

COUNTY COMMISSION- REGULAR SESSION

SEPTEMBER 16, 2002

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN REGULAR SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS MONDAY MORNING, SEPTEMBER 16, 2002, 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 Chairman Pro-Tempore O. W. Ferguson. Sheriff Wayne Anderson opened the commission and Comm. James L. King, Jr. gave the invocation. Pledge to the flag was led by Chairman Pro-Tempore O. W. Ferguson.

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 L. 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. Ferguson and seconded by Comm. Vance to approve the minutes of the August 26, 2002 Regular Session of County Commission. Said motion was approved by voice vote.

PUBLIC COMMENTS SEPTEMBER 16, 2002

THOSE SPEAKING DURING PUBLIC COMMENTS WERE:

NONE

ELECTION OF CHAIRMAN

OF COUNTY COMMISSION

Commissioner Howard Patrick nominated County Executive, Richard Venable to serve as Chairman of the Commission. The nomination was seconded by Commissioner Ralph Harr.

There being no other nominations, nominations ceased and County Executive Richard Venable was elected to serve as Chairman of the Commission by roll call vote this 16th day of September 2002. 23 AYE, 1 ABSENT.

ELECTION OF CHAIRMAN

PRO-TEMPORE

The floor was opened for nominations for Chairman Pro-Tempore. O. W. Ferguson was nominated by Ralph Harr and nomination was seconded by Mark Vance. Michael Surgenor was nominated by Howard Patrick and nomination was seconded by Clyde Groseclose, Jr.

There being no other nominations, nominations ceased and Comm. Ferguson was elected to serve as Chairman Pro-Tempore by roll call vote of the Commission this 16th day of September 2002. Vote was Ferguson 14, Surgenor 10.

**Recommended Committee Assignments
September 2002**

<u>Administrative</u> Marvin Hyatt Dennis Houser Howard Patrick Michael Surgenor John Crawford Garth Blackburn Jack Sitgreaves Joe Herron	<u>Budget</u> O.W. Ferguson Ralph Harr Jim King Randy Morrell Eddie Williams Buddy King Sam Jones Elliott Kilgore * Members will also serve as Delinquent Tax Committee	<u>Executive</u> Clyde Groseclose Wayne McConnell John McKamey Mark Vance Moe Brotherton Ray Conkin Linda Brittenham Larry Hall *Members will also oversee the Youth Home
<u>Building Committee</u> Raymond Conkin O.W. Ferguson Ralph Harr Buddy King Wayne McConnell Michael Surgenor Mark Vance Eddie Williams	<u>Beverage Board</u> Garth Blackburn Larry Hall Elliott Kilgore Randy Morrell Howard Patrick Michael Surgenor Jack Sitgreaves	<u>Insurance Committee</u> Linda Brittenham Ray Conkin Clyde Groseclose Joe Herron Sam Jones Jim King John McKamey
<u>Agriculture Committee</u> Clyde Groseclose Dennis Houser John McKamey Randy Morrell	<u>Education Committee</u> Moe Brotherton John Crawford Dennis Houser Sam Jones Wayne McConnell	<u>I.E.P.C.</u> John Crawford Larry Hall Joe Herron Sam Jones Mark Vance
<u>Animal Shelter Committee</u> Elliott Kilgore	<u>Sullivan Co. Historical Commission</u> Linda Brittenham Ralph Harr Dennis Houser Eddie Williams	<u>Liason to City Governments</u> <u>Bluff City</u> Marvin Hyatt John McKamey <u>Bristol</u> Buddy King Jack Sitgreaves <u>Kingsport</u> Jim King O.W. Ferguson
<u>Bays Mountain Park Committee</u> Moe Brotherton		
<u>Library Board</u> Dennis Houser	<u>Industrial Commission</u> Ralph Harr Marvin Hyatt Howard Patrick Eddie Williams	
<u>Planning Commission</u> Garth Blackburn		<u>Observation Knob Park Committee</u> Randy Morrell Buddy King

Commission Action: Motion by Harr, 2nd by Vance to approve. Assignments approved as recommended above. Roll Call Vote 18 Aye, 4Nay, 2 Pass.

[illegible]

STATE OF TENNESSEE
COUNTY OF SULLIVAN

ELECTION OF NOTARIES

AUGUST 26, 2002

Margie Adams	Lisa D. Lawrence	William S. Todd
Michael Adams	Sharon M. Lawson	Rebecca L. White
Ira Rom Allen, Jr.	J. Patrick Ledford	Shelia M. White
Linda B. Allison	Sherry B. Martin	Nancy T. Willis
Priscilla Andies	Anita Mattera	Darlene Winegar
Donna Ashkettle	David A. McCray	Brandy C. Wolfe
Sharon W. Bailey	Debora A. Montgomery	Glenda H. Wooten
Tracie R. Blackwell	Judith Brock Munal	Kenneth T. Yates
Sherry Booher	J. Shannon Nunley	Ginger N. Walters
Stephen W. Brumit	Anne K. Poe	
R. Allen Caldwell	Kaye Poirier	
Michael Callahan	Ronald O. Poirier	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. 24 AYE.
Judith T. Carrier	Mary Lou Ramsey	
Tamra D. Christian	Eric W. Reeher	
Richard A. Clark	Catherine S. Rhinehart	
Robert L. Cole, Sr.	William Joseph Robinette	
Tracy Conkin	Diana L. Rogers	
Cynthia L. Cox	Linda S. Rogers	
Cindy D. Craver	Jackie L. Ryan	
Elaine Fields	Gregory M. Sensabaugh	
Susan R. Hale	Ellen S. Smith	
June C. Hartley	Sheila Melinda Smith	
Melda B. Hedrick	Nancy Stallard	
Gene A. Hensley	Lara S. Stamper	
Sandie Tolbert	Elizabeth A. Stanley	
James W. Holmes	Jennifer A. Thompson	
Lisa M. Hutton	Lisa J. Tipton	

STATE OF TENNESSEE
COUNTY OF SULLIVAN

APPROVAL OF NOTARY
PUBLICA SURETY BONDS

SEPTEMBER 16, 2002

Ronald L. Baker, Sr.

Diann M. Hartgrove

Edna A. Heglar

Kathy M. Johnson

Frances W. Thomas

Marsha Vanderpool

UPON MOTION MADE BY COMM. HARR AND SECONDED BY COMM. HYATT TO APPROVE THE
NOTARY BONDS OF THE ABOVE NAMED INDIVIDUALS, SAID MOTION WAS APPROVED BY ROLL
CALL VOTE OF THE COMMISSION. 24 AYE.

REZONING OVERVIEW
SULLIVAN COUNTY COMMISSION MEETING

September 16 2002

[illegible]

Agenda

Sullivan County Board of County Commission
September 16, 2002

The Sullivan County Board of County Commissioners will hold a public hearing on Monday, September 16, 2002 at 9:00 A.M. in the Sullivan County Courthouse, Blountville, TN to consider the following requests:

- (1) File No. 07/02/01 Dian Gratt
Reclassify A-1 property in the 1900 block of Hwy-11W to P.R.-B.D. (Planned residential-business district) for the purpose of allowing for condos, Dr. Office and single family. Property identification No. Tax map 18, Parcel part of 64.00 located in the 6th Civil District. **Bristol Planning**
- (2) File No. 07/02/02 Michael Smith
Reclassify R-1 property at 793 Buffalo Road to R-2 for the purpose of allowing for a singlewide mobile home. Property identification No. Tax map 96, Parcel 28.70 located in the 8th Civil District. **Sullivan County Planning**
- (3) File No. 07/02/03 Terry Jones
Reclassify R-1 property located at the corner of Piney Flats road and Henson Ave. to B-4 for the purpose of future business. Property identification No. Tax map 124-O, Group B, Parcels 1.00 & lot 5 of parcel 5.00 located in the 9th Civil District. **Sullivan County Planning**

PETITION TO SULLIVAN COUNTY FOR REZONING # 07-02-01

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

Property Owner DIAN GANTT
Address 1953 Hwy 11-W
BRISTOL, Tennessee 37620
Phone 323 5012 Date of Request 6-24-02
Property Located in 6th Civil District

X Dian Gantt
Signature of Applicant

OFFICE USE ONLY

Meeting Date 8-14-02 Time 6:00 P.M.
Place SLATER CENTER
E. STATE ST.

Planning Commission Approved _____
Denied _____

County Commission Approved X
Denied _____

Other Roll Call Vote 24 AYE _____

Final Action Date 09-16-02

PROPERTY IDENTIFICATION

Tax Map 18 Group _____ Parcel Part of 64.00
Zoning Map 8 Zoning District A-1 Proposed District PR-BD
Property Location Hwy-11-W

Purpose of Rezoning BUILD CONDO'S, DR. OFFICE, SINGLE FAMILY RES.

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 24th day of June, 2002.

My Commission Expires: 12-20-03

X Dian Gantt
Jack Morrison
Notary Public



CITY OF BRISTOL TENNESSEE
104 Eighth Street
Bristol, Tennessee 37620



Trish Bane - Mayor
John S. Owens - Vice Mayor
Kelly Graham - Councilman
Sue Ojane - Councilwoman
David Shumaker - Councilman

Mailing Address:
P. O. Box 1189
Bristol, TN 37621-1189
Telephone 423/989-5500
Fax 423/989-5717

Tony Massey - City Manager

Facsimile Transmission

August 20, 2002

TO: Mr. Stanley Harrison
Tennessee State Planning Office

FROM: Hakim Merrill *HOM*
Land Use Planner

SUBJECT: Bristol Tennessee Planning Commission Action on County Rezoning Request
August 19, 2002

Please be advised that the Bristol Tennessee Regional Planning Commission recommended approval of Dian Gantt's request to rezone her property located on Highway 11-W from A-1, general agricultural to PR-BD, planned residential-business district. The Planning Commission gave a unanimous favorable recommendation to the Sullivan County Commission.

Attached is a copy of Dian Gantt's application for rezoning, a zoning location map from the Sullivan County Building Official's office. If you have any questions regarding this matter please contact me at 989-5564.

cc: Amber Torbett

Post-It® Fax Note	7671	Date	# of pages ▶
To	Amber Torbett	From	Hakim Merrill
Co./Dept.	Sullivan County	Co.	
Phone #		Phone #	989-5564
Fax #	279-2886	Fax #	989-5717

Agenda Item: Rezoning – Dian Gantt – 1953 Highway 11-W

Background: Ms. Diane Gantt is requesting Planning Commission approval for the rezoning of 9.366 acre tract of land located at 1953 Highway 11-W. This site is located in the County and is zoned A-1, general agricultural district. The proposed zoning designation is PR-BD, planned residential-business district. The property contained in this request is Parcel 65, as shown on Sullivan County Tax Map 18, for 2001. The purpose of this request is to allow future construction of condominium and single-family residential development at this location.

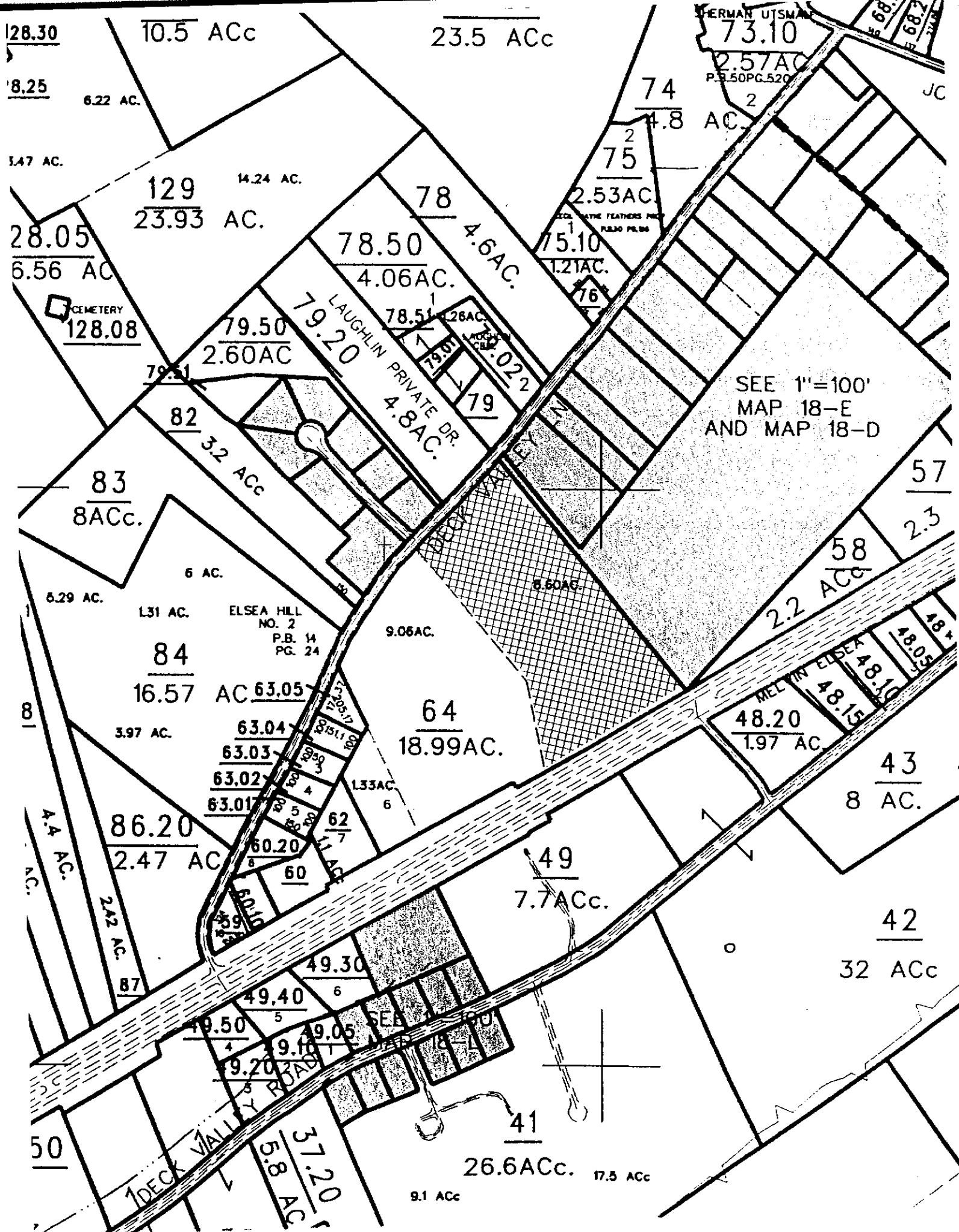
The study area extends from Johnson Chapel Road west to Highway 11-W along Deck Valley Road. The existing zoning in the area is predominantly A-1, general agricultural district. The study area is primarily a residential community with approximately thirty-seven (37) residential structures, sixteen (16) vacant lots and four (4) industrial and one (1) commercial enterprises. The residential structures consists mainly of one-story frame dwellings.

Analysis: Commercial development is established at several locations along Highway 11-W corridor. Most of this development, however, is limited to convenience store, truck terminal, used car sales and concrete manufacturing plant that serve the surrounding population and local traffic. The majority of the properties fronting Highway 11-W are residential or vacant. The request site is fronting Deck Valley Lane and Highway 11-W. Currently, the site is vacant. The existing zoning in the area is predominantly A-1, general agricultural, R-3, high density residential district, PBD-3, planned business district-3, B-4, arterial business district M-1, industrial district and PMD-2, planned manufacturing district-2.

Directly adjacent to the site is a parcel on the west side zoned R-1. R-3 and B-4 is directly across the street from the site and there is also M-1 adjacent to the requested rezoning on the east side. To the south of Highway 11-W there are two medium size mobile home park is situated. All affected property owners have been informed of the request. Staff finds this to be a reasonable request for a rezoning that is compatible with surrounding land uses.

Recommendation: It is staff recommendation that the request to rezone property from A-1 to PR-BD district for the purpose of construction of condominium and single-family residential development be given a favorable recommendation to the Sullivan County Commission.

AUGUST 2002



PETITION TO SULLIVAN COUNTY FOR REZONING #07-02-02

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 Michael Smith
Address 723 Buffalo Rd
Blt In 37617
Phone 323-2050 Date of Request 7/2/02
383-0370
Property Located in 8th Civil District

x Michael T. Smith
Signature of Applicant

OFFICE USE ONLY

Meeting Date 8-20-02 Time 7:00pm
Place 2nd Floor - Courthouse
Main St
Planning Commission Approved _____
Denied _____
County Commission Approved x _____
Denied _____
Other Roll Call Vote 24 AYE
Final Action Date 09-16-02

PROPERTY IDENTIFICATION

Tax Map 96 Group _____ Parcel 28.78
Zoning Map 17 Zoning District R-1 Proposed District R-2
Property Location Buffalo Rd
Purpose of Rezoning to allow a single wide
mobile home

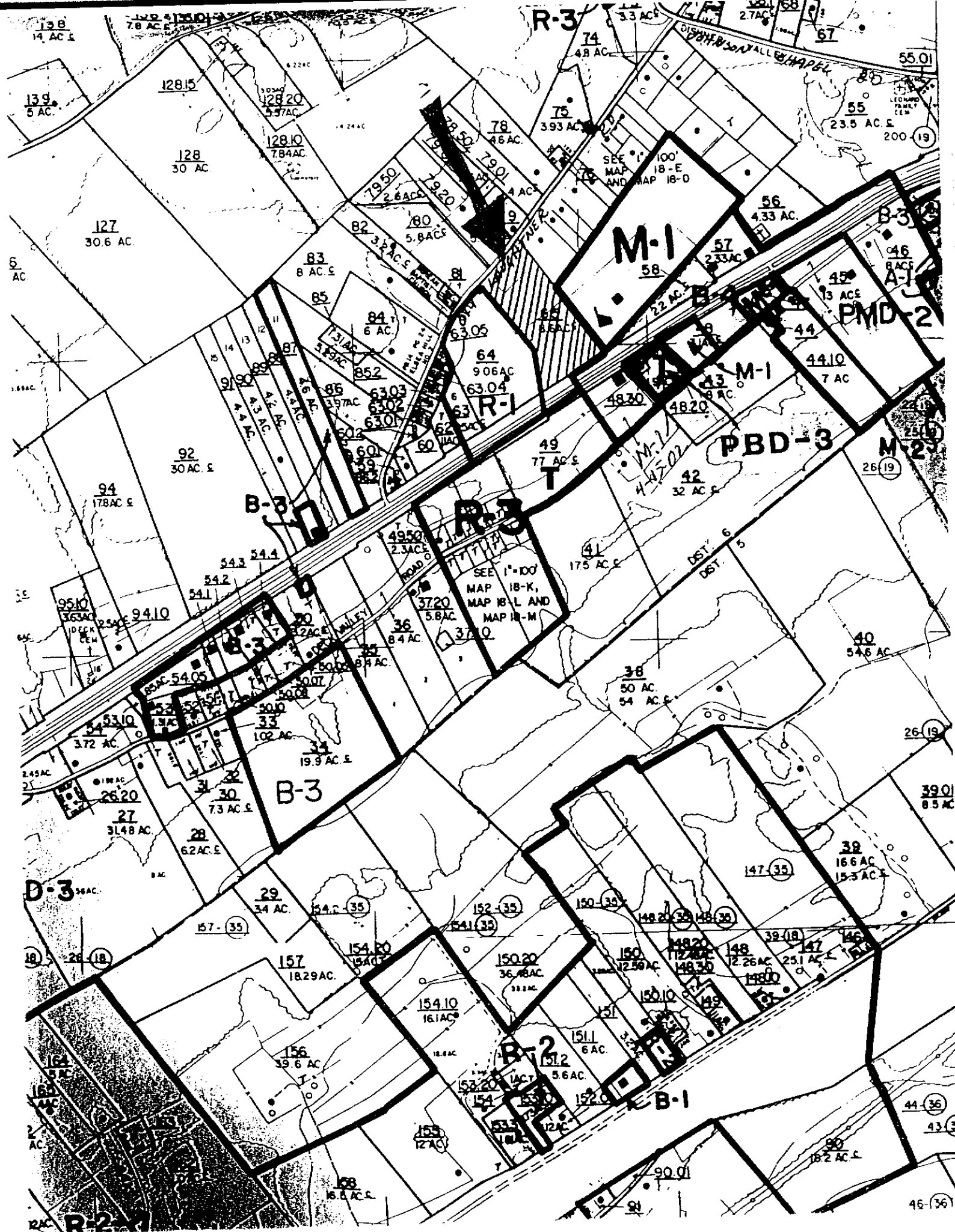
The undersigned, being duly sworn, hereby acknowledges that the information provided in this petition to Sullivan County for Rezoning is true and correct to the best of my information, knowledge and belief.

x Michael T. Smith

Sworn to and subscribed before me this 2nd day of July, 2002.

Debbie R. House
Notary Public

My Commission Expires: 12-20-03



**Sullivan County
Board of County Commissioners
Staff Comments – September 16, 2002**

AGENDA ITEM # 2

Property Owner:	Michael Smith
Rezoning Request:	R-1 to R-2
Purpose:	To locate a singlewide mobile home on the property
Parcel ID:	Tax Map 96, Parcel 28.70
Location:	793 Buffalo Road, Blountville
Civil District:	8th
Surrounding Zoning:	R-1 with B-3 and R-3 in the area
PC 1101 Growth Plan:	Sullivan County Rural Area

Staff Field Notes:

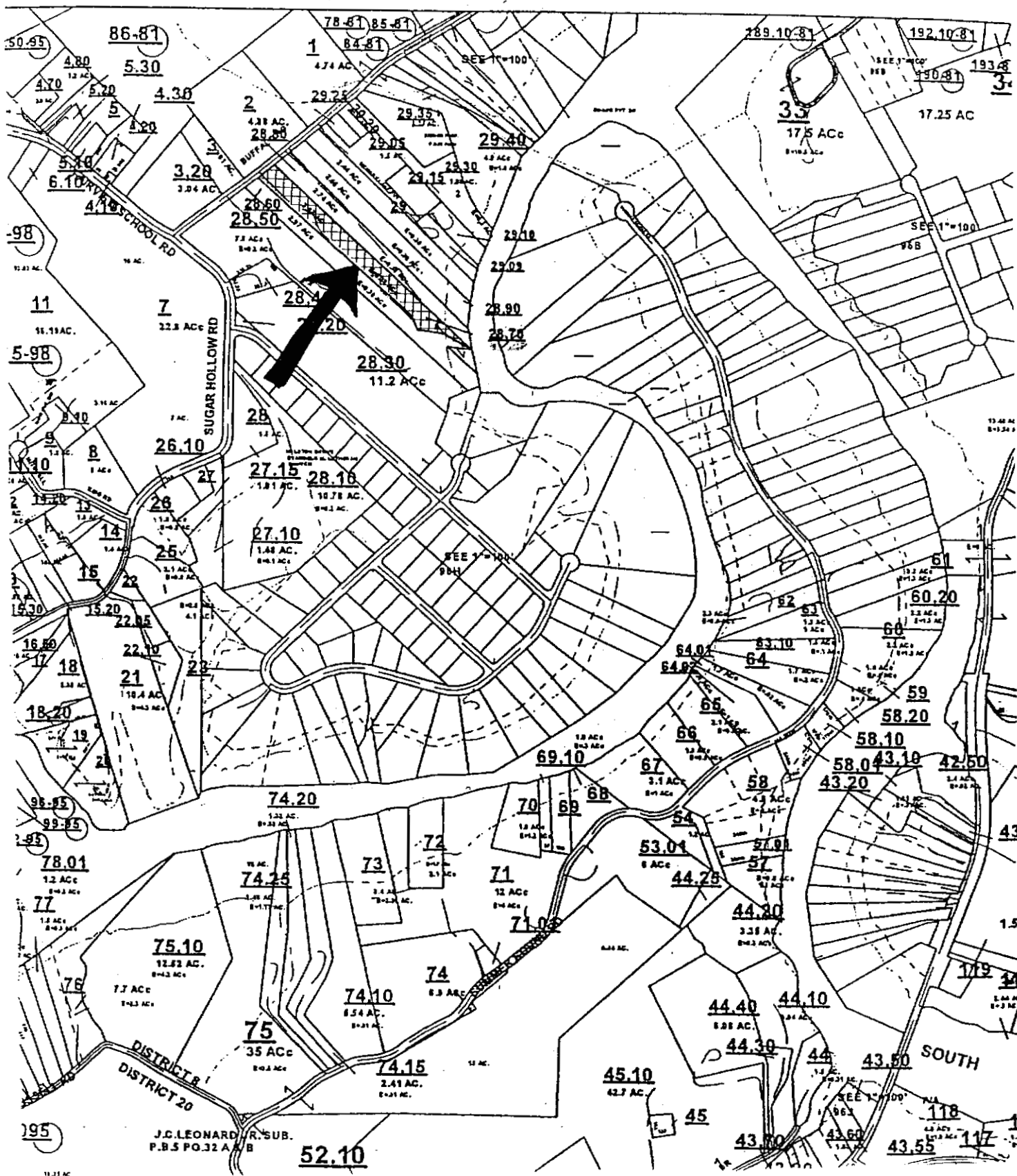
This lake lot is approximately 3 acres +/- and is very long but narrow. The new owner is undergoing substantial renovations to the existing house, garage and outbuildings. As illustrated in the picture taken by staff, there is a site ready for a singlewide mobile home. This site on the property has a direct view of neighboring mobile homes. The property is surrounded by existing mobile home parks – one to the SW in the R-3 zone and one to the NE in an R-1 zone. This street has several singlewide mobile homes within the R-1 zone. Staff recommends that this entire area be reviewed for possible zoning district changes to reflect the existing land uses and trend. Staff recommends approval of this request as it is in character with the neighborhood and the lot is large enough to accommodate a second dwelling. The adjacent lot to the SW is vacant and overgrown; this would remain as R-1 under the current zoning plan.

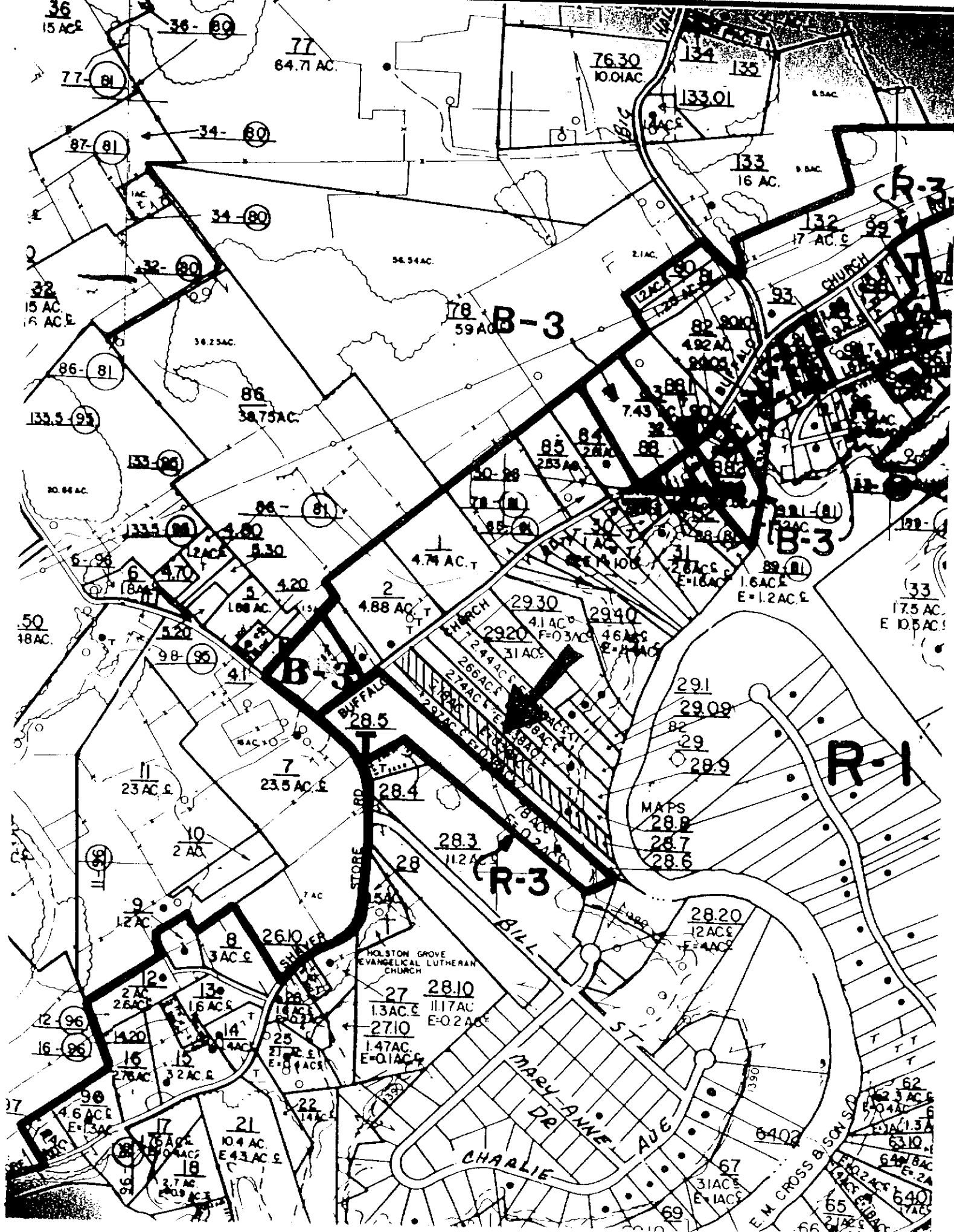
Discussion at Planning Commission Meeting:

Ms. Lorie Smith, wife, was present at the meeting and spoke on the plans to move a 1998 singlewide mobile home to the site in the middle of the lot.

Sullivan County Regional-Planning Commission Action: August 20, 2002	
Approval: Dulton, Selby – motion carried favorably – unanimously (7 members present, chair abstains unless tie vote)	
Denial:	Reason for denial:
Defer:	Reason for denial:

Sullivan County Board of County Commission Action: September 16, 2002	
Approval: 09-16-02	
Denial:	Reason for denial:
Defer:	Reason for deferral:





PETITION TO SULLIVAN COUNTY FOR REZONING #07-02-03

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

Property Owner TERRY JONES
Address 121 PINEY FLATS RD.
PINEY FLATS TN. 37686
Phone ⁴²³ 538-5522 Date of Request 7-15-02
Property Located in 9th Civil District

X Terry Jones
Signature of Applicant

OFFICE USE ONLY

Meeting Date 8-20-02 Time 7:00 PM

Place Blountville - Courthouse

Planning Commission Approved _____
Denied _____

County Commission Approved X
Denied _____

Other Roll Call Vote 21Aye, 2Nay, 1 Pas

Final Action Date 09-16-02

PROPERTY IDENTIFICATION

Tax Map 124-0 Group B Parcel 1.00 ^{LOT #5} 5.00
Zoning Map 26 Zoning District R-1 Proposed District B-4
Property Location Corner Piney Flats Rd & Henson Ave.

Purpose of Rezoning Future Business

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 15th day of JULY, 2002.

X Terry Jones
Jack Harrison
Notary Public

My Commission Expires: 12-20-03

**Sullivan County
Board of County Commissioners
Staff Comments – September 16, 2002**

AGENDA ITEM # 3

Property Owner:	Terry Jones
Rezoning Request:	R-1 to B-4
Purpose:	For Future Business
Parcel ID:	Tax Map 124-O, Group B, Parcel 1.00 (combined lots 5 and 6)
Location:	121 Piney Flats Road, Piney Flats
Civil District:	9th
Surrounding Zoning:	R-1, PBD and Bluff City city-limits of commercial areas
PC 1101 Growth Plan:	Bluff City Urban Growth Area

Staff Field Notes:

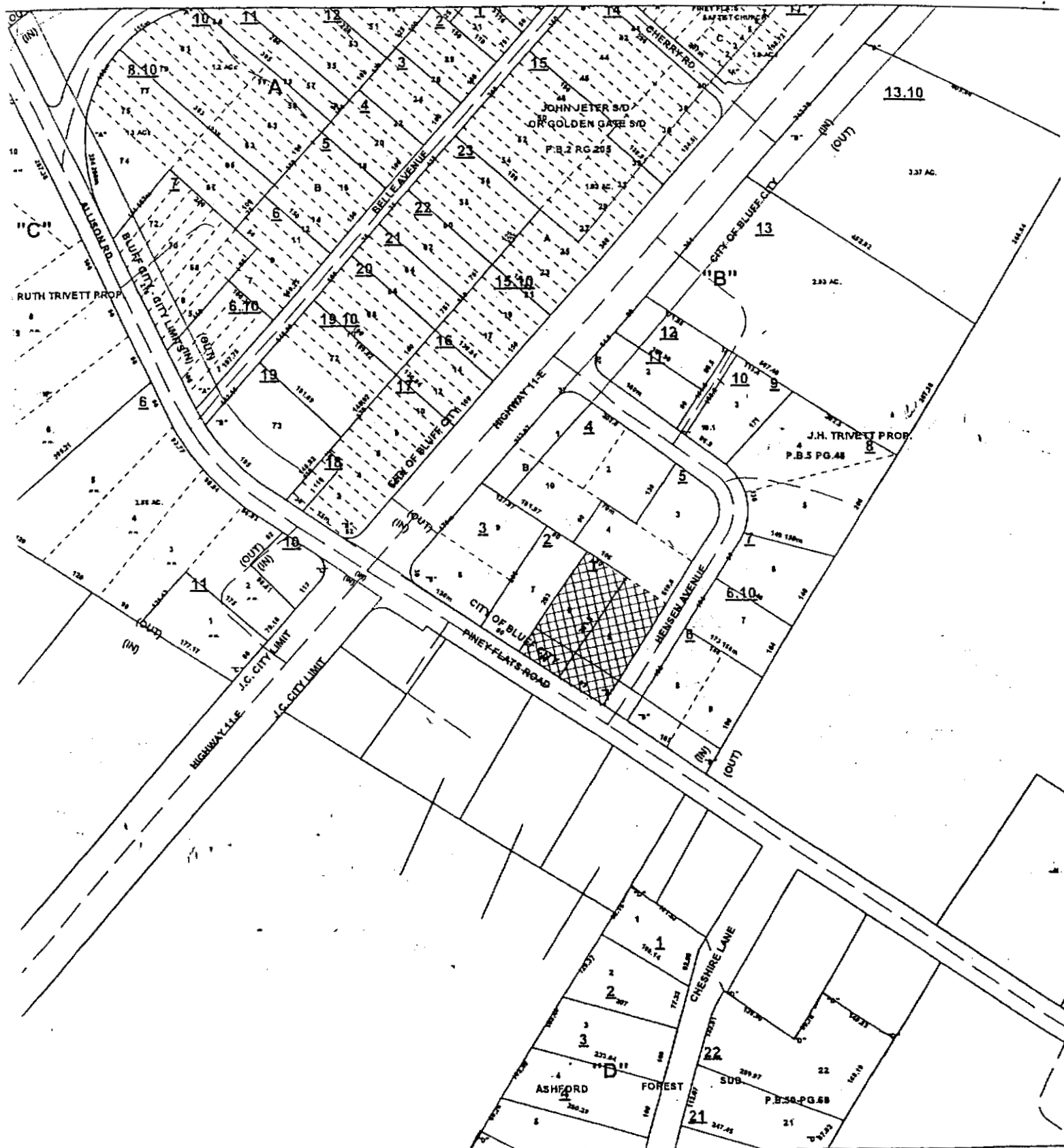
This requests consists of two lots, one with a house and the other a vacant yard. The home abuts Piney Fashions store, the business of which is operated by someone else, but the property is owned by Mr. Jones. Piney Fashions just went out of business. The residential properties being petitioned are within the established neighborhood. One neighbor has spoken against this petition, prior to the meeting. Staff cannot recommend rezoning these two lots (as combined into parcel # 1) for a future arterial commercial district as it is within the residential area; the road is substandard in width and cannot handle an influx of heavy commercial traffic a B-4 district might impose in the future, as there is no turn-lane at this intersection. The only way the road can be widened at this point is to condemn property. Piney Flats Road was recently resurfaced, but cannot be widened without taking private property. Piney Flats Road is classified as a minor collector road not an arterial road. Staff does not recommend expanding the commercial districts down Piney Flats Road for the protection of the established residential and new subdivision properties. The arterial commercial growth should be contained to the highway fronting parcels.

Discussion at Planning Commission Meeting:

Mr. Terry Jones, applicant, was present. He resides at 136 Henson Road across from petitioned property. He stated his plans to open a floral shop in the existing dwelling on one of the parcels. Several adjacent residents came to the meeting to speak against the B-4 rezoning. After lengthy discussion the residents appeared to be more in favor of a B-1, neighborhood business classification on his property than a B-4, arterial business zone. They were very concerned about increase traffic on Henson Road as well. This is a short cut road to avoid the traffic signal at Piney Flats Road and 11-E. They were also concerned that a B-4 rezoning would set precedence for Mr. Jones' sister to also apply for rezoning. Staff recommended against the rezoning of a B-4, but asked Mr. Jones if he would consider a B-1 zoning as it would allow for a floral shop and would be a more appropriate transitional zoning between the highway commercial and the R-1 districts. He said no.

Sullivan County Regional Planning Commission Action: August 20, 2002	
Approval:	Barnes, Peterson (4 yes, 2 opposed, chair abstains unless tie vote) – motion carried
Denial:	Reason for denial:
Defer:	Reason for denial:

Sullivan County Board of County Commission Action: September 16, 2002	
Approval:	09-16-02
Denial:	Reason for denial:
Defer:	Reason for deferral:



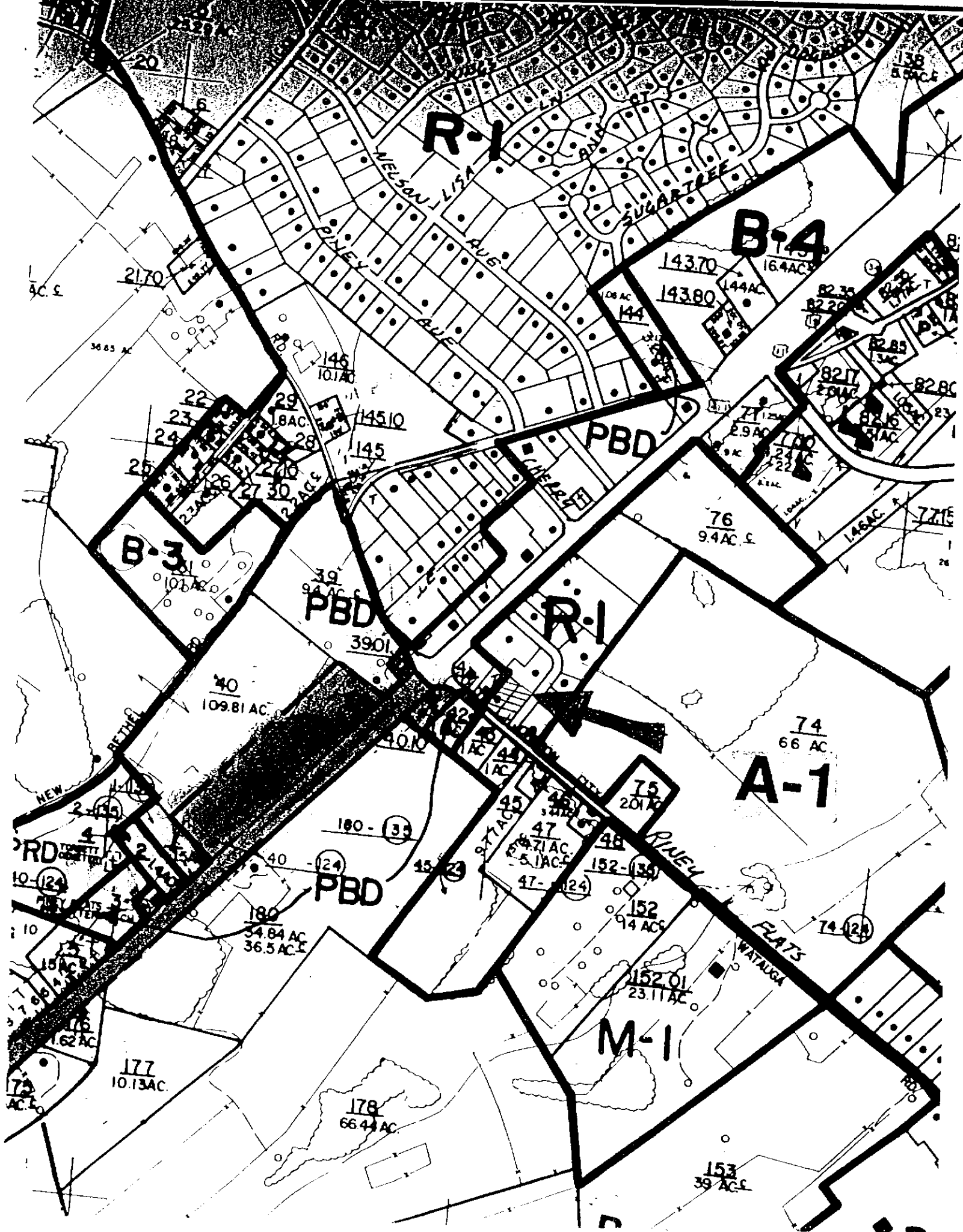
County, Tennessee

PROPERTY MAPS

ORIGINAL MAP SCALE: 1" = 100'

	124J	124K
	124O	
135A	135B	135C

MAP
124



MINUTES OF THE SULLIVAN COUNTY PLANNING COMMISSION

The regular meeting of the Sullivan County Planning Commission was held on Tuesday, August 21, 2002 at 7:00p.m., Courthouse, Blountville, Tennessee.

A. Members Present:

Harry Boggs, Chairman
Mark Selby, Vice Chairman
Jack Dutton
Harold Barnes
Roy Settle
Ken Bronner
Gordon Peterson

Members absent:

Carol Belcher
Cathy Mullins

Staff Representatives:

David Moore, Local Planning
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 7:04p.m. by the chairman with a quorum present.

B. Approval of July 16, 2002 Minutes

The minutes from the July 16, 2002 meeting were reviewed. Motion made by Settle to accept the minutes as presented, seconded by Bronner. Motion to accept the minutes passed unanimously.

C. Rezoning Requests

(1) File No. 07/02/02 - Michael Smith

Reclassify R-1 property located at 793 Buffalo Road to R-2. Property identification No. Tax map 96, Parcel 28.70 located in the 8th Civil District. 1.

Mrs. Smith was present and spoke on the intent of the rezoning.

No opposition was present.

Staff Field Notes/Recommendation:

This lake lot is approximately 3 acres +/- and is very long but narrow. The new owner is undergoing substantial renovations to the existing house, garage and outbuildings. As illustrated in the picture taken by staff, there is a site ready for a singlewide mobile home. This site on the property has a direct view of

neighboring mobile homes. The property is surrounded by existing mobile home parks – one to the SW in the R-3 zone and one to the NE in an R-1 zone. This street has several singlewide mobile homes within the R-1 zone. Staff recommends that this entire area be reviewed for possible zoning district changes to reflect the existing land uses and trend. Staff recommends approval of this request as it is in character with the neighborhood and the lot is large enough to accommodate a second dwelling. The adjacent lot to the SW is vacant and overgrown; this would remain as R-1 under the current zoning plan.

Motion made by Dutton and a second by Selby to approve the rezoning. The motion to approve the rezoning request passed unanimously.

(2) File No. 07/02/03 – Terry Jones

Reclassify R-1 property located at 121 Piney Flats Road to B-4. Property identification No: Tax map 124O, Group B, Parcels 1.00&5.00.

Mr. Jones was present and spoke on behalf of the rezoning. He stated that he was proposing a “flower shop” to be on both parcels to be rezoned.

Max Bare, 121 Henson Ave., was present and spoke against the rezoning. He stated that the future impact of the property, if rezoned, on the surrounding residential community would increase traffic and possibly devalue their homes.

Gerald Crumley, 125 Henson Ave., was present and spoke against the rezoning. He stated that the increased traffic on Henson Avenue from future business would be dangerous to the residential lots along Henson Ave.

Staff Field Notes/Recommendation:

This request consists of two lots, one with a house and the other a vacant yard. The home abuts Piney Fashions store, the business of which someone else operates, but the property is owned by Mr. Jones. Piney Fashions just went out of business. The residential properties being petitioned are within the established neighborhood. One neighbor has spoken against this petition, prior to the meeting. Staff cannot recommend rezoning these two lots (as combined into parcel # 1) for a future arterial commercial district as it is within the residential area; the road is substandard in width and cannot handle an influx of heavy commercial traffic a B-4 district might impose in the future, as there is no turn-lane at this intersection. The only way the road can be widened at this point is to condemn property. Piney Flats Road was recently resurfaced, but cannot be widened without taking private property. Piney Flats Road is classified as a minor collector road not an arterial road. Staff does not recommend expanding the commercial districts down Piney Flats Road for the protection of the established residential lots and new subdivision properties. The arterial commercial growth should be contained to the highway fronting parcels. Staff recommends rezoning

these two parcels to a B-1, neighborhood zoning as a better transition between the B-4 on the highway and the existing R-1.

Motion made by Barnes and a second by Peterson to approve the rezoning. The motion to approve the rezoning request passed with a vote of 4 to 2. Barnes, Dutton, Peterson and Bronner voting for the rezoning. Settle and Selby voting against the rezoning and the chairman abstaining.

D. Subdivisions

(1) Keener Vaughn, *Preliminary*

This subdivision was deferred from last months meeting for the lack of representation.

Staff Notes:

Staff is waiting for revisions to the 3-lot subdivision. All signatures must be secured prior to final plat approval.

Motion made by Bronner and a second by Dutton to approve the preliminary plat. The motion passed unanimously.

(2) Tommy Ashworth, *Final*

Staff Notes:

No new tracts of land are being petitioned for development. Rather all new lots shall be combined to existing tracts of land. Only the first lot along 11-W will be for buildable purposes. All signatures must be secured prior to final plat approval.

Motion made by Barnes and a second by Peterson to remove from the agenda due to the lack of representation. Barnes withdrew his motion.

Motion made by Peterson and a second by Settle to defer due to the lack of representation. Motion passed unanimously to defer.

(3) Jane O. Flick Trust, *Preliminary*

Staff Notes:

This property is scheduled to be sold at auction. All signatures must be secured prior to final plat approval.

Motion made by Barnes and a second by Peterson to approve the preliminary plat. The motion passed unanimously.

(4) Vestal V. Carr, Et Ux., Preliminary

Staff Notes:

Staff recommended approval of the preliminary plat with the final to be considered next month. The policy on "grand-fathered-in" sites where no SSDS permits are on file, is that the TDEC office must certify the existing SSD systems and sign plat accordingly; otherwise new SSDS permits shall be secured. All other Subdivision Regulations and technical plat requirements are illustrated on the plat as revised.

Motion made by Barnes and a second by Bronner to approve the preliminary plat. The motion passed unanimously.

(5) Lewis Buckles, Comprehensive Development Plan

Staff Notes:

This site is unusual because it is bounded by three public roads with a large grassy shoulder, as part of US 11-E. This site is surrounded by an established R-1 zoning district with A-1 across the highway. There are numerous businesses and commercial districts along the highway, just not contiguous with this district. While there is a trend for more service-oriented commercial sites, there are still residential properties to protect. The site plan illustrates the required buffered landscaped area along the sideline with the required green space and setbacks along the public roads. The applicant is requesting that the ingress and egress access pavement area be extended throughout the parking area. This area is within fifteen feet of the required twenty-five feet setback. Please note, in a PBD-3 zone all setbacks shall be reserved as green strips with no parking except for direct ingress-egress purposes. The remaining unpaved area behind the proposed building is reserved for a septic system duplicate area. Staff recommends approval of this site plan with the following conditions:

- 1. The buffer strip be planted as required and remain in healthy condition;*
- 2. The other green strips be reserved for green space as required with a possible variance to the front yard setback (if approved by the BZA) and No parking or storage of vehicles shall be within the required landscaped areas or in the public rights-of-way.*

Motion made by Barnes and a second by Dutton to approve the Comprehensive Development Plan. The motion passed unanimously.

(6) **Margie Wilson & Lillie Anderson, *Final***

Staff Notes:

All signatures certify code compliance.

Motion made by Peterson and a second by Bronner to approve the final plat. The motion passed unanimously.

(7) **Confirmation of Minor Subdivision Plats for July 2002.**

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

E. New Business

(8) **Stormwater Pollution Prevention Plan – NPDES Phase II**

Planning Commission review and recommendation of the Stormwater Pollution Prevention Plan – NPDES Phase II. Copy of report was distributed last month. Staff requests a formal positive recommendation be forwarded to the County Commission.

Motion made by Selby, a second by Settle for a formal positive recommendation to the Sullivan County Commission. The motion passed unanimously.

(9) **Continuing Education**

David Moore, Tennessee Local Planning Office, informed the Planning Commission members of the change in the Tennessee State Law that would require the members and the staff to have continuing education credits annually. He also stated that the Sullivan County Commission could choose to vote to opt out of these requirements from the state; however he strongly recommends not to opt out.

Mr. Moore stated that there would be a "Stormwater Workshop" to be held at Northeast State Technical Community College, Sept. 11th at 7:30 a.m. (breakfast meeting).

(10) **Calendars and Site Visits**

Mr. Earles informed the commission of the "Sunshine Law" (Open Meeting Act) and distributed copies among the commission. He also informed them that they would be receiving a monthly events calendar from Sullivan County every month.

- F. Old Business**
- G. Public Comments**
- H. Adjournment**

With no further business, a motion was made by Barnes and a second by Selby to adjourn the meeting at 8:49 p.m.

Richard Henry, Sullivan County Planning Commission Secretary

Motion by:

2nd:

Personnel Requests

File # 7/02/01

Diana Gantt Request
A-1 to PR-BD 6th C.D.

Motion by:

Narr

2nd:

Vance

Approval

Roll Call

24 Aye

File # 7/02/02

Michael Smith Request
R-1 to R-2 1 8th C.D.

Motion by:

Vance

2nd:

Ferguson

Approval

Roll Call

24 Aye

File # 7/02/03

Jerry Jones Request
R-1 to B-4 9th C.D.

Motion by:

Narr

2nd:

B. King

Approval

Roll Call

21 Aye / 2

1 Pass

Jerry Jones presented his request.

Frances Forbush - In favor of request.

Motion by:

2nd:

Updating Land-Use Plan -

Projected within the next 12 months to have
a plan - will provide updates regularly.

County Attorney goes on record in support of this Plan

Motion by:

2nd:

QUESTIONS BEFORE THE COMM.

No
Opp
PMS

No

Reasoning Requests

No.

No.

No.

No.

1

2

3

NAMES OF COMMISSIONERS

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Aye

Nay

Garth Blackburn

Linda K. Brittenham

James "Moe" Brotherton

Ray Conkin

John Crawford

D. W. Ferguson

Clyde Gressel, Jr.

Larry Hall

Ralph Harr

Joe Henson

Thomas L. Houser

Marvin L. Hyatt

Samuel C. Jones

Elliott Kilgore

James "Buddy" King

James L. King, Jr.

R. Wayne McCormell

William H. John McKenney

Randy Monnell

Howard Patrick

Jack Sitzgraves

Michael Singer

Mark A. Vance

Eddie Williams

24 Aye

24 Aye

24 Aye

21 Aye

2 Nay

1 Pass

RESOLUTIONS ON DOCKET FOR SEPTEMBER 16, 2002[illegible]

STIONS BEFORE THE COMMN.														
No.		Harr's amend- ment		No.		No.		No.		No.		No.		
3		114		4		5		8						
NAMES OF COMMISSIONERS														
Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	
North Blackburn	✓		✓	✓		✓		✓						
Leida K Brittenham	✓		✓	✓		✓		✓						
Mae "Mae" Brotherton	✓		✓	✓		✓		✓						
Ray Conkin	✓	✓		✓		✓		✓						
John Crawford	✓	✓		✓		✓		✓						
D.W. Ferguson	✓	✓		✓		✓		✓						
Clyde Gross-Close, Jr.	✓		✓	✓		✓		✓						
Larry Hall	✓		✓	✓		✓		✓						
Ralph Harr	✓	✓		✓		✓		✓						
Joe Herron	✓	✓		✓		✓		✓						
Demetrius L. Houser	✓		✓	✓		✓		✓						
Marvin L. Hyatt	✓		✓	✓		✓		✓						
Samuel C Jones	✓		✓	✓		✓		✓						
Elliott Kilgore	✓	✓		✓		✓		✓						
James "Buddy" King	✓	✓		✓		✓		✓						
James L. King, Jr.	✓	✓		✓		✓		✓						
R. Wayne McConnell	✓	✓			✓	✓		✓						
John McKamey	✓		✓	✓		✓		✓						
Randy Morrell	✓		✓	✓		✓		✓						
Howard M. Patrick	✓		✓	✓		✓		✓						
Jack Sitzgreaves	✓	✓		✓		✓		✓						
Michael Sungenor	✓		✓	✓		✓		✓						
Mark A. Tance	✓	✓		✓		✓		✓						
Eddie Williams	✓	✓		✓		✓		✓						
11 Aye		13 Aye		12 Aye		11 Aye		12 Aye		13 Aye				
		13 Nay		1 Nay										
Chairman Venable Vote aye on Harr's amendment														

CTIONS BEFORE THE COMM.

	No.		No.		No.		TO defer #10		No.		No.		No.	
	9		10		11									
NAMES OF COMMISSIONERS	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay	Aye	Nay
Garth Blackburn			✓				✓							
Linda K. Battenham			✓				✓							
James "Mac" Brotherton			✓				✓							
Ray Conkin			✓				✓							
John Crawford			✓				✓							
O. W. Ferguson			✓				✓							
Clyde Gresham Jr.			✓				P							
Larry Hall			✓				P							
Ralph Harr			✓				✓							
Joe Herron			✓				✓							
Dennis L. Houser			✓				✓							
Marvin L. Hyatt				✓			✓							
Samuel C. Jones			✓				✓							
Elliott Kilgore			✓				✓							
James "Buddy" King			✓				✓							
James O. King Jr.			✓				✓							
R. Wayne McConnell			✓				✓							
John McKamey				✓			✓							
Handy Morrell			✓				✓							
Howard H. Patrick			P				✓							
Jack Litgreaves			✓				P							
Michael Lurgener				✓			✓							
Mark A. Vance			✓				✓							
Eddie Williams			✓				✓							
			20 Apr				11 Apr							
			3 May				17 May							
			11 Jun				3 Jun							

Sullivan County, Tennessee
Board of County Commissioners

No. 1
2002-09-00

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 16th day of September 2002.

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 16th day of September 2002.

Attested:

County Clerk

Date

Approved:

County Executive

Date

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

2002-09-00	Administrative	Budget	Executive	County Commission
ACTION				Approved 09-16-02 Voice Vote

Comments: Motion made by Comm. Harr and seconded by Comm. Morrell to Approve.

Sullivan County, Tennessee
Board of County Commissioners

2
34
No. 24
2002-06-88

Administrative/Executive Committee
2002-06-88

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 17th day of June, 2002.

RESOLUTION Rescinding Resolution No. 2 Approved May 20, 2002 Re-Establishing Board of Public Utilities

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 2 on May 20, 2002 reestablishing the Board of Public Utilities for Sullivan County;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby rescind Resolution No. 2 approved by the Board of Commissioners on May 20, 2002 and further direct that all matters pertaining to sewer issues be addressed to the Sullivan County Administrative Committee who shall forward any recommendations to the County Executive.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.
Duly passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By: Commissioner: Vance

Seconded By: Commissioner(s): ~~Boyd~~ B. King

1/1

2002-06-88	Administrative	Budget	Executive	County Commission
ACTION	No action 7-1-02	No action 8-15-02	Deferred 08-06-02	

Comments: Waiver of Rules Requested

1st Reading 06/17/02; Motion made to defer by Hyatt, 2nd by Morrell-motion failed by roll call vote 07/15/02; Amendment made by Conce, 2nd by Blalock and accepted by sponsor as follows "To adopt the powers of TCA relative to Public Utilities and that these powers and duties be assigned to the administrative committee" this 15th day of July '02. Motion was then made by Harr and 2nd by Patrick to defer-Motion to defer was approved by voice vote of Commission 07/15/02; Deferred 08/26/02; Deferred 09-16-02;

Sullivan County, Tennessee
Board of County Commissioners

No. 3
Budget/Executive Committee
AMENDED
2002-07-99

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 15th day of July 2002.

RESOLUTION ~~Appropriating Funding for~~ [Creating] a Group ^{Whole} ~~Term~~ Life Insurance Plan for Sullivan County Retirees

WHEREAS, at this time upon retirement, county employees cease to be eligible for life insurance benefits under the county's basic and voluntary life insurance plans; and,

WHEREAS, the county would like to be able to provide retirees with a group ^{whole} ~~term~~ life insurance plan ~~in the amount of ten thousand dollars (\$10,000) per retiree at an estimated annual cost to the county of \$142.50 per retiree;~~ and,

~~WHEREAS, in the FY 2001-2002, Sullivan County had 15 employees retire; and based upon those numbers, Canada Life Insurance has estimated an annual cost of \$1,710.00 for \$10,000 worth of coverage per retiree;~~

[WHEREAS, on August 27, 2002, the Insurance Committee met and after much discussion, approved a "voluntary" concept of making a life insurance plan available to Sullivan County retirees; and,

WHEREAS, the Insurance Committee has expressed that it would be appropriate ^{and recommends} to make the following changes to enable the County to offer a life insurance plan to its employees/retirees.]

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby ~~authorize the Purchasing Agent to solicit or negotiate bids for a Group Term Life Insurance Policy for retirees with a minimum of \$10,000 coverage per retiree. Not to exceed an annual cost of \$150.00 per retiree.~~ [approve the following changes to enable Sullivan County to offer a Group ^{Whole} ~~Term~~ Life Insurance plan to its retirees/employees.

- 1) That the provider be changed to Unum-Provident per the terms of their quote which will be finalized by the Purchasing Agent and County Executive.
- 2) That the Plan be offered on a "voluntary" level of participation with each county retiree/employee being responsible for the cost of his/her premium per payroll deduction. NO COUNTY FUNDS WILL BE INVOLVED.
- 3) That the Plan offer Group ^{Whole} ~~Term~~ Life Insurance to qualifying County active-at-work employees, County retired employees, their spouses and/or dependents.
- 4) That the coverage per qualifying retiree/employee be set to a premium based upon the retiree/employee's selection of coverage and corresponding age/health factors.]

~~BE IT RESOLVED that the costs of insurance benefits will be appropriated from the Employee Benefit Fund with the individual departments being charged back costs for their respective retirees;~~

BE IT RESOLVED that the County Executive and Purchasing Agent be authorized to execute any contracts regarding this matter.

~~BE IT FURTHER RESOLVED that this policy shall apply to all employees retiring after July 1, 2002.~~

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

Duly passed and approved this 16th day of September 2002.

Attested: Joanie Gammon 9/16/02 Approved: Richard Smith 9/16/02
County Clerk Date County Executive Date

Introduced By Commissioner: King (Buddy)

Seconded By Commissioner(s): Ferguson, Kilgore, McConnell, Pierce

2002-07-99	Administrative	Budget	Executive	County Commission
ACTION		Motion to Approve Failed 8-15-02	No Action 8-6-02	Approved 09-16-02 24 AYE

Comments: 1st Reading 07/15/02; Deferred 08/26/02 by voice vote; Amendments submitted by Sponsor Buddy King 09-16-02 (Amendments made shown in context of resolution above).

Sullivan County, Tennessee
Board of County Commissioners

No. 4
Budget/Executive Committee
AMENDED
2002-08-112

To the Honorable Gil Hodges, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 26th day of August 2002.

RESOLUTION Authorizing Amendments to Partnership Agreement Between Sullivan County and the Sullivan County Historical Preservation Association

WHEREAS, the Sullivan County Board of Commissioners approved Resolution No. 23 on June 17, 2002 authorizing Sullivan County to enter into a Partnership Agreement with the Sullivan County Historical Preservation Association; and,

WHEREAS, subsequent to the passage of the aforesaid Resolution, it was determined that the Partnership Agreement would require certain revisions prior to execution;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve Sullivan County, by and through the County Executive and Purchasing Agent, entering into the attached revised Partnership Agreement with the Sullivan County Historical Preservation Association.

[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 16th day of September, 2002.

Attested: Jeannie Hammon 9/10/02 Approved: Richard V. Venable 9/14/02
County Clerk Date County Executive Date

Introduced By Commissioner: Houser

Seconded By Commissioner(s): Harr

ul

2002-08-112	Administrative	Budget	Executive	County Commission
ACTION				Approved 09-16-02
				23 Aye; 1 Nay

Comments: Waiver of the Rules Requested

Deferred by voice vote 08-26-02; Amended by sponsor 08-26-02 to add to "Section 8" in attached agreement a last sentence that reads "It is expressly agreed by the parties hereto that all personal property listed on the inventory referenced above belongs to the owner and partner jointly."

Amendments made by Harr and James L. King, Jr. (Both amendments attached) 09-16-02.

PARTNERSHIP AGREEMENT

This Agreement is made the ____ day of _____, 2002, by and between SULLIVAN COUNTY, TENNESSEE, a political subdivision of the State of Tennessee (hereinafter called "Owner") and SULLIVAN COUNTY HISTORICAL PRESERVATION ASSOCIATION, INC., a Tennessee not-for-profit corporation (hereinafter called "Partner") for the purpose of the preservation and management of certain properties located in the 5th Civil District of Sullivan County, Blountville, Tennessee (hereinafter called "Properties") and more particularly described as follows:

OLD DEERY INN, 3397 Great Stage Road (Highway 126),
Blountville, Tennessee 37617; Sullivan County Tax Map
051P-A-22.10-066A; Listed on the National Register of
Historic Places; Listed as one of Tennessee's Most
Endangered Places

THE RUTLEDGE HOUSE, 3391 Great Stage Road (Highway
126), Blountville, Tennessee 37617; Sullivan County Tax Map
051P-A-22-066A; Listed on the National Register of Historic Places

OLD SHERIFF HOME, 3411 Great Stage Road (Highway 126),
Blountville, Tennessee 37617; Listed on the National Register of
Historic Places.

THE ANDERSON TOWNHOUSE, Great Stage Road (Highway 126),
Blountville, Tennessee 37617; Listed on the National Register of
Historic Places.

In consideration of the mutual covenants and agreements herein contained, it is mutually agreed by the Owner and the Partner that this Partnership Agreement shall be effective for a term of twenty-five (25) years from the day and year first above written; ~~however, this Agreement shall be terminated by the transfer of the Old Deery Inn and the Rutledge House back to the Partner pursuant to the terms of Resolution No. 5 approved by the Board of Commissioners on May 20, 2002.~~

This Partnership Agreement is subject to the terms of the Preservation Agreement dated February 26, 2002 between the Sullivan County Historical Preservation Association, Inc. and the State of Tennessee, by and through the State Historic Preservation Officer, of record in the Register of Deed's Office for Sullivan County at Blountville, Tennessee in Deed Book 1749C, at Page 418 and is subject to the terms of Resolution No. 5, as amended, approved by the Sullivan County Board of Commissioners on May 20, 2002, copies of

both of which are attached hereto. Wherein this Partnership Agreement conflicts with the aforementioned Preservation Agreement and/or Resolution, the Preservation Agreement and/or Resolution shall control.

The parties hereto agree as follows:

1. Partner shall manage the day-to-day operations of the Properties while preserving the architectural, historical and archaeological integrity of same in order to protect and enhance those qualities that make the Properties eligible for listing in the National Register of Historic Places.
2. No visual or structural alterations will be made to the Properties without written permission of the parties hereto.
3. Public access to view the Old Deery Inn, The Rutledge House and The Anderson Townhouse shall be provided by Owner and Partner no less than twelve (12) days a year on an equitably spaced basis. At the Owner's and the Partner's options, the Properties may also be open at other times and by appointment, in addition to the scheduled twelve (12) days a year. Nothing in this agreement will prohibit a reasonable nondiscriminatory admission fee, comparable to fees charged at similar facilities in the area.
4. Partner agrees to coordinate, schedule, serve as point of contact and maintain permanent public records for all events, fundraisers, social functions; collect any admission fees; be responsible for all advertising and publicity; be responsible for opening and closing the Properties (including assignment of keys); maintain a calendar of events for each month's activities and provide copies to the County Executive's Office one week prior to the first day of each month; be accountable for any other related duties relative to such events, fundraisers and/or social functions.
5. Partner agrees to notify Owner's Historic Advisory Board of any necessary repairs, with advisement concerning the historical preservation of the Properties' architectural, historical, and archaeological integrity.
6. Partner agrees to immediately notify Owner of any emergency situation that arises at the Properties. Owner will supply Partner with a listing of first, second and third personnel contacts for such situations. Owner's designated personnel will respond to the situations as appropriate and thereafter notify the Owner's Historical Advisory Board members to determine the plan of action to be implemented.
7. The Owner and the Partner agree that the Properties will be protected by restricted entrance; either by locks with assigned, numbered key entries, electronic security systems and/or both. Both Owner and Partner will assign keys/codes to their selected personnel and will maintain a permanent record of such assignments and provide copies of same to the Sullivan County Executive, Purchasing Agent and Risk Manager. The Owner will provide the Partner with a minimum of two (2) undesignated, numbered keys which can be assigned to any other person the Partner authorizes to have temporary access to the Properties for events, fundraisers and/or social functions. Partner will maintain a permanent record of all temporary access assignments by recording the assignee's name, the nature of business, the day and date the key(s) were assigned and the day and date the key(s) were returned.
8. Within thirty (30) days from the date of this Agreement as hereinabove set forth, the Partner agrees to conduct and prepare an initial inventory of all personal property located at each of the Properties, both interior and exterior. Partner will maintain permanent, itemized inventory records, with timely updates

as necessary. The permanent inventory records will for each item record its description, popular placement, appraised and/or fair market value, general condition and any other representation so as to record its architectural, historical, archaeological, and/or noteworthy eminence. Partner will immediately provide Owner with three (3) copies of the permanent inventory records when completed and thereafter copies of all amendments reflecting updates to be distributed to the County Executive, Purchasing Agent and Risk Manager. ~~It is expressly agreed by the parties hereto that all personal property located on the Properties shall be the property of Owner. It is expressly agreed by the parties hereto that all personal property listed on the inventory referenced above belongs to the Owner and Partner jointly.~~

9. Partner further agrees to ascertain that all possessions will be safeguarded to the best of Partner's abilities and will be examined after each event, fundraiser, social function and/or other approved activity. Any damage, theft, vandalism and/or other such related concerns will be reported immediately to the Owner's Risk Manager, or to the County Executive or Purchasing Agent in his absence.

10. Owner agrees to provide any and all insurance coverages application to the buildings, grounds, contents and liabilities under its 'All-Lines Aggregate' policy (including a separate policy to insure the historical possessions).

11. Owner and Partner agree that volunteer labor can be performed only if the Owner and the Partner approve prior thereto the day, date, time, materials and scope of work to be performed. Partner will be responsible for notifying the Sullivan County Historic Advisory Board members and the aforementioned county offices prior to approval of any volunteer activities.

12. Owner agrees to be responsible for the cost of all utilities consumed on the Properties.

13. ~~Partner agrees to be responsible for minor repairs and day-to-day maintenance on the Properties. Partner agrees to be responsible for the cost of all repairs and maintenance on the Properties.~~ Partner agrees to be responsible for the cost of all repairs and maintenance on the Properties.

14. There are no representations, covenants, warranties, promises, agreements, conditions or undertakings, oral or written, between the Owner and the Partner other than herein set forth. No subsequent alteration, amendment, change or addition to this Partnership Agreement shall be binding upon the Owner or the Partner unless authorized in written form, signed by both parties, and approved by the Sullivan County Board of Commissioners.

15. It is understood and agreed by the parties hereto that if any part, term, or provision of this Partnership Agreement is held to be illegal by the courts, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

This Partnership Agreement was ratified by the Sullivan County Board of Commissioner during the June 17, 2002 Regular Session of the County Commission as a legal instrument by and between Sullivan County ("Owner") and Sullivan County Historical Preservation Association, Inc. ("Partner").

SULLIVAN COUNTY, TENNESSEE

BY: _____
GIL HODGES
Sullivan County Executive

Attest:

County Clerk

BY: _____
NELDA HULSE
Purchasing Agent

**SULLIVAN COUNTY HISTORICAL
PRESERVATION ASSOCIATION INC.**

BY: _____
DENNIS HOUSER, President

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Gil Hodges, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainor, and who, upon oath, acknowledged himself to be the County Executive for Sullivan County, one of the within named bargainors, and that he as such County Executive, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Sullivan County, Tennessee by himself as County Executive.

WITNESS my hand and official seal this ____ day of _____, 2002.

My commission expires:

Notary Public

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Nelda Hulse with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainor, and who, upon oath, acknowledged herself to be the Purchasing Agent for Sullivan County, one of the within named bargainors, and that she as such Purchasing Agent, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of Sullivan County, Tennessee by herself as Purchasing Agent.

WITNESS my hand and official seal this ____ day of _____, 2002.

My commission expires:

Notary Public

STATE OF TENNESSEE:
COUNTY OF SULLIVAN:

Before me, the undersigned authority, a Notary Public of the State and County aforesaid, personally appeared Dennis Houser, with whom I am personally acquainted or who proved to me on the basis of satisfactory evidence to be the within-named bargainor, and who, upon oath, acknowledged himself to be the President of the Sullivan County Historical Preservation Association, Incorporated, the within named bargainor, a Tennessee Corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of said corporation by himself as President.

WITNESS my hand and official seal this ____ day of _____, 2002.

My commission expires:

Notary Public

PROPOSED AMENDMENT TO

RES. # 4 - Authorizing Amendments to Partnership Agreement Between
Sullivan County Historical Preservation Association

Amend as Follows:

AMEND Section 13 in Partnership Agreement taking out the current wording
"Partner agrees to be responsible for minor repairs and day-to-day maintenance
on the Properties." and revert back to the original wording as follows
"Partner agrees to be responsible for the cost of all repairs and maintenance
on the properties".

Introduced by: Harr
Seconded by: Williams

COMMENTS: Amendment approved by roll call vote 13 aye, 12 Nay (Commission
vote was a tie 12 Aye, 12 Nay, - Chairman Venable cast the tie-
breaking vote to make it 13 Aye, 12 Nay.)

PROPOSED AMENDMENT TO

RES. # 4 - Authorizing Amendments to Partnership Agreement
Between Sullivan County and the Sull. Co. Historical
Preservation Association

Amend as Follows:

AMEND: TO STRIKE the last sentence in paragraph six on page one of the
Partnership Agreement(Sentence as follows: however, this Agreement shall
be terminated by the transfer of the Old Deery Inn and the Rutledge House
back to the partner pursuant to the terms of Resolution No. 5 approved by
the Board of Commissioners on May 20, 2002.

Introduced by: James L. King, Jr.
Seconded by: Accepted by Sponsor Houser

COMMENTS: Amendment accepted by sponsor Houser.

Sullivan County, Tennessee
Board of County Commissioners

No. 5
Budget Committee
2002-09-117

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Approving Statutory Bonds for Elected Officials

WHEREAS, Tennessee Code Annotated authorizes counties to approve the Statutory Bonds for Elected and Appointed Officials; and,

WHEREAS, certain elected officials are required to have Statutory Bonds; and,

WHEREAS, the County Commission must approve such bonds;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approve the Statutory Bonds for the following officials:

Raymond Winters as Circuit Court Clerk and Commissioner & Receiver;
Mary Lou Duncan as Registrar of Deeds;
John R. LeSueur as Highway Commissioner;
Frances Harrell as Trustee;
Wayne Anderson as Sheriff and Superintendent of the Workhouse;
Jeanie Gammon as County Court Clerk;
Dan Street as County Attorney; and
Richard Venable as County Executive.

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 16th day of September 2002.

Attested:

County Clerk

Jeanie Gammon
Date 9/16/02

Approved

County Executive

Richard S. Venable 9/16/02
Date

Introduced By Commissioner: Williams

Seconded By Commissioner(s): Harr

Estimated Cost: \$11,441.00

Fund: General and Highway

alt

2002-09-117	Administrative	Budget	Executive	County Commission
ACTION				Approved 09-16-02 24Ave

Comments:

Sullivan County, Tennessee
Board of County Commissioners

No. 6
Budget Committee
2002-09-118

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Authorizing the Acquisition of Land Adjacent to the Tri-County Industrial Park

WHEREAS, Sullivan County wishes to acquire additional acreage adjacent to the Tri-County Industrial Park, as authorized by Tennessee Code Annotated, for the purpose of increasing the amount of land available to new industries; and,

WHEREAS, a 21.13 acre site, a.k.a. as the Jane Taylor property is available at a price of \$132,000 which reflects the value established by a July 2002 appraisal by Michael E. Green, MAI, CCIM.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby authorizes the acquisition of said property.

BE IT RESOLVED that Sullivan County shall appropriate \$132,000 for said acquisition with such monies to come from funds generated from previous land sales within the Industrial Park.

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

Duly passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

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

2002-09-118	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 09-16-02;

Sullivan County, Tennessee
Board of County Commissioners

No. 7
Budget Committee
2002-09-119

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Authorizing the Expenditure of Funds for the Improvement of Land in the Tri-County Industrial Park

WHEREAS, the Industrial Development Board of Sullivan County wishes to improve certain lands within the Tri-County Industrial Park, as authorized by Tennessee Code Annotated, by grading the property thereby making it more attractive to a potential new industry; and,

WHEREAS, the proposed site to be improved is currently owned by the Industrial Development Board of Sullivan County; and,

WHEREAS, a bid of \$91,262.00 to grade said site has been obtained.

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby appropriates \$91,262.00 to the Industrial Development Board of Sullivan County to be used for grading of the site with such monies being returned to the County upon sale of the site. Further, the appropriation of such monies are to come from funds generated from previous land sales within the Industrial Park.

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

Duly passed and approved this ____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

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

alt

2002-09-119	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 09-16-02;

Sullivan County, Tennessee
Board of County Commissioners

No. 8
Executive Committee
2002-09-120

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Requesting "No Parking" Sign near First Vantage Bank on Highway 126

WHEREAS, in January 2002, the Board of County Commissioners passed a resolution requesting a "No Parking - 8 a.m. to 5 p.m." sign be placed between the ingress/egress entrance of First Vantage Bank and the intersection of State Route 394 and Highway 126 due to safety concerns being expressed relative to the ingress/egress entrance due to poor visibility as a result of automobiles; and,

WHEREAS, the Tennessee Department of Transportation stated that it was not in compliance with their policy to erect "No Parking" signs with time limitations.

NOW, THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby requests the Tennessee Department of Transportation to post a "No Parking" sign between the intersection of State Route 394 and Highway 126 and the entrance/exit to First Vantage Bank on Highway 126.

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 16th day of September 2002.

Attested: Joanie Hammond Date 9/16/02 Approved: Richard S. Venable Date 9/16/02
County Clerk County Executive

Introduced By Commissioner: Houser

Seconded By Commissioner(s): Blackburn

2002-09-120	Administrative	Budget	Executive	County Commission
ACTION				Approved 09-16-02 24A

Comments:

Sullivan County, Tennessee
Board of County Commissioners

No. 9
Administrative Committee
2002-09-121

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Appointing Members to the Sullivan County Enhanced Communications District 9-1-1 Board of Directors

WHEREAS, terms for three members of the Sullivan County Enhanced Communications District 9-1-1 Board of Directors are due to expire on September 15, 2002; these members being Debbie Elsea, Jerry Fleenor, and Terry Jones; and,

WHEREAS, the County Executive has contacted these members and each has agreed to serve an additional term on the Board;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby confirms the following reappointments made by the County Executive to the Sullivan County Enhanced Communications District 9-1-1 Board of Directors.

Debbie Elsea - Term: September 15, 2001 to September 15, 2006;

Jerry Fleenor - Term: September 15, 2001 to September 15, 2006;

Terry Jones - Term: September 15, 2001 to September 15, 2006.

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 _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By Commissioner: Vance
Seconded By Commissioner(s): Patrick

2002-09-121	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 09-16-02;

Sullivan County, Tennessee
Board of County Commissioners

No. 10
Executive Committee
2002-09-122

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of County Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Authorizing Payroll Deduction for County Employees Participating in the Support of United Way Agencies Located in Sullivan County

WHEREAS, the United Way has a long heritage of support from community resources; and

WHEREAS, our United Way agencies have been and continue to be strongly supported by the citizens of Sullivan County; and,

WHEREAS, payroll deduction will make it convenient for county employees to support their community through the United Way; and,

WHEREAS, participation in the United Way will be voluntary for county employees and cannot be forced upon any employee by county leadership;

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners of Sullivan County, Tennessee, assembled in Regular Session hereby approves payroll deduction for any county employee voluntarily wishing to participate in supporting the United Way. And that any pledged amount should be deducted from the employees pay and disbursed to the United Way in accordance with the policies of the Office 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 16th day of September 2002.

Attested:

Joanie Hammon
County Clerk

Date 9/16/02

Approved:

Richard S. Venable 9/16/02
County Executive Date

Introduced By Commissioner: Vance

Seconded By Commissioner(s): King (Buddy)

2002-09-122	Administrative	Budget	Executive	County Commission
ACTION				Approved 09-16-02

20 Aye, 3 Nay, 1 Pass

Comments: Amendment made by Sponsor Vance and attached 09-16-02;
Motion made to defer by McKamey, 2nd by Hyatt-- Motion failed-roll call
vote 4Aye, 17Nay, 3 Pass.

PROPOSED AMENDMENT TO

RES. # 10 - Authorizing Payroll Deduction for County
Employees Participating in the Support of
United Way Agencies Located in Sullivan County

Amend as Follows:

United Way, ^{and/or} Community Chests of their choice.

Introduced by: MARK A. VANCE

Seconded by: SAM JONES

COMMENTS:

Sullivan County, Tennessee
Board of County Commissioners

No. 11
Executive Committee
2002-09-123

To the Honorable Richard S. Venable, County Executive and the Members of the Sullivan County Board of Commissioners meeting in Regular Session this 16th day of September 2002.

RESOLUTION Authorizing Traffic Sign Changes in the 11th Civil District

WHEREAS, the Sullivan County Highway Department has been requested by Commissioner Elliott Kilgore to make changes to traffic signs in the 11th 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 traffic sign changes:

11th Civil District:

Place a STOP sign on Trevor Drive, intersection with Independence Drive;

Place a STOP sign on Salvation Road, intersection with Independence Drive.

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

Duly passed and approved this _____ day of _____ 2002.

Attested: _____
County Clerk Date

Approved: _____
County Executive Date

Introduced By Commissioner: Kilgore
Seconded By Commissioner(s): Surgenor
alt

2002-09-123	Administrative	Budget	Executive	County Commission
ACTION				

Comments: 1st Reading 09-16-02;

**SULLIVAN COUNTY
HIGHWAY DEPARTMENT**

P.O. BOX 590
BLOUNTVILLE, TENNESSEE 37617

ATTACHMENT 2002-09 - 123

John R. LeSueur, Jr.
Commissioner of Highways

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

September 11, 2002

COMMISSIONERS: Elliott Kilgore
Michael B. Surgenor

Dear Commissioners:

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

To place a STOP sign on Trevor Drive, intersection with Independence Drive.

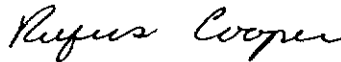
To place a STOP sign on Salvation Road intersection with Independence Drive.

Request made by Commissioner Elliott Kilgore.

This is in the 11th Civil District.

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

Sincerely,



Rufus Cooper
Traffic Coordinator

RC/jb

c: Angela Taylor

AND THEREUPON COUNTY COMMISSION ADJOURNED UPON
MOTION MADE BY COMM. HARR TO MEET AGAIN IN REGULAR
SESSION OCTOBER 21, 2002.


RICHARD VENABLE

COMMISSION CHAIRMAN