

March 4, 1975

TUESDAYMORNING, MARCH 4, 1975

BE IT REMEMBERED, That an Adjourned Sessinn of Sullivan County Court of Blountville, Tennessee met in Session this Tuesday Monring, March 4, 1975 , was present and presiding The Honorable Lon V. Boyd, County Judge and Marjorie S. Harr, Clerk of said Court, and John H. Bishop, County Sheriff of said County and a full quorum of Justices of said County, to-wit:

## JUSTICES PRESENT AND ANSWERING ROLL CALL:

Akard, Allen, Arrington, Barnes, Barr, Boys, Carmack Carrier, Clarence Carrier, Childress, clark, Durham, Ferguson, Fleenor, Gates, Gentry, Gillenwater, Greene, Hall, Harr, Hendricks. Henry, Hess, Hickam. Hulse, Icenhour, Jaynes, Keener, King, Mahaffey, McNeil, Montgomery, Morrell, Myres , Newland, Phillips, Poe, Reed, Roller, Sine, Taft, Torbett, Turner, Wasson, Whited, Woods, and Zimmerman

Absent: Frank C. Mason

March 4, 1975

RESO: IN RE: TCA-49-715  
Taxes to be levied on property outside city  
limits.

I  
I  
I  
I

A resolution in re : Taxes to be levied on Property out  
side city limits was introduced to the Court by Esq. Reed and  
seconded by Esq. King was received and adopted by a Roll  
Call Vote of the Court and is in the following words and figures  
to-wit:

( See next pages

NO. # 7

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY QUARTERLY COURT IN Special SESSION

MET THIS THE 3rd 4th DAY OF February March, 19 75

RESOLUTION IN RE: TCA 49-715

BE IT RESOLVED THAT

WHEREAS a report from the Sullivan County Board of Education gives the estimated cost of a proposed building program for Sullivan County Schools as \$46,791,782. of which \$16,845,042. is the estimated share of Bristol and Kingsport;

WHEREAS TCA 49-715 provides "In the event that there exists any incorporated city or town or special school district within said county which operates its schools independently of such county, the quarterly county court, in its discretion, may provide that such bonds shall be payable from taxes levied only upon that portion of taxable property within said county lying outside the territorial limits of such incorporated cities or towns or special school districts so independently operating their schools, and taxes sufficient to pay principal of and interest on such bonds shall be so levied upon such portion of the taxable property lying outside the territorial limits of

INTRODUCED BY ESQ. Reed ESTIMATED COST:

SECONDED BY ESQ. King PAID FROM FUND

COURT ACTION: DATE SUBMITTED:

ROLL CALL Aye 29 Nay 18

VOICE VOTE County Court Clerk

BY:

COMMITTEE ACTION: APPROVED: DISAPPROVED:

Three horizontal lines for signature or mark under Committee Action, Approved, and Disapproved.

FISCAL AGENT:

Horizontal line for Fiscal Agent signature.

NO. \_\_\_\_\_

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY QUARTERLY COURT IN \_\_\_\_\_ SESSION

MET THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_.

RESOLUTION IN RE: \_\_\_\_\_

BE IT RESOLVED THAT

such incorporated cities or towns or special school districts.

In the event that the bonds being issued are payable from a tax levied only on that portion of the taxable property within said county lying outside the territorial limits of incorporated cities or towns, or special school districts which operate their own schools independently of said county, then no part of the proceeds of such bond issue shall be paid over to any such city or town or school district or districts."

WHEREAS the use of this statute in issuing bonds would result in a tremendous savings on the proposed building program-- Estimated \$16,845,042. on the whole proposed program.

THEREFORE BE IT RESOLVED, that in the event the County Court should decide to finance this proposed building program or any part of it by issuance of bonds under a separate resolution or resolutions, that those bonds be issued under TCA 49-715 with

INTRODUCED BY ESQ. Reed ESTIMATED COST: \_\_\_\_\_

SECONDED BY ESQ. King PAID FROM \_\_\_\_\_ FUND

COURT ACTION: Aye Nay DATE SUBMITTED: \_\_\_\_\_

ROLL CALL \_\_\_\_\_ County Court Clerk

VOICE VOTE \_\_\_\_\_ BY: \_\_\_\_\_

COMMITTEE ACTION:	APPROVED:	DISAPPROVED:
<u>Budget</u>	<u>✓</u>	_____
<u>Education</u>	<u>✓</u>	_____
_____	_____	_____

FISCAL AGENT: \_\_\_\_\_

(3)

NO. \_\_\_\_\_

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY QUARTERLY COURT IN \_\_\_\_\_ SESSION

MET THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19 \_\_\_\_\_

RESOLUTION IN RE: \_\_\_\_\_

BE IT RESOLVED THAT

the provision that the principal and interest on said bonds be payable from taxes levied only upon that portion of taxable property outside the cities independently operating their schools and that no part of the proceeds of such bond issue shall be paid over to those cities.

BE IT FURTHER RESOLVED that the passing of this resolution does not indicate favor or disfavor of any bond issue or building program but merely sets out the requirement to use TCA 9-715 in connection with possible issuance of bonds.

INTRODUCED BY ESQ. Reed ESTIMATED COST: \_\_\_\_\_

and BY ESQ. James L. King FUND FROM \_\_\_\_\_ FUND

COURT ACTION: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_  
Aye Nay

ROLL CALL \_\_\_\_\_ County Court Clerk

VOICE VOTE \_\_\_\_\_ BY: \_\_\_\_\_

COMMITTEE ACTION:	APPROVED:	DISAPPROVED:
<u>Budget</u>	<u>✓</u>	_____
<u>Educator</u>	<u>✓</u>	_____
_____	_____	_____

FISCAL AGENT: \_\_\_\_\_

*Delayed*

*March 4, 1975*

NO. ~~##~~ # 2

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN

COUNTY QUARTERLY COURT IN \_\_\_\_\_ CALLED \_\_\_\_\_ SESSION \_\_\_\_\_  
MET THIS THE 4 <sup>2nd</sup> DAY OF March 75  
DECEMBER, 1974

RESOLUTION IN RE: ADDITIONAL COMPREHENSIVE HIGH SCHOOL

BE IT RESOLVED THAT

WHEREAS, the Sullivan County Quarterly Court in session on May 30, 1974, adopted a resolution authorizing the Board of Education to select sites and draw detailed plans for three school projects, one of which was a comprehensive high school to be built in the southwestern part of the county, and

WHEREAS, this resolution was predicated in part by the findings of the Peabody Survey, and

WHEREAS, the report prepared by the Peabody Committee completely overlooked making provision for the future of Ketron High School and for all of the students attending Ketron High School, and

WHEREAS, one comprehensive high school in the southwestern part of the county will be too large for efficient administration and will necessitate the transporting of all students now attending Lynn View and Ketron High Schools completely across the city of Kingsport, and

WHEREAS, since the Peabody Report was prepared, committees from the State Department of Education and from the Educational Planning Facilities Laboratory of the University of Tennessee have taken another look at the situation and have recommended that two comprehensive high schools be built in the western part of the county, one north of Kingsport and one south of Kingsport, and

WHEREAS, the Board of Education has gone on record as favoring the construction of two comprehensive high schools, and the State Department of Education has also recommended and approved construction of two comprehensive high schools, and

--Continued--

INTRODUCED BY ESQ. \_\_\_\_\_ ESTIMATED COST: \_\_\_\_\_

SECONDED BY ESQ. \_\_\_\_\_ PAID FROM \_\_\_\_\_ FUND \_\_\_\_\_

COURT ACTION: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_  
Aye Nay

ROLL CALL \_\_\_\_\_

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

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

FISCAL AGENT: \_\_\_\_\_

March 4

NO. \_\_\_\_\_

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN

COUNTY QUARTERLY COURT IN \_\_\_\_\_ CALLED \_\_\_\_\_ SESSION

MET THIS THE 2nd DAY OF DECEMBER, 19 74

RESOLUTION IN RE: ADDITIONAL COMPREHENSIVE HIGH SCHOOL

BE IT RESOLVED THAT

WHEREAS, it is believed that these two new high schools are absolutely necessary to provide equal educational opportunities throughout the county; to meet State requirements for kindergarten space; to provide classrooms for primary grades since the pupil-teacher ratio has been reduced to 1:25; and to provide additional space for required career education programs in grades 7-8;

THEREFORE BE IT RESOLVED, That the Sullivan County Quarterly Court authorize the Board of Education to purchase approximately sixty (60) acres of land in the northwestern part of the county between Ketron and Lynn View High Schools and that the Court authorize the issuance of up to \$241,950.00 in bond anticipation notes for the purchase of said property (includes \$150,000.00 for Sullivan County and the remainder for Bristol and Kingsport).

BE IT FURTHER RESOLVED, That the Sullivan County Quarterly Court authorize the Board of Education to proceed with having detailed plans drawn and securing bids for a comprehensive high school to be built in the northwestern section of the county to be presented to the Court along with the three projects approved in the May 30, 1974, court.

INTRODUCED BY ESQ. Allen ESTIMATED COST: \$241,950.00

SECONDED BY ESQ. Boys PAID FROM \_\_\_\_\_ FUND

COURT ACTION: DATE SUBMITTED:

Aye Nay

ROLL CALL

VOICE VOTE \_\_\_\_\_ County Court Clerk

BY: \_\_\_\_\_

COMMITTEE ACTION: APPROVED: DISAPPROVED:

FISCAL AGENT:

March 4, 1975

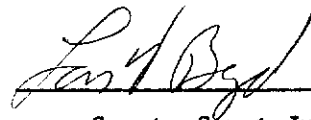
RESO: IN RE:

THAT COURT INSTRUCT SUPT. TO FURNISH HULSE REQUESTED INFORMATION.

VOICE VOTE : YES/ ( Passed) Information read from floor.

And thereupon Court Adjourned to meet again.

March 11, 1975.



County Court Judge



March 11, 1975

TUESDAY MORNING, MARCH 11, 1975

be it remembered, That on Adjourned Session of Sullivan County Court of Blountville, Tennessee met in Session this Tuesday Morning, March 11, 1975, was present and presiding The Honorable Lon V. Boyd, County Court Judge and Marjorie S. Harr, Clerk of the said Court, and John H. Bishop, County Sheriff of said County and a full quorum of Justices of said County, to-wit:

## JUSTICES PRESENT AND ANSWERING ROLL CALL:

Akard, Allen, Ammons, Arrington, Barnes, Barr, Boys, Carmack Carrier, Clarence Carrier, Childress, Durham, Ferguson, Fleenor, Gates, Gentry, Gillenwater, Greene, Hall, Harr, Hendricks, Henry, Hess, Hickam, Hulse, Icenhour, Jaynes, Keener, King, Mahaffey, Mason, McNeil, Montgomery, Morrell, Myers, Newland, Phillips, Poe, Reed, Roller, Sine, Taft, Torbett, Turner, Wassom, Whited, Woods, and Zimmerman.

Tuesday Morning,

March 11, 1975

IN RE: ELECTION OF I  
I  
I Sullivan County , Tennessee  
NOTARY PUBLICS FOR 4 YEAR TERM

Upon Motion and duly seconded the following Notary Publics were  
unanimously elected Notary Public for the four years term.

(See next page for list)

NOTARY PUBLIC APPLICATIONS APPROVED AT THE ADJOURNED  
SESSION OF COUNTY COURT, MARCH 11, 1975,. Subject to the  
Approval of the Executive Committee and Credit Bureau.

ROBERT WAYNE CULBERTSON  
ROBERT L. NICHOLS  
DONALD GORDON FINNEY  
CONNIE RUTH PETERSON  
SHIRLEY M. FRAZIER  
DONNA LYNN BEGLEY  
JENNIFER V. PHILLIPS  
SHELTON B. HILLMAN, JR.  
JANE L. SHEFFEY  
VIRGINIA DARE AUSTIN  
DIANE D. PALMER  
MRS. HELEN T. ADAMS  
HAROLD E. BROWN  
NORMA S. MORRELL  
GLENDA J. PENLEY

NORMA J. PRIOR  
MRS. CHLOE W. EADS  
J. PATRICK LEDFORD  
DORMAN L. STOUT  
MRS. ALMIRA DAVIS PARKS LEWIS  
BARBARA J. COOK  
DONALD W. BIRCH  
MRS. MARIE S. GRIFFIN  
CLAYTON CURTIS AUSTIN  
TOMMY O'NEAL WALL  
CHESTER E. COOKENHOUR  
FENIMORE G. MCCLOSKEY  
MRS. J. FRED BROOKS  
J. HANNUM WRIGHT  
YVONNE K. JETT

March 11, 1975

NO. 8

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN

COUNTY QUARTERLY COURT IN Adjourned SESSION

MET THIS THE 3rd DAY OF February, 19 75

RESOLUTION IN RE: Beer Permits

BE IT RESOLVED THAT

"WHEREAS, a controversy exists between beer selling licenses in Sullivan County, Tennessee and other citizens regarding the validity of the licenses of said licensees, and whereas there has heretofore been no judicial decision pertaining to the validity of the July 3, 1939 resolution by the Sullivan County Quarterly Court as same is contrasted to the acts of the Sullivan County Beverage Board performed on or after October 2, 1969 relating to various licensees and whereas various licensees have threatened to file suit against Sullivan County, Tennessee and individual members of the Sullivan County Beverage Board if their licenses are withdrawn without a judicial determination as to the validity of said licenses;

Now, therefore, be it resolved that the County Attorney institute an action in the Chancery Court seeking a judicial determination as to the relationship of the July 3, 1939 resolution of the

INTRODUCED BY ESQ. [Signature] ESTIMATED COST: \_\_\_\_\_

SECONDED BY ESQ. [Signature] PAID FROM \_\_\_\_\_ FUND

COURT ACTION: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_

ROLL CALL <sup>Aye</sup> 30 <sup>Nay</sup> 15

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

COMMITTEE ACTION:	APPROVED:	DISAPPROVED:
_____	_____	_____
_____	_____	_____
_____	_____	_____

FISCAL AGENT: \_\_\_\_\_

3/11/75 [Signature]

NO.

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN COUNTY QUARTERLY COURT IN \_\_\_\_\_ SESSION

MET THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19 \_\_\_\_\_

RESOLUTION IN RE: \_\_\_\_\_

BE IT RESOLVED THAT

also Private Acts of 1935 (Amendment)  
County Court as contrasted to Tennessee Code Annotated 57-205

and the acts of the Sullivan County Beverage Board subsequent to October 2, 1969 in order that the Sullivan County Beverage Board can hereafter act with personal immunity from decisions and be guided by a judicial precedent."

This resolution should be passed for the following reasons:

1. The Sullivan County Beverage Board is not a court and is not qualified to interpret this complex technical question.
2. The Chancery Court has jurisdiction to entertain the precise question raised.
3. A Chancery Court ruling will insulate members of the beer board from personal liability which definitely could exist and of course such would insulate the county from liability.

INTRODUCED BY ESQ. \_\_\_\_\_ ESTIMATED COST: \_\_\_\_\_

SECONDED BY ESQ. \_\_\_\_\_ PAID FROM \_\_\_\_\_ FUND \_\_\_\_\_

COURT ACTION: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_

Aye                      Nay

ROLL CALL \_\_\_\_\_

VOICE VOTE \_\_\_\_\_ County Court Clerk

BY: \_\_\_\_\_

COMMITTEE ACTION:              APPROVED:              DISAPPROVED:

_____	_____	_____
_____	_____	_____
_____	_____	_____

FISCAL AGENT: \_\_\_\_\_

March 11, 1975

NO. 11.

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN

COUNTY QUARTERLY COURT IN Adjourned SESSION

MET THIS THE 3 DAY OF February, 19 75.

RESOLUTION IN RE: REAPPRAISAL

BE IT RESOLVED THAT

*partly*  
~~one~~ one (1) year extension of the current  
reappraisal program to be approved  
as requested by the State of Tenn. Board  
of Equalization and the Director of Property  
Assessment.

INTRODUCED BY ESQ. Ammons ESTIMATED COST: A. Carrier

SECONDED BY ESQ. \_\_\_\_\_ PAID FROM \_\_\_\_\_ FUND \_\_\_\_\_

COURT ACTION: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_  
Aye Nay

ROLL CALL present \_\_\_\_\_ County Court Clerk

VOICE VOTE \_\_\_\_\_ BY: \_\_\_\_\_

COMMITTEE ACTION:	APPROVED:	DISAPPROVED:
<u>Fiscal</u>	_____	_____
<u>Budget</u>	_____	_____
_____	_____	_____

FISCAL AGENT: \_\_\_\_\_

*Heck & Ammons, Allen, a. no*

March 11, 1975

NO. 12

393

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN

COUNTY QUARTERLY COURT IN ADJOURNED SESSION

MET THIS THE 11th DAY OF MARCH, 19 75

RESOLUTION IN RE: TORBETT ROAD

BE IT RESOLVED THAT

WHEREAS a controversy exists concerning the Torbett Road heretofore paved by the Sullivan County Highway Department and

WHEREAS said matter was investigated by the Commerce Committee of the Sullivan County Quarterly Court and

WHEREAS it is this Committee's opinion based on their investigation and based on their contacts with privately owned contractors that the sum of \$2,000.00 is a fair amount to accept for the paving of Torbett Road.

THEREFORE, BE IT RESOLVED THAT

the Sullivan County Quarterly Court approved the acceptance of the sum of \$2,000.00 for the paving of the Torbett Road.

INTRODUCED BY ESQ. Woods ESTIMATED COST: \_\_\_\_\_

SECONDED BY ESQ. \_\_\_\_\_ PAID FROM \_\_\_\_\_ FUND \_\_\_\_\_

COURT ACTION:   
 Aye                      Nay                      DATE SUBMITTED: \_\_\_\_\_

ROLL CALL \_\_\_\_\_  
VOICE VOTE \_\_\_\_\_ County Court Clerk  
BY: \_\_\_\_\_

COMMITTEE ACTION:              APPROVED:              DISAPPROVED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FISCAL AGENT:  
\_\_\_\_\_

*3/11/75 Jones*

# 12 - @ Minute Book # 5, Pg. 393

March 11, 1975

NO. 12

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN

COUNTY QUARTERLY COURT IN ADJOURNED SESSION

MET THIS THE 11th DAY OF MARCH, 19 75

RESOLUTION IN RE: TORBETT ROAD

BE IT RESOLVED THAT

WHEREAS a controversy exists concerning the Torbett Road heretofore paved by the Sullivan County Highway Department and

WHEREAS said matter was investigated by the Commerce Committee of the Sullivan County Quarterly Court and

WHEREAS it is this Committee's opinion based on their investigation and based on their contacts with privately owned contractors that the sum of \$2,000.00 is a fair amount to accept for the paving of Torbett Road.

THEREFORE, BE IT RESOLVED THAT

the Sullivan County Quarterly Court approved the acceptance of the sum of \$2,000.00 for the paving of the Torbett Road.

INTRODUCED BY ESQ. Woods ESTIMATED COST:

SECONDED BY ESQ. PAID FROM FUND

COURT ACTION: Aye Nay DATE SUBMITTED:

ROLL CALL

VOICE VOTE County Court Clerk BY:

COMMITTEE ACTION: APPROVED: DISAPPROVED:

Three horizontal lines for committee action, approved, and disapproved.

FISCAL AGENT:

3/11/75 [Signature]



NO. 10

TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE SULLIVAN  
COUNTY QUARTERLY COURT IN Adjourned SESSION

MET THIS THE 11th DAY OF March, 19 75

RESOLUTION IN RE: APPOINTMENT OF ACTING  
DIRECTOR OF THE HEALTH  
DEPARTMENT

BE IT RESOLVED THAT

WHEREAS Dr. J.W. Erwin has resigned as Director of the Sullivan  
County Health Department effective February 11, 1975.

WHEREAS the Sullivan County Board of Health has been unable to  
employ a replacement.

WHEREAS the Sullivan County Health Department is in need of  
medical back up and support.

WHEREAS Dr. J.W. Erwin has been requested by the Sullivan County  
Board of Health to remain as Acting Director on a part-  
time basis while efforts are being made to locate a  
Medical Director.

WHEREAS Dr. J.W. Erwin has agreed to be Acting Director of the  
Sullivan County Health Department while efforts are being  
made to locate a replacement.

NOW BE IT RESOLVED that the Sullivan County Quarterly Court appoint  
Dr. J.W. Erwin to serve as Acting Director on

(CONTINUED)

INTRODUCED BY ESQ. Myers ESTIMATED COST: \_\_\_\_\_

SECONDED BY ESQ. \_\_\_\_\_ PAID FROM \_\_\_\_\_ FUND

COURT ACTION: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_

Aye \_\_\_\_\_ Nay \_\_\_\_\_

ROLL CALL by name \_\_\_\_\_

VOICE VOTE \_\_\_\_\_ County Court Clerk

BY: \_\_\_\_\_

COMMITTEE ACTION: APPROVED: DISAPPROVED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FISCAL AGENT:  
\_\_\_\_\_

MET THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19 \_\_\_\_\_

RESOLUTION IN RE: APPOINTMENT OF ACTING DIRECTOR OF THE HEALTH DEPARTMENT

BE IT RESOLVED THAT

a part-time basis while efforts are being made to fill the position of Director.

Be it further RESOLVED that Sullivan County shall pay unto Dr. J. W. Erwin the sum of ONE (\$1.00) DOLLAR per year for his services, and in addition thereto, Sullivan County shall hold Dr. J. W. Erwin harmless from any and all claims or causes of actions instituted against him as Director of the Sullivan County Health Department, and also provide and furnish all legal counsel necessary for defense of any law suits filed against him.

INTRODUCED BY ESQ. Myer ESTIMATED COST: \_\_\_\_\_  
SECONDED BY ESQ. \_\_\_\_\_ PAID FROM \_\_\_\_\_ FUND \_\_\_\_\_  
COURT ACTION: Aye \_\_\_\_\_ Nay \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_  
ROLL CALL \_\_\_\_\_ County Court Clerk  
VOICE VOTE \_\_\_\_\_ BY: \_\_\_\_\_

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

FISCAL AGENT: \_\_\_\_\_

#76  
TO THE HONORABLE LON V. BOYD, JUDGE, AND MEMBERS OF THE  
SULLIVAN COUNTY QUARTERLY COURT IN Adopted SESSION

MET THIS THE 3 DAY OF February

RESOLUTION IN RE: Proposed Formation of the TRI-CITY  
AREA INDUSTRIAL COMMISSION.

WHEREAS Sullivan County Tennessee has a vested interest  
in the growth and development of this area and has demonstrated its  
commitment to this end by establishing in connection with other area  
governmental units a Tri-County Industrial Park at Piney Flats, and

WHEREAS Sullivan County Tennessee has operated at its  
own expense the Sullivan County industrial development program (i. e.,  
the Sullivan County Industrial Development Agency) for the past several  
years, and

WHEREAS the Cities of Bristol Tennessee and Virginia have  
likewise operated their own industrial development program (i. e., the  
Bristol Tennessee-Virginia Industrial Commission) for the past several  
years, and

WHEREAS there exists a tremendous need to combine the  
industrial development efforts of this area in as much as possible into  
one operation, both for economic reasons and greater efficiency, and

WHEREAS a proposal is now being made to combine the  
efforts of these two Agencies into one and an invitation extended to the

*Industrial Agency*

*3/12/75 will call for*

City of Kingsport, Tennessee, for participation in said Commission,

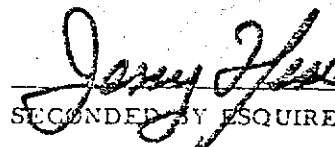
~~NOW, THEREFORE, BE IT RESOLVED that Sullivan County~~

Tennessee, acting in the best interest of its citizens and for the development of this area, hereby authorize the formation of the TRI-CITY AREA INDUSTRIAL COMMISSION pursuant to the By-Laws as proposed and presented to this Court, and

BE IT FURTHER RESOLVED that the TRI-CITY AREA INDUSTRIAL COMMISSION take over the assets of the Sullivan County Industrial Development Agency as well as the assets of the Bristol Tennessee-Virginia Industrial Commission and that this Court take whatever action is necessary to expedite the merging of the balance of the Budget of the Sullivan County Industrial Development Agency for this fiscal year with that Budget of the Bristol Tennessee-Virginia Industrial Commission according to the proposals being made and accepted by the Court and/or the Budget Committee of the Court, whichever is appropriate, and,

BE IT FURTHER RESOLVED that the Court acknowledges by this action that it will take whatever steps it deems appropriate to complete the orderly organization of this Commission and shall appoint such Commission members to this Commission as is necessary.

  
INTRODUCED BY ESQUIRE

  
SECONDED BY ESQUIRE

NOW, THEREFORE, BE IT RESOLVED that Sullivan County

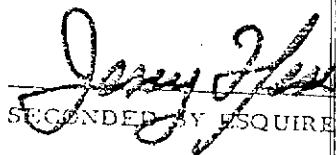
Tennessee, acting in the best interest of its citizens and for the development of this area, hereby authorize the formation of the TRI-CITY AREA INDUSTRIAL COMMISSION pursuant to the By-Laws as proposed and presented to this Court, and

BE IT FURTHER RESOLVED that the TRI-CITY AREA INDUSTRIAL COMMISSION take over the assets of the Sullivan County Industrial Development Agency as well as the assets of the Bristol Tennessee-Virginia Industrial Commission and that this Court take whatever action is necessary to expedite the merging of the balance of the Budget of the Sullivan County Industrial Development Agency for this fiscal year with that Budget of the Bristol Tennessee-Virginia Industrial Commission according to the proposals being made and accepted by the Court and/or the Budget Committee of the Court, whichever is appropriate, and,

BE IT FURTHER RESOLVED that the Court acknowledges by this action that it will take whatever steps it deems appropriate to complete the orderly organization of this Commission and shall appoint such Commission members to this Commission as is necessary.



INTRODUCED BY ESQUIRE



SECONDED BY ESQUIRE

Void.

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#### ARTICLE IV -- OFFICERS

THE OFFICERS of the Commission shall consist of a Chairman, Vice-Chairman, Secretary and Treasurer.

Section 1. Chairman - The Chairman will be the official spokesman for the Commission and shall preside at all meetings of the Commission and exercise general control and supervision of the affairs of the Commission. He shall appoint the members of all subcommittees and shall be an ex-officio member of the subcommittees.

Section 2. Vice-Chairman - The Vice-Chairman shall carry on the work of the Chairman when the Chairman is absent or other cause prevents him from performing the duties of his office.

Section 3. Secretary - The duties of the Secretary are to see that all minutes are kept correctly and distributed to the entire Commission and shall perform duties as may be assigned him by the Chairman.

Section 4. Treasurer - The Financial Records and Books of Account of the Commission shall be kept under the supervision and direction of the Treasurer. The funds of the Commission should be deposited in such bank or banks or depositories as designated by the Commission. Checks and other orders for the payment of money from the funds of the Commission shall be signed by the Treasurer or Assistant Treasurer and countersigned by the Chairman or the Executive Director, or by any other officer so authorized by the Commission. The Treasurer shall make such reports of the financial condition of the Commission as may be directed by the Commission. An Annual Audit of the Treasurer and Assistant Treasurer's books shall be made by a certified Public Accountant chosen by the Commission.

Section 5. Assistant Secretary-Treasurer -- The Executive Director shall be designated as Assistant Secretary-Treasurer of the Commission.

#### ARTICLE V -- EXECUTIVE DIRECTOR

The Commission shall have the authority to name and select an Executive Director, describe his duties, authority and responsibility, and fix his compensation.

Specific duties and responsibilities of the Executive Director are as follows:

(a) The Executive Director shall attend all Commission meetings except when excused by the Commission Chairman and shall submit a Financial Report of the Commission for the previous month and shall also submit reports at each meeting on the progress of the Commission work.

(b) Work in cooperation and close harmony with the members of the Commission, the Governmental Agencies, the Chambers of Commerce and other organizations and communities in the Tri-City Area in both obtain new industry and commercial development.

(c) Establish lines of communication and work very closely with the State of Tennessee Industrial Development Department, the State of Virginia Division of Industrial Development, the Virginia State Chamber of Commerce and other public and private organizations in developing the Tri-City Area.

(d) Develop methods and procedures of attracting and securing new industrial and commercial prospects and assist existing industries with problems related to increased production and employment all within the scope and ability of his staff and in conformity with the Budget.

(e) The Executive Director shall serve in such other industrial development activities as may be deemed necessary by the Commission.

#### ARTICLE VI -- FUNDS

THE NECESSARY FUNDS for the operation of this Commission shall be derived by the cooperative agreement of the Cities of Bristol, Virginia, Bristol, Tennessee, Sullivan County, Tennessee, and Kingsport, Tennessee Based on the following formula, twenty per cent (20%) for the Cities, and forty per cent (40%) for the County. This formula shall be applied to the duly adopted Annual Budget of the Commission. This formula shall be in effect until such time as change may be deemed necessary by the Commission.

#### ARTICLE VII -- MEETING DATES

THE TRI-CITY AREA INDUSTRIAL COMMISSION SHALL meet on the \_\_\_\_\_ of each month at \_\_\_\_\_ at the place designated by the Commission.

#### ARTICLE VIII -- QUORUM

A QUORUM at any monthly or special meeting shall consist of five (5) members of the Commission. At all such meetings each member shall be entitled to one (1) vote.

#### ARTICLE IX -- VACANCIES

VACANCIES in any Commission office arising from any cause may be filled by the Commission at any regular meeting providing seven (7) days notice of the vacancy has been given in writing to all members of the Commission. Vacancies to the Commission are the responsibility of that particular funding agency.



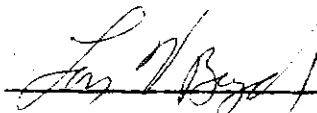
ARTICLE X -- AMENDMENTS

THESE BY-LAWS may be amended, altered, or repealed and new By-Laws may be adopted by the Commission at any regular or special meeting of the Commission providing seven (7) days notice of the proposed changes have been given in writing to all members of the Commission.

ANY amendments, alterations or repeal to these By-Laws must be made by a majority of the full Commission with at least one representative present from each participating governmental agency.

March 11, 1975

And thereupon Court Adjourned to meet again April 21, 1975.

A handwritten signature in cursive script, appearing to read "Lon V. Boyd", is written over a horizontal line.

Lon V. Boyd