d. Purchase and delivery to the job site of 73' of 24" RCP.
 - e. Crane services.
 - f. City surveying crew will provide initial job site stakeout.
 - g. Water line relocation, if needed.

- h. Road detour signs.
- i. Publication in all local news media.
- j. Coordination of project with Eastman's contact, Mr. Jim White.
- k. ARAP and DA/TVA Section 26A permits.
- l. Relocation of Eastman sign with stone pillars and associated ground cover and Fire Tower sign.
- m. Project pictures.
- n. City Construction Inspector will be Ricky Jones. (cell phone: 914-9428)

3 That COUNTY will be responsible for providing the following items, material and labor for the Reservoir Road Bridge Project:

- a. Surveying of final layout to be shared by City/County surveying crews.
- b. Provide all labor, tools, equipment, and construction materials to install pre-fabricated concrete bridge. (Excluding crane) This includes the construction of the foundation for the bridge.
- c. Provide temporary fill material and construct a foundation for crane outriggers if required.
- d. Provide all labor, tools, equipment, and construction materials to install new 24" RCP.
- e. Perform all demolition, excavation, and disposal of existing bridge, guardrails, excavated materials, and drainage tile.
- f. Provide labor, tools, and equipment to create a temporary diversion trench for creek and backfill after project is complete. NOTE: This will not be necessary if ConSpan bridge system is used.
- g. Provide all job site safety controls such as caution tape, flagman at Bays Mountain Park Road, and barricades as required.
- h. Provide and install silt fencing and erosion protection as required.
- i. Riprap on creek banks as required for stabilizing against future erosion.
- j. Realignment of Reservoir Road ditches around wing walls into creek.

- k. Labor and material to pave roads per drawings after work is complete.
- l. Landscaping, reseeding, and shrubbery relocation if needed.
- m. Pictures, if desired.
4. That each party will bear their own cost for the provision of the materials and labor required to be provided by parties pursuant to this Agreement.
5. That CITY will provide the engineering plans for the reconstruction of the bridge for the Reservoir Road Bridge Project.
6. That this Agreement may be amended by the parties in writing after a proper authorization from their respective governing bodies.
7. The parties agree that they will cooperate with each other in the construction and completion of the Reservoir Road Bridge Project.
8. This Agreement will terminate when the work on the Reservoir Road Bridge Project is completed, in accordance with the plan for the project.

IN WITNESS WHEREOF, the parties have executed this Agreement, in duplicate original, on the day and date first above written.

SULLIVAN COUNTY, TENNESSEE

ATTEST:

JEANIE GAMMON
County Clerk

APPROVED AS TO FORM:

DANIEL P. STREET
County Attorney

CITY OF KINGSFORD, TENNESSEE

ATTEST:

JEANETTE D. BLAZIER
Mayor

JAMES H. DEMMING
City Recorder

APPROVED AS TO FORM:

J. MICHAEL BILLINGSLEY
City Attorney

Sullivan County, Tennessee
Board of County Commissioners

Item 20
Executive
No. 2003-05-56

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing a Contract with John Deere Health Care

WHEREAS, John Deere Health Care has been the administrator of the employee insurance programs since November 1999 and the Insurance Committee recommends the continuation of a contractual relationship regarding health insurance service; and,

WHEREAS, the new contract will be to provide a fully insured plan of insurance coverage as recommended by the Insurance Committee; and,

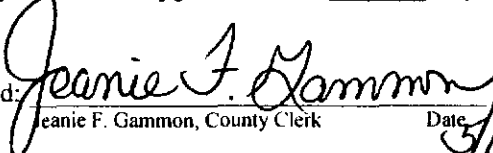
WHEREAS, the annual contract renewal is scheduled for July 1, 2003;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the County Executive and the Purchasing Agent to sign any and all documents necessary to enter into a contract with John Deere Health Care to provide insurance coverage for Sullivan County employees (excluding the education department employees) from July 1, 2003 through June 30, 2004. The county will participate at ~~10.4~~^{8.93} percent of the base plan with the employees provided two other plan options; -additional cost borne by the employee if they select one of the optional plans.

WAIVER OF THE RULES REQUESTED

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

Duly passed and approved this 19th day of May 2003.

Attested: 
Jeanie F. Gammon, County Clerk Date 5/19/03

Approved:  5/19/03
Richard S. Venable, County Executive Date

Introduced By Commissioner: Jones

Seconded By Commissioner(s): Herron

2003-05-56	Administrative	Budget	Executive	County Commission
ACTION				Approved 05-19-03 16 Aye, 6 Nay, 2 Pass

Comments: Motion made by Jones, 2nd by Herron 05-19-03 to suspend the rules and bring Resolution to the floor. Motion approved by roll call vote 18 aye, 4 Nay, 2 Pass.

Amendment made by Williams, 2nd by Conkin 05-19-03 to remain Self-Insured for twelve months. Amendment failed by roll call vote 10 Aye, 9 Nay, 5 Pass.

Motion made to end all debate and call for the question. Motion approved by roll call vote 17 aye, 2 nay, 5 pass.

HEALTH INSURANCE SERVICES

GROUP & INDIVIDUAL BENEFITS

PHONE: 423-279-9680

PHONE: 423-279-9681

FAX: 423-279-9682

P. O. Box 185
BRISTOL, TN 37621-0185

To: Sullivan County Government Insurance Committee
From: Jim Jordan, Sullivan County Government Consultant
Date: May 13, 2003
Subject: Consultant's Recommendation



The Sullivan County Government Insurance Committee began its review of the County's July 2003 health insurance renewal in October 2002. During this time the Committee has discussed the current trends in healthcare costs, reviewed several options with the current carrier, John Deere Health, and has received several competitive options from BlueCross BlueShield of Tennessee.

We have compared the competitive proposal as to total cost, benefit and network differences and ease of administration. The entire negotiating process has been helpful in providing Sullivan County the opportunity to offer its employees excellent benefit choices while controlling the overall healthcare costs to the County. One option will give employees a choice of continuing their current John Deere Health in-network benefits at a decrease in their monthly costs for individual coverage.

Sullivan County Government has been very satisfied with John Deere Health, and there is no significant reason either from a cost, benefit, or service standpoint to recommend a change of carriers at this time. The consultant's recommendation is to renew with John Deere Health and to offer the three benefit options to the employees of Sullivan County Government.

SULLIVAN COUNTY GOVERNMENT

Insurance Committee Action Recap

As Compiled by Consultant

1. 11-12-02 Initial Insurance Committee Meeting:
Requested options to reduce healthcare costs, which are exceeding projections in Sullivan County.
2. 11-26-02 Initial JDH options discussed including benefit options from JDH, healthcare financing options, state plan and competitive bids.
3. 12-17-02 Requested rates from JDH on both self-funded and fully insured options with different benefits.
4. 01-28-03 Initial JDH insured and self-funded proposals presented to the Committee: \$5.538 million fully insured and \$5.413 self-funded.
5. 02-11-03 In response to Mr. Jones' request, options presented similar to the City of Kingsport's deductible plan with Choice and not Select network. Committee voted to switch to fully insured from Self-funded.
- 02-11-03 Originally County Attorney's opinion was on whether Sullivan County was required to "bid" rather than to negotiate with current carrier. His opinion was that the bid is not mandatory by the T.C.A. We, therefore, proceeded to request options and negotiate with JDH. At the direction of the Committee, Mr. Jones requested the best quote from JDH.
6. 02-25-03 Revised JDH proposal presented for fully insured at \$5.395 million.

Consultant recommended continuing to negotiate with JDH and not to bid this year.

Ms. Cowden requested a copy of JDH rates and was told by Mr. Jones to present all competitive proposals to consultant.
7. 03-25-03 Initial BCBST "P" proposal of \$5.378 million did not include "S" option. Mr. Jones requested consultant's recommendation. Consultant recommended JDH, and Committee voted 5-0 to approve recommendation.
8. 04-16-03 Second BCBST unsolicited proposal presented by broker and BCBST \$4.937 million "S" network.
9. 04-29-03 Third JDH proposal at consultant's request \$4,894 million. Network change to Select network.
10. 05-05-03 Third BCBST proposal. Benefit changes and a rate change on "P" and "S". "P" \$5.309 million and "S" \$4.882 million

Note: Since JDH is the current carrier, the consultant has negotiated with JDH during this process as requested by Sullivan County.

Health Insurance Services

P.O. Box 185
Bristol, TN 37621
(423) 279-9680 Fax: (423) 279-9682
E-mail: hisagents@earthlink.net

SULLIVAN COUNTY GOVERNMENT Health Insurance Rate Comparisons

Effective Date: 7/1/03

(Premium based on 226 individual and 487 family contracts)

Network	John Deere Choice (A)		John Deere Select (B)		John Deere Select (C)		BCBST "P"		BCBST "S"		
Office Visits Copay Hosp. Admit. Copay Out-of-Pocket Max Prescription Cost Out-of-Network Lifetime Maximum Type Plan	\$15 OV Copay \$100 Copay/Admit \$1,000 OOP Max. \$10/20/35 Rx Yes Unlimited Open Access POS		\$15 OV Copay \$100 Copay/Admit \$1,000 OOP Max. \$10/20/35 Rx Yes Unlimited "Gatekeeper" POS		\$15 OV Copay \$100 Copay/Admit \$1,000 OOP Max. \$10/20/35 Rx No Unlimited "Gatekeeper" No POS		\$15 OV Copay \$100 Copay/Admit \$1,000 OOP Max. \$10/20/35 Rx Yes \$5,000,000 PPO		\$15 OV Copay \$100 Copay/Admit \$1,000 OOP Max. \$10/20/35 Rx Yes \$5,000,000 PPO		
Individual Rates	\$291.78		\$280.55		\$264.66		\$297.68		\$273.74		
Family Rates	\$787.81		\$757.47		\$714.57		\$770.34		\$708.42		
Annual Premiums	\$5,395,269		\$5,187,506		\$4,893,705		\$5,309,175		\$4,882,389		
\$ Diff in Networks			(\$207,763)		(\$501,465)		(\$86,094)		(\$512,880)		
Current Employee Cost/Month:											
Ind:	\$29.00	(+26.44)	\$55.44	(+15.21)	\$44.21	(-0.68)	\$28.32	(+24.23)	\$53.23	(+.29)	\$29.29
Fam:	\$68.00	(+81.70)	\$149.70	(+51.36)	\$119.36	(+8.46)	\$76.46	(+69.72)	\$137.72	(+7.80)	\$75.80

05/13/03

enclosed
in folder

SULLIVAN COUNTY GOVERNMENT

Comparison of John Deere Health (JDH) and BlueCross BlueShield of Tennessee (BCBST)

(Comparison is network benefits unless noted)

Benefits	JDH	BCBST
Out-of-Pocket Maximum	Copays, except Rx go to maximum.	Copays do not go towards maximum.
Wellcare	Copay includes adult, child services, routine physical exam.	Copay includes children to age 6 and listed preventive for adults.
Physician Services In-Hospital	\$15 copay per visit. \$100 copay per surgical service.	Copays included in hospital admission.
X-ray and Lab.	No copay	Routine – no copay. Non-routine - \$100 copay.
Therapeutic Services	No copay – 60 days/disability. Chiropractic covered as non-network.	No copay – 30-36 visits/therapy. Includes chiropractic.
Durable Medical Equipment	No copay	\$50 copay – <i>yearly co-pay</i>
Lifetime Maximum	Unlimited	\$5,000,000
Behavioral Health	Hospital - \$125 copay per day. Physician visits - \$35 copay per visit. OPTUM services included at no additional cost.	\$100 copay per day ^{admission} . \$15 copay per visit.

Sullivan County, Tennessee
Board of County Commissioners

No. 21
Budget Committee
2003-05-57

To the Honorable Richard S. Venable, County Executive and the Board of Sullivan County Board Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Setting the Tax Levy in Sullivan County for the 2003-2004 Fiscal Year Beginning July 1, 2003

WHEREAS, the budget documents have been submitted for approval to set the Tax Levy in Sullivan County for the 2003-2004 fiscal year, beginning July 1, 2003;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners approve the combined property tax rate for Sullivan County, Tennessee, for the Fiscal Year 2003-2004, beginning July 1, 2003; that said tax rate shall be \$2.35 on each \$100.00 of taxable property; and that said tax is to provide revenue for each of the following funds and otherwise conform to the following levies:

<u>FUND</u>	<u>RATE</u>
General	0.61
Health	0.04
Solid Waste	0.00
General Purpose School	1.58
School Capital Projects (Renovation)	0.06
General Debt Service	<u>0.06</u>
TOTAL	2.35

BE IT FURTHER RESOLVED, that certain revenues including the county's portion of local option sales tax, cable franchise tax, interest income, and wholesale beer tax are allocated at the designated amount in this document to the respective funds will all amounts in excess of those amounts reverting to the General Fund.

BE IT FURTHER RESOLVED, that all resolutions approved by the Board of County Commissioners of Sullivan County which are in conflict with this resolution are hereby repealed.

This resolution shall take effect from and after its passage, the public welfare requiring it.
Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Harr

alt

2003-05-57	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

Sullivan County, Tennessee
Board of County Commissioners

No. 22
Budget Committee
2003-05-58

To the Honorable Richard S. Venable, Sullivan County Executive and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Authorizing Appropriations for Various Funds, Departments, Institutions, Offices, and Agencies of Sullivan County for the Fiscal Year Beginning July 1, 2003

WHEREAS, the budget documents have been submitted for approval to make appropriations for various funds, departments, institutions, offices, and agencies of Sullivan County for the 2003-2004 Fiscal Year, beginning July 1, 2003;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session approves that the amounts set out in the attached document for the purpose of meeting the expenses of various funds, departments, institutions, offices, and agencies of Sullivan County for the year beginning July 1, 2003 and ending June 30, 2004.

This resolution shall take effect from and after its passage, the public welfare requiring it.

Duly passed and approved this _____ day of _____, 2003.

Attested: _____
Jeanie Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Harr

alt

2003-05-58	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

Sullivan County, Tennessee
Board of County Commissioners

No. 23
Budget Committee
2003-05-59

To the Honorable Richard S. Venable, County Executive, and the Board of Sullivan County Commissioners meeting in Regular Session this 19th day of May 2003.

RESOLUTION Appropriating Funds to Charitable and Civic Organizations

WHEREAS, the budget documents have been submitted for approval making appropriations to Charitable and Civic Organizations for the 2003-2004 fiscal year, beginning July 1, 2003;

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners approve the appropriations for the 2003-2004 fiscal year to Charitable and Civic Organizations as per the attached list.

This resolution shall take effect from and after its passage, the public welfare requiring it.

Duly passed and approved this _____ day of _____ 2003.

Attested: _____
Jeanie Gammon, County Clerk Date

Approved: _____
Richard S. Venable, County Executive Date

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Harr

alt

2003-05-59	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 05-19-03;

ORGANIZATION	AMOUNT
AVOCA FIRE DEPARTMENT	66,500
BLOOMINGDALE FIRE DEPT	95,000
BLUFF CITY VOLUNTEER FIRE DEPT	66,500
CITY OF BRISTOL FIRE DEPT	99,750
EAST SULLIVAN FIRE DEPT	66,500
HICKORY TREE FIRE DEPT	66,500
CITY OF KINGSPORT FIRE DEPT.	142,500
PINEY FLATS FIRE DEPT	66,500
SULLIVAN COUNTY FIRE DEPT	80,750
SULLIVAN WEST FIRE DEPT	80,750
WARRIORS PATH FIRE DEPT	95,000
421 AREA EMERGENCY SER. / VOL. FIRE DEPT.	66,500
FIRE TRUCK CONTRIBUTION *	149,974
SULLIVAN CO. FIREFIGHTERS ASSN.	2,850
BLOUNTVILLE EMERGENCY RESPONSE	38,000
BLUFF CITY RESCUE SQUAD	38,000
BRISTOL LIFE SAVING CREW	26,125
HICKORY TREE RESCUE SQUAD	38,000
KINGSPORT LIFE SAVING CREW	95,000
AMERICAN RED CROSS - BRISTOL	2,850
AMERICAN RED CROSS - KINGSPORT	2,850
BRISTOL SPEECH & HEARING	9,500
MTN. REGION SPEECH & HEARING	19,000
FRONTIER HTH - BR. REG. MENTAL HTH.	14,716
FRONTIER HTH - HOL. REG. MENTAL HTH.	14,716
FRONTIER HTH - BR. ALC. & DRUG	5,087
FRONTIER HTH - HOL. ALC. & DRUG	5,087
FRONTIER HTH - HOL. M. H. ALC. & DRUG	5,087
FRONTIER HTH - BR. REG. REHAB.	12,112
FRONTIER HTH - KPT. CTR. OF OPPOR.	9,084
CHILD ADVOCACY CENTER	14,250
C. A. S. A.	9,500
DAWN OF HOPE	5,472
KINGSPORT SENIOR CITIZENS	9,500
BRISTOL LIBRARY	14,250
KINGSPORT LIBRARY	14,250
BRISTOL, TN LEISURE SERVICES	21,375
KINGSPORT PARKS AND RECREATION	28,500
BLUFF CITY PARK	9,500
BRISTOL FARMER'S MARKET	15,200
FEDERAL FORESTRY SERVICE	1,000
NORTH - EAST TN TOURISM	9,500
BRISTOL VETERANS SERVICE	3,705
KINGSPORT VETERANS SERVICE	6,270
TN VOC. TRAINING FOR THE HANDICAPPED	9,727
Total	1,652,787

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION JUNE 16, 2003.

 5/19/3
RICHARD VENABLE

COMMISSION CHAIRMAN