

FEBRUARY 20, 1984

MONDAY MORNING, FEBRUARY 20, 1984

BE IT REMEMBERED THAT:

COUNTY COMMISSIONERS MET PURSUANT TO ADJOURNMENT FOR A REGULAR SESSION OF SULLIVAN COUNTY BOARD OF COMMISSIONERS OF BLOUNTVILLE, TENNESSEE MET IN SESSION THIS MONDAY MORNING, FEBRUARY 20, 1984, WAS PRESENT AND PRESIDING THE HONORABLE LON V. BOYD, COUNTY CHAIRMAN, AND MARJORIE S. HARR, COUNTY CLERK AND MIKE GARDNER, COUNTY SHERIFF OF SAID BOARD OF COMMISSIONERS, AND FULL QUORUM OF COMMISSIONERS OF SAID COUNTY TO WITNESS:

COMMISSIONERS PRESENT AND ANSWERING ROLL CALL:

ARRINGTON, BARNES, BLALOCK, CARROLL, CHILDRESS, DEVAULT, FERGUSON, HEAPE, HENDRICKSON, ICENHOUR, KETRON, KING, LANGSTAFF, MCKAMEY, MILHORN, MILLS, A. MORRELL, R. MORRELL, NICHOLS, OLTERMAN, RUSSIN, THOMAS, WILLIAMS.

COMMISSIONERS ABSENT:

HOOD.

## RESOLUTIONS ON SECOND READING:

1. RESOLUTION IN RE: CABLE TELEVISION FRANCHISE

BE IT RESOLVED THAT the resolution of the County Court of Sullivan County, Tennessee granting a Cable television franchise in Sullivan County to Warner Cable of Kingsport, a Division of Warner Cable Corp., its successors and assigns, dated August 9, 1978, is hereby amended to include after the first full paragraph the following language:

In consideration of the rights granted to it by the County in this resolution, Warner Amex Cable Communications Inc. (also know as Warner Cable of Kingsport) agrees to pay to Sullivan County, for the period commencing January 1, 1984 and for each succeeding calendar year thereafter while this franchise is in force, a sum equal to three percent (3%) of the receipts from basic cable television service charges received by Warner Cable of Kingsport from its subscribers in that portion of Sullivan County covered by this franchise, but not including charges for connections, disconnections, and other charges which are normally nonrecurring in character. Such payments shall be in lieu of any occupation tax, license tax or similar levy, and shall be paid on an annual basis. Warner Amex shall maintain an accurate record of such receipts and it shall make payment to the County by April 30th of each year, commencing April 30, 1985, together with a statement from an officer of the Company showing the receipts upon which such payment is based. "Basic Service" shall mean the service provided by Warner Cable of Kingsport covered by the regular monthly charge paid by all subscribers, excluding optional services for which a separate charge is made.

<u>INTRO BY</u>	<u>SECONDED BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
McKamey	Carroll	Executive	

COMMISSION ACTION: Deferred 1/16/84 DEFERRED 2/20/84

Aye	Nay	Absent	Pass
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ROLL CALL:    \_\_\_    \_\_\_    \_\_\_    \_\_\_           PAID FROM \_\_\_\_\_ FUND

VOICE VOTE:   \_\_\_    \_\_\_    \_\_\_    \_\_\_           ESTIMATED COSTS: \_\_\_\_\_

COMMENTS:

Executive's Report

-4-

## 4. RESOLUTION IN RE:

JUVENILE GIRL FACILITY  
FOR SULLIVAN COUNTY

BE IT RESOLVED THAT the Sullivan County Commission appropriate the necessary funds up to \$125,000.00 to construct a building to house a juvenile girl facility for Sullivan County on land owned by Sullivan County in Blountville.

Amended: by DeVault to start construction immediately. Seconded by R. Morrell.

Amended: Resolution # 18 is part of this resolution.

Amended: This is subject to reciprocal agreement with the School Board of Kingsport and Bristol for the education of these students.

INTRO BY                      SECONDED BY                      REFERRED TO                      COMMITTEE ACTION

King                              Hood                              Budget

COMMISSION ACTION: Passed as amended 2/20/84

Aye    Nay    Absent    Pass

ROLL CALL:    14    7    1    2                      PAID FROM \_\_\_\_\_ FUND

VOICE VOTE:    \_\_\_    \_\_\_    \_\_\_    \_\_\_                      ESTIMATED COSTS: \_\_\_\_\_

COMMENTS:

## 5. RESOLUTION IN RE:

RE-ROOFING THE ROCKY  
SPRINGS COMMUNITY BUILDING

BE IT RESOLVED THAT, the Sullivan County Board of Commissioners approve necessary funds for the re-roofing of the Rocky Springs Community Building. This building is owned by Sullivan County and is used primarily for voting purposes in the 20th voting precinct.

BE IT FURTHER RESOLVED THAT, the Sullivan County Board of Commissioners allow the Sullivan County Purchasing Agent to purchase the materials needed as listed below:

MATERIALS NEEDED FOR RE-ROOFING (APPROXIMATE QUANTITIES & COSTS):

a. 18 squares - roofing shingles	@\$30.00/per sq.	\$540.00
b. 5 rolls - roofing felt	@\$10.75/per roll	53.75
c. 10 pounds - roofing nails	@\$ 1.20 per pound	<u>12.00</u>
Approximate Grand Total		\$605.75

Executive's Report

-5-

## 7. RESOLUTION IN RE:

RESCINDING RESOLUTION #4  
PASSED ON JANUARY 16, 1984

BE IT RESOLVED THAT the Sullivan County Board of Commissioners rescind resolution #4 passed by the Sullivan County Board of Commissioners in regular session on the 16th day of January, 1984. This resolution approved classification increases, increment increases, and other pay increases for the Highway Department, Sheriff's Department, and employees which are paid from the General Fund.

BE IT FURTHER RESOLVED THAT, this resolution be rescinded until which time each member of the Sullivan County Commission has had ample explanation and time to study proposed salary scale and increases and the Chairman of each committee be part of the salary committee.

<u>INTRO BY</u>	<u>SECONDED BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Hood	Carroll		

COMMISSION ACTION: First Reading 2/20/84

Aye    Nay    Absent    Pass

ROLL CALL:    \_\_\_    \_\_\_    \_\_\_    \_\_\_    PAID FROM \_\_\_\_\_ FUND

VOICE VOTE:    \_\_\_    \_\_\_    \_\_\_    \_\_\_    ESTIMATED COSTS: \_\_\_\_\_

COMMENTS:

Executive's Report

-8-

## 10. RESOLUTION IN RE:

TRANSFER \$5,000.00  
FOR FOUR CLINIC ROOMS

BE IT RESOLVED THAT WHEREAS, Mr. Hugh Bellamy, Regional Director, for Tennessee Health & Environment has agreed to transfer \$5,000.00 in the Health Department Account in Nashville to construct four (4) clinic rooms out of the existing nurses office in the Kingsport Office. The State will pay of this clinic space and will not cost the county any additional money.

<u>INTRO BY</u>	<u>SECONDED BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Mills	Carroll	Administrative	Approved 2/6/84

COMMISSION ACTION: WAIVER OF RULES - Passed 2/20/84

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Pass</u>	
ROLL CALL:	<u>21</u>	<u>2</u>	<u>1</u>	<u>   </u>	PAID FROM _____ FUND
VOICE VOTE:	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	ESTIMATED COSTS: _____

COMMENTS:

## 11. RESOLUTION IN RE:

AMEND DEPARTMENT OF  
EDUCATION BUDGET \$12,926.00

BE IT RESOLVED THAT, the Sullivan Department of Education budget be amended for the amount sold less expenses net amount \$12,926.00 into account number 3273.70, Equipment for Maintenance of Plant.

<u>INTRO BY</u>	<u>SECONDED BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
Williams	Nichols	Budget	Approved 2/9/84

COMMISSION ACTION: WAIVER OF RULES - Passed 2/20/84

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Pass</u>	
ROLL CALL:	<u>22</u>	<u>1</u>	<u>1</u>	<u>   </u>	PAID FROM _____ FUND
VOICE VOTE:	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	ESTIMATED COSTS: _____

COMMENTS:



NOW, THEREFORE, in consideration of the premises and of the public interest, be it resolved by the Sullivan County Board of Commissioners assembled in regular session on this the 20th day of February, 1984, that the franchise granted Tennessee-Virginia Energy Corporation (formerly Volunteer Natural Gas Company) by the Sullivan County Court assembled in a duly held and regularly called session on the 23rd day of August, 1955, be and the same is hereby amended to permit and grant the rights, privileges and franchise to lay, construct, erect, install, operate, maintain, use, repair and replace its pipelines, mains, and all other appliances and facilities which it may deem necessary in, upon, along, across, under and over the public roads, highways and thoroughfares in the Civil Districts of 10-BD, 10-OR, 7 and 18 in Sullivan County, Tennessee, including those now in existence and any that hereafter may be in existence for the purpose of conducting, conveying, supplying, distributing and selling natural gas, commingled gas, and substitutes therefor to the inhabitants of said Civil Districts of Sullivan County, Tennessee, for light, heat, power and any and all other purposes; provided, however, that this right, privilege and amended franchise does not alter in any manner those rights, privileges and requirements granted in the resolution adopted by the County Court of Sullivan County on the 23rd day of August, 1955, but serves to extend those rights, privileges and requirements to include those additional above-listed Civil Districts, including, but not limited to, service to Tri-City Airport in Sullivan County, Tennessee.

This resolution, and the permission, rights, privileges, requirements, and amended franchise given and granted hereby shall be effective and all of its terms, provisions and conditions binding upon both the Sullivan County Board of Commissioners and the grantee, Tennessee-Virginia Energy Corporation, its successors and assigns, provided the grantee, within fifteen (15) days after its adoption by this Commission, shall endorse on the original Resolution its acceptance of this amended franchise.

<u>INTRO BY</u>	<u>SECONDED BY</u>	<u>REFERRED TO</u>	<u>COMMITTEE ACTION</u>
R. Morrell	Mills	Executive	approve 2/9/84

COMMISSION ACTION: WAIVER OF RULES - Passed 2/20/84

	Aye	Nay	Absent	Pass	
ROLL CALL:	<u>22</u>	<u>   </u>	<u>  1</u>	<u>  1</u>	PAID FROM _____ FUND
VOICE VOTE:	<u>   </u>	<u>   </u>	<u>   </u>	<u>   </u>	ESTIMATED COSTS: _____

COMMENTS:

18. RESOLUTION IN RE:

CONSOLIDATE JUVENILE TREATMENT  
COMMITTEE AND YOUTH  
OPERATING COMMITTEE

BE IT RESOLVED THAT, the Sullivan County Youth Operating Committee and the Juvenile Residential Treatment Committee be consolidated into one committee to be known as the Sullivan County Youth Committee.

BE IT FURTHER RESOLVED THAT, the Sullivan County Youth Committee will be responsible for the care, treatment, housing, and detention of Sullivan County Youths who are referred to Sullivan County for custodial treatment.

WHEREAS, this committee will consist of the three (3) Juvenile Judges, County Attorney and four (4) members of the Sullivan County Commission who will be appointed by the County Executive and Committee Chairman.

INTRO BY                      SECONDED BY                      REFERRED TO                      COMMITTEE ACTION

Heape

COMMISSION ACTION: This is considered as part of resolution # 4  
Passed 2/20/84

	Aye	Nay	Absent	Pass	
ROLL CALL:	14	7	1	2	PAID FROM _____ FUND
VOICE VOTE:	---	---	---	---	ESTIMATED COSTS: _____

COMMENTS:

## NOTARY APPLICATIONS      FEBRUARY 20, 1984

GARY ARNOLD	R. B. JENKINS
REBECCA T. BAKER	JAMES C. JOHNSON
STEVEN P. BLEVINS	HOWARD RAY LADY
DARYL J. BRAND	JAMES I. LEONARD
RICHARD D. BRUMFIELD	RUTH E. LONG
ELMO BUSH	EDWARD D. MARSH
BEVERLY N. CARMACK	DANIEL B. MINOR
LOLA K. CASTEEL	C. J. MONTELEON, JR.
MARK G. CLONINGER	MARY C. MOODY
JIM D. COATES	JOHN LAFAYETTE MCJUNKIN
J. C. COCHRANE	FRED W. NIDIFFER
DENNIS COX	IMOGENE ALDA NUNEY
PRESTON E. DEAL	BARBARA C. PARKER
LOUISE DOAN	CAROLYN M. PHILLIPS
HARRY L. EANES	DENNIS R. PHILLIPS
FRED R. ESSER	LILLIAN M. REECE
JACK R. FORRESTER	IDA JONES RILEY
JANICE R. FOX	CAROL D. ROBINETTE
PHYLLIS T. FRENCH	JACK W. RORRER
SUSIE FRY	BONNIE STAPLETON
GARY K. HAGA	PATRICIA A. TESTER
INEZ HERRMANN	SANDRA J. WADE
STELLA M. HEWITT	SUSAN ELAINE WILLIAMS
NANCY D. HOFFMAN	BETTY R. WITCHER
JOE H. HOMMEL	
RONALD LEE JACKSON	

*Donald L. Hall*  
*Lynne D. Barker*

TO THE HONORABLE LON V. BOYD, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY, 19 84. RESOLUTION AUTHORIZING FINANCIAL SUPPORT FROM STATE ON JUVENILE FACILITIES

WHEREAS, TENNESSEE CODE ANOTATED SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of February, 19 84.

THAT WHEREAS, the Tennessee State Legislature has mandated that all juvenile offenders be removed from adult jails by 1985, and;

WHEREAS, in the draft report only partial support is pledged for the long term operations of these facilities.

NOW THEREFORE BE IT RESOLVED THAT, the Legislature make provision for <sup>substantial</sup> continued financial support from the state after the facilities are built, and;

FURTHER BE IT RESOLVED THAT, a copy of this resolution be mailed immediately to all area legislators.

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

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

Duly passed and approved this 20th day of February, 19 84.

ATTESTED: \_\_\_\_\_ Date: \_\_\_\_\_ County Clerk  
APPROVED: \_\_\_\_\_ Date: 2/20/84 County Executive

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

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

COMMISSION ACTION:	Aye	Nay		
ROLL CALL	_____	_____		
VOICE VOTE	<u>X</u>	_____		
COMMITTEE ACTION		APPROVED	DISAPPROVED	DATE
<u>Administrative</u>		<u>X</u>	_____	<u>2/6/84</u>

COMMENTS: WAIVER OF RULES - Passed 2/20/84

TO THE HONORABLE LON V. BOYD, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY, 19 84.

RESOLUTION AUTHORIZING TRANSFER \$5,000.00 FOR FOUR CLINIC ROOMS

WHEREAS, TENNESSEE CODE ANOTATED SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of February, 19 84.

THAT WHEREAS, Mr. Hugh Bellamy, Regional Director for Tennessee Health & Environment has agreed to transfer \$5,000.00 in the Health Department account in Nashville to construct four (4) clinic rooms out of the existing nurses office in the Kingsport Office.

The State will pay for this clinic space and will not cost the county any additional money.

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

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

Duly passed and approved this 20th day of February, 19 84.

ATTESTED:

APPROVED:

\_\_\_\_\_  
Date: \_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Date: 2/20/84  
County Executive

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

SECONDED BY COMMISSIONER Carroll FUND: \_\_\_\_\_

COMMISSION ACTION:      Aye                  Nay                  Absent  
ROLL CALL                      21                  2                  1

VOICE VOTE  
COMMITTEE ACTION                  APPROVED                  DISAPPROVED                  DATE  
Administrative                      X                      \_\_\_\_\_                  2/6/84

COMMENTS: WAIVER OF RULES - Passed 2/20/84

RESOLUTION NO. 12

TO THE HONORABLE LON V. BOYD, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY, 1984.

RESOLUTION AUTHORIZING APPROPRIATE \$2,000.00 IN GENERAL SESSIONS COURT BUDGET

WHEREAS, TENNESSEE CODE ANOTATED SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of February, 1984. THAT the Sullivan County Board of Commissioners appropriate \$2,000.00 in the General Sessions Court - Salaries account. These funds will be used for part-time clerical help (class C) in the Bristol General Sessions Court. The source of funding for this appropriation will be unappropriated surplus.

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

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

Duly passed and approved this 20th day of February, 1984.

ATTESTED: \_\_\_\_\_ Date: \_\_\_\_\_ County Clerk  
APPROVED: \_\_\_\_\_ Date: 2/20/84 County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COSTS: \$2,000.00

SECONDED BY COMMISSIONER A. Morrell FUND: Unappropriated surplus

COMMISSION ACTION:	Aye	Nay	Absent	Pass
ROLL CALL	<u>22</u>	<u>1</u>	<u>1</u>	
COMMITTEE ACTION				
<u>Budget</u>		<u>X</u>		<u>2/9/84</u>

COMMENTS: WAIVER OF RULES - Passed 2/20/84

TO THE HONORABLE LON V. BOYD, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY, 19 84.

RESOLUTION AUTHORIZING APPROPRIATE \$44,078.00 IN JOBS TRAINING PARTNERSHIP ACT ACCOUNT

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of February, 19 84, THAT the Sullivan County Board of Commissioners appropriate \$44,078.00 in the Jobs Training Partnership Act Account of the General Fund.

1134.100 - Salaries	\$33,798.00
11340.200 - Contractual Services	9,120.00
11340-300 - Supplies	1,170.00
	\$44,078.00

The 100 accounts is for this following positions. 1 - Class "L"  
3 - Class "H"  
1 - Class "E"

The source of funding for this appropriation will be federal funds received through the First Tennessee Development District. All resolutions in conflict herewith be and the same are rescinded insofar as such conflict exists.

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

Duly passed and approved this 20th day of February, 19 84.

ATTESTED: \_\_\_\_\_ Date: \_\_\_\_\_ APPROVED: \_\_\_\_\_ Date: 2/20/84  
County Clerk County Executive

INTRODUCED BY COMMISSIONER Williams ESTIMATED COSTS: \$44,078.00

SECONDED BY COMMISSIONER Barnes & A. Maxwell FUND: \_\_\_\_\_

COMMISSION ACTION:	Aye	Nay	Absent	Pass
ROLL CALL	<u>22</u>	<u>1</u>	<u>1</u>	
VOICE VOTE				
COMMITTEE ACTION				
<u>Budget</u>		<u>X</u>		<u>2/9/84</u>

COMMENTS: WAIVER OF RULES - Passed 2/20/84

TO THE HONORABLE LON V. BOYD, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN Regular SESSION THIS THE 20th DAY OF FEBRUARY, 1984. RESOLUTION AUTHORIZING FRANCHISE TO TENNESSEE - VIRGINIA ENERGY CORPORATION

WHEREAS, TENNESSEE CODE ANOTATED SECTION \_\_\_\_\_, AUTHORIZES COUNTIES TO \_\_\_\_\_

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of February, 1984.

THAT PER ATTACHED RESOLUTION.

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

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

Duly passed and approved this 20th day of February, 1984.

ATTESTED: \_\_\_\_\_ Date: \_\_\_\_\_ County Clerk APPROVED: \_\_\_\_\_ Date: 2/20/84 County Executive

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

SECONDED BY COMMISSIONER Mills FUND: \_\_\_\_\_

COMMISSION ACTION:	Aye	Nay	Absent	Pass
ROLL CALL	<u>22</u>		<u>1</u>	<u>1</u>

COMMITTEE ACTION APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES - Passed 2/20/84

thoroughfares in the 10th, 11th Outside, 12th, 13th, 14th and 15th Civil Districts in Sullivan County, Tennessee, including those now in existence and any that may hereafter be in existence; and

WHEREAS, by Order of the Tennessee Public Service Commission, dated November 18, 1983, in Nashville, Tennessee, Tennessee-Virginia Energy Corporation was granted a Certificate of Convenience and Necessity under the Commission's Order of Reconsideration entered in Docket No. U-82-7193, a copy of which is attached hereto and incorporated herein by reference as Exhibit "B", to serve additional portions of Sullivan County; namely, Civil Districts 7, 10-BD, 10-OR, and 18, which had heretofore not been certificated or served in Sullivan County; and

WHEREAS, Tennessee-Virginia Energy Corporation, by virtue of said Order of Reconsideration issued by the Tennessee Public Service Commission in Nashville, Tennessee, on November 18, 1983, in Docket No. U-82-7193, hereby requests the Sullivan County Board of Commissioners to amend its previous franchise dated the 23rd day of August, 1955, to allow Tennessee-Virginia Energy Corporation, its successors and assigns, to serve those customers and areas of Sullivan County now comprising Civil Districts 7, 10-BD, 10-OR and 18, being the balance of Sullivan County not heretofore certificated or served with gas, as said Civil Districts are now comprised, and in keeping with the said Order of the Tennessee Public Service Commission dated November 18, 1983, under the same privileges, rights, restrictions as granted in its original franchise, dated August 23, 1955;

NOW, THEREFORE, in consideration of the premises and of the public interest, be it resolved by the Sullivan County Board of Commissioners assembled in regular session on this the 20th day of February, 1984, that the franchise granted Tennessee-Virginia Energy Corporation (formerly Volunteer Natural Gas Company) by the Sullivan County Court assembled in a duly held and regularly called session on the 23rd day of

Attest:

\_\_\_\_\_  
Secretary

SULLIVAN COUNTY BOARD OF COMMISSIONERS

By \_\_\_\_\_  
Sullivan County Executive

ATTEST:

\_\_\_\_\_  
Clerk

APPROVED AS TO FORM AND CORRECTNESS BY:

By \_\_\_\_\_  
John S. McLellan, III  
County Attorney

Tennessee-Virginia Energy Corporation hereby accepts  
this amended franchise this the \_\_\_\_ day of February, 1984.

TENNESSEE-VIRGINIA ENERGY CORPORATION

By \_\_\_\_\_  
President and Chief Executive Officer

Attest:

\_\_\_\_\_  
Secretary

0672A

Natural Gas Company.

It is the opinion of the Commission that the franchise granted by the County Court of Sullivan County, Tennessee, should be approved by this Commission as it is in the public interest. The approval of the franchise granted will result in the expansion of the facilities of Volunteer so as to make natural gas available to the districts of Sullivan County, Tennessee, outlined therein.

IT IS THEREFORE ORDERED:

1. That the franchise issued by the County Court of Sullivan County, Tennessee, adopted by Resolution on August 23, 1956, for the construction, maintenance and operation of a gas distribution system and for the sale and distribution of natural gas in the 10th, 11th outside, 12th, 13th, 14th and 15th Civil Districts of Sullivan County, Tennessee, be, and the same is hereby, approved.

2. That this matter shall remain open on the Docket of the Commission for such other and further orders as may be deemed necessary and proper.

JOHN C. HAMMER

CHAIRMAN

HAMMOND FOWLER

COMMISSIONER

CAYCE L. PENNECOST

COMMISSIONER

WALTER  
*[Handwritten signature]*

opening or excavation or the doing of such work in said roads, highways and thoroughfare, and (c) that in the event the County shall determine to widen any road, highway, or thoroughfare in which the said Volunteer Natural Gas Company, its successors and assigns, shall have placed any pipe line, main, appliance or facility, and it becomes necessary to relocate any such pipe line, main, appliance, or facility in connection with said widening, that Volunteer Natural Gas Company, its successors and assigns, shall promptly relocate said pipe line, main, appliance or facility at its own expense.

This order and the permission, right, privilege, and franchise given and granted hereby shall be effective provided said Volunteer Natural Gas Company, within thirty days from the date hereof, endorse on the original order its acceptance hereof in the words and figures following:

"Volunteer Natural Gas Company hereby accepts the foregoing permission, right, privilege and franchise, subject to all the provisions thereof, this 23rd, day of August, 1955.

VOLUNTEER NATURAL GAS COMPANY  
BY: H. W. GEE, President"

Justices present and voting affirmatively, Beidleman, Brown, Carneck, Cross, Crumley, Everhart, Feathers, Gillenwater, Earl Glover, Gott, Hall, Harr, Hawk, Hicks, Houston, Isley, Jackson, Lambert, Lawson, Mahaffey, Miller, Mills, Morelock, Morrell, Owens, Roberts, Rogers, Rouse, Rutledge, Sanders, Slaughter, Smith, Snapp, Thomas, Turner, Watson, Wilson Woods— 38— Justices present and voting negatively- None.

STATE OF TENNESSEE  
SULLIVAN COUNTY

I, Marjorie S. Harr, Clerk of the County Court, Sullivan County, Tennessee, hereby certify that the foregoing is a true and correct copy of Resolution in regard to Voluntary Natural Gas Company Franchise, as found of record at my office Blountville, Tennessee, Minute Book C-2, page 437.

Witness my hand and official seal this the 30th, day of July, 1955.

*Marjorie S. Harr*  
County Court Clerk

BEFORE THE TENNESSEE PUBLIC SERVICE COMMISSION

Nashville, Tennessee

November 18, 1983

IN RE: PETITION OF UNITED CITIES GAS COMPANY FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO SERVE ADDITIONAL PORTIONS OF SULLIVAN COUNTY, TENNESSEE

PETITION OF TENNESSEE-VIRGINIA ENERGY CORPORATION FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY TO SERVE ADDITIONAL PORTIONS OF SULLIVAN COUNTY, TENNESSEE

DOCKET NO. U-82-7193

ORDER ON RECONSIDERATION

This matter is before the Tennessee Public Service Commission upon the Petition for Reconsideration filed by Tennessee-Virginia Energy Corporation (TVEC). In its Order dated October 14, 1983, the Commission granted the Petition for Reconsideration and directed both United Cities Gas Company (UCG) and TVEC to file alternative plans for a division of both the developed and undeveloped areas of the uncertificated portion of Sullivan County. Both companies filed responses to the Commission's Order of October 14, 1983.

The Commission considered this matter at its regularly scheduled Commission Conference on November 1, 1983 and makes and adopts the following findings and conclusions.

FINDINGS AND CONCLUSIONS

1. Commission's Order of September 9, 1983

The Commission adopts and incorporates by reference those sections of its Order of September 9, 1983 entitled Statement of the Case, the Legal Standard to be Applied, the Summary of Evidence Presented and the Discussion and Conclusion section through the last full paragraph on page 8, all as if copied herein verbatim.

2. Alternative Plans submitted by TVEC and UCG

TVEC presented to the Commission an alternative plan for a division of the uncertificated portion of Sullivan County. TVEC's plan would grant

airport area by means of a new tap from the East Tennessee Natural Gas pipeline. Thus, the residents of the airport area will receive service under the most economical plan available. Moreover, TVEC's present customer rates are lower than UCG's present customer rates. Therefore, the potential customers in the airport area would receive the benefit of lower rates. In addition, public witness testimony in the case supports a grant of authority of the airport area to TVEC.

One of the reasons we initially granted the airport area to UCG was because its plan of service would have permitted it to interconnect the airport distribution system with its existing system without running mains across the interstate or lakes. Interconnection with an existing system permits operational flexibility and reliability in a company's overall system. TVEC's alternative plan eliminates the need to cross any lake to interconnect the airport system with its existing facility. The alternative plan indicates that TVEC would eventually integrate its airport distribution system with its Kingsport distribution system as the undeveloped area of Civil District 7 is served from the airport area. Although TVEC indicates that an interstate crossing will require \$6,000 more dollars than a regular highway crossing to comply with Federal Interstate Highway Crossing Regulations, we conclude that the benefits derived from an integrated system will warrant such an expenditure in the future.

Under the TVEC alternative plan the undeveloped area in Civil Districts 10-BD, 10-OR, and the northern portion of 7 can be served as demand develops by the extension of the TVEC facilities serving Kingsport, Civil District 11. An extension of these facilities would be the most logical and economical means to serve this area. UCG did not seek authority to serve Civil Districts 10-BD, 10-OR, and the northern portion of 7. We conclude this area should be served by TVEC.

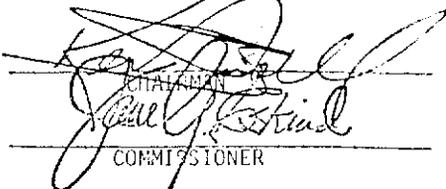
The remainder of the undeveloped area of Civil District 7 can be served by an extension of the facilities from the tap to be located near the airport in Civil District 18 as demand develops. This will require a crossing of Interstate Highway 81, which TVEC's engineers estimate would cost approximately \$6,000 more than the cost for a normal highway crossing. This additional cost would be incurred in order to

uncertificated area in Sullivan County comprising the remaining portions of Civil Districts 5-N, 5-S, 6, 8, 9 and 20 of Sullivan County is the most economically feasible plan of service, is fair and reasonable, and is in the best interest of the customers to be served by both companies and, therefore, should be adopted by the Commission.

IT IS THEREFORE ORDERED:

1. That upon reconsideration the Commission's Order of September 9, 1983, be, and the same is hereby, set aside insofar as it conflicts with the findings, conclusions and ordering sections of this Order.
2. That UCG be granted a Certificate of Convenience and Necessity to serve those portions of Sullivan County comprising Civil Districts 5-N, 5-S, 6, 8, 9 and 20 that it does not now have a certificate to serve. Reference to Civil Districts is as they are now comprised.
3. That TVEC be granted a Certificate of Convenience and Necessity to serve portions of Sullivan County comprising Civil Districts 7, 10-BD, 10-OR and 18, being the balance of Sullivan County not heretofore certificated to TVEC or to UCG. Reference to Civil Districts is as they are now comprised.
4. That both TVEC and UCG furnish such information as the Commission may request to enable the Commission Staff to study the safety and engineering features of new facilities planned and that the companies furnish such copies of contracts and accounting data as may be necessary for the Commission to properly perform its regulatory function.
5. That any party aggrieved with the Commission's decision in this matter has the right of judicial review by filing a petition for review in the Chancery Court of Davidson County within sixty (60) days from the date of this Order.

ATTEST  
  
 EXECUTIVE DIRECTOR

  
 CHAIRMAN  
 COMMISSIONER  
 COMMISSIONER

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION

MET THIS THE 20TH DAY OF FEBRUARY, 19 84.

RESOLUTION IN RE: PUBLIC AUCTION SALES--  
EAST AND CENTRAL HIGH  
SCHOOLS' HOUSES.

BE IT RESOLVED THAT

...The Sullivan County Board of County Commissioners allow the Sullivan County Purchasing Agent to sell two (2) houses presently deeded to the Sullivan County Department of Education at Public Auction Sales. These houses were constructed by the General Building Trades Vocational Departments at East and Central High Schools, as follows:

(1) HOUSE CONSTRUCTED BY EAST HIGH SCHOOL

Located in the Whitetop Road Subdivision, Bluff City, Tennessee  
100% Complete

(2) HOUSE CONSTRUCTED BY CENTRAL HIGH SCHOOL

Located in the Adams Acres Subdivision, Blountville, Tennessee  
70% Complete

These houses are to be sold, as is.

Public Auction Sale dates will be scheduled during the early part of April, 1984.

Subject to approval of County Commission.

WE REQUEST WAIVER OF RULE BY TWO-THIRDS (2/3) VOTE.

INTRODUCED BY COMMISSIONER Bialock ESTIMATED COST: \_\_\_\_\_

SECONDED BY COMMISSIONER Milhorn PAID FROM \_\_\_\_\_ FUND

COMMISSION ACTION: DATE SUBMITTED: \_\_\_\_\_

ROLL CALL: Aye 23 Nay \_\_\_\_\_ Absent 2

VOICE VOTE: \_\_\_\_\_ BY: \_\_\_\_\_  
County Clerk

COMMITTEE ACTION: APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RESOLUTION NO. 20

TO THE HONORABLE LON V. BOYD, COUNTY EXECUTIVE AND THE MEMBERS OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS IN REGULAR SESSION THIS THE 20th DAY OF FEBRUARY, 1984.

RESOLUTION AUTHORIZING APPROVAL OF DEPUTY CORONERS

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

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session on the 20th day of February, 1984.

THAT the Sullivan County Board of Commissioners approve the following for Deputy Coroners for Sullivan County (1) Capt. Bill Simpson, (2) Detective Lt. Eddie Sims, (3) Officer Lynn Hawkins. They are each employed by the Sullivan County Sheriff's Department.

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

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

Duly passed and approved this 20th day of February, 1984.

ATTESTED:

APPROVED:

\_\_\_\_\_  
County Clerk Date:

\_\_\_\_\_  
County Executive Date: 2/20/84

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

SECONDED BY COMMISSIONER Oltorman FUND: \_\_\_\_\_

COMMISSION ACTION: Aye Nay

ROLL CALL  
VOICE VOTE X

COMMITTEE ACTION APPROVED DISAPPROVED DATE

COMMENTS: WAIVER OF RULES - Passed 2/20/84

714049

757

DEPUTY CORONER'S BOND

STATE OF TENNESSEE  
COUNTY OF SULLIVAN

We, Lynn A. Hawkins, Principal, and  
Quality Banking Co. and \_\_\_\_\_  
as sureties obligate and bind ourselves in the sum of Twenty Five Hundred  
(\$2,500.00) Dollars payable to the State of Tennessee, to be void upon  
condition that the said Lynn A. Hawkins  
shall truly and faithfully execute the duties of the office of Deputy  
Coroner of Sullivan County.

Witness our signatures this the 24<sup>th</sup> day of Feb., 1984

Lynn R. Hawkins  
Quality Banking Co.  
Jack Manning

Approved this 23 day of Feb, 1984

J. C. [Signature]  
COUNTY CORONER

OATH

I do solemnly swear that I will perform with fidelity the  
duties of the office of Deputy Coroner for Sullivan County, Tennessee in  
which I have been elected and about to assume and that I will support the  
Constitution of the United States and the State of Tennessee.

Lynn R. Hawkins  
DEPUTY CORONER

Sworn and subscribed before me

this 24<sup>th</sup> day of Feb, 1984 Deborah V. Dulaney, P.C.

AND THEREUPON COURT ADJOURNED TO MEET AGAIN MARCH 19, 1984.



COUNTY CHAIRMAN