

BE IT REMEMBERED that the Legislative Body Session for Hamblen County, Tennessee met at its regular monthly meeting on March 23, 1995 at 5:00 p.m. in the Hamblen County Courthouse with the Honorable Herbert Harville presiding.

The Legislative Body Session was opened by Sheriff Charles Long. Invocation was given by Commissioner Bud Jones. Upon roll call the following members were present:

Larry Baker	Keith Horner
Maudie Briggs	Bud Jones
Eldridge Bryant	Willie Osborne
Guy Collins	Frank Parker
Stancil Ford	Bobby Reinhardt
Doyle Fullington	Tony Sizemore
Herbert Harville	Joe Spooone

DARE PROGRAM FUNDS

Motion by Stancil Ford, seconded by Guy Collins to transfer up to \$3,000.00 from unspecified funds in the Sheriff's Department budget to the Dare program.

Voting for: all
Voting against: none

MINUTES APPROVAL

Motion by Guy Collins, seconded by Joe Spooone that the minutes of the previous meeting be approved.

Voting for: all
Voting against: none

APPOINTMENT OF COUNTY EXECUTIVE

Keith Horner nominated Charles Seay to serve as county executive from 3/23/95 thru 8/31/96.

Bud Jones nominated James Senter to serve as county executive from 3/23/95 thru 8/31/96.

Maudie Briggs nominated David Purkey to serve as county executive from 3/23/95 thru 8/31/96.

Voting for Seay

Keith Horner
Frank Parker

Voting for Senter

Bud Jones
Willie Osborne
Bobby Reinhardt
Joe Spooone

Voting for Purkey

Larry Baker
Maudie Briggs
Eldridge Bryant
Guy Collins
Stancil Ford
Doyle Fullington
Herbert HARville
Tony Sizemore

NOTARIES AND BONDSMEN

Motion by Joe Spooone, seconded by Eldridge Bryant that the following notaries and their bondsmen be approved.

Voting for: all
Voting against: none

CERTIFICATE OF ELECTION OF NOTARIES PUBLIC

As Clerk of the County of Hamblen, Tennessee,

I HEREBY CERTIFY TO THE SECRETARY OF STATE THAT THE FOLLOWING WERE ELECTED TO THE OFFICE OF NOTARY PUBLIC DURING THE March, 1995 MEETING OF THE GOVERNING BODY:

NAME	HOME ADDRESS AND PHONE	BUSINESS ADDRESS AND PHONE
1 Raymond E. Hewitt Bonding Co.	700 Barton Dr. Morristown, Tn. 37814 615-586-2636	Morristown Ford, Inc. 1112 W. Morris Blvd. Morristown, TN. 37814 615-586-5520
2 Betty Shanks Bonding Co.	312 Euclid Ave. Morristown, TN. 37814 615-586-2543	Hamblen Co. Dept of Ed. M-H E. High One Hurricane Morr. Tn. 37814 Lane
3 Barbara R. Burchell Bonding Co.	1230 McFarland St. 21B Morristown, TN. 37814 615-586-2294	Tn. Dept. of Trans. P.O. Box 666, Morr. TN. 37814 615-587-7026
4 Wanda D. Johnson Connie McDowell Barbara Wilder	1979 Blue Bird Cir. Morristown, TN. 37814 615-587-3232	Planning Commission/VSO 511 W. 2nd North ST. Morristown, TN. 37814 615-581-1373
5 Linda Ann Dietrich Bonding Co.	106 Hamilton Ave #A Morristown, TN. 37814 615-587-5213	Ministerial Assoc. (MATS) 324 N. Hill St., Morr. TN. 615-587-9215
6 Arianne M. Kyser S. David Britton Darlene Britton	617 S. Fairmont St. Morristown, TN 37814 615-587-9585	Self Employed Court 617 S. Fairmont St. Morristown, TN. 37814 615-587-9585
7 Timothy L. VanCleve Bonding Co.	818 E. 3rd North #2 Morristown, TN. 37814 615-581-3782	American General Finance, I 2307 W. A. J. Hwy Morristown, Tn. 37814 615-585-5062
8 Steven Wayne Terry Bonding Co.	1596 Whitehorn Creek Rd Bulls Gap, Tn. 37711 615-587-2730	Brewer and Terry P.C. 1702 W. And. Johnson Hwy. Morristown, TN. 37814
9 Barbara J. Nelson Bonding Co.	217 Laurel St. Morristown, TN. 37814 615-581-0121	" " " 615-587-2730
10 Angela M. Davis Bonding Co.	514 E. Louise, Morrilltown Tennessee 37814 615-581-7868	Jefferson Fed. SAV. & Loan 219 E. First North ST. Morrilltown, Tn. 37814 615-586-8421
11 Dianna C. Gass Bonding Co.	1848 W. Dumplin Valley Rd. Morrilltown, TN. 37814 615-397-7772	" " "
12 Amy L. Cook Bonding Co.	922 East 2nd North St. Morrilltown, TN. 37814 615-586-9423	Cherokee Health System 3560 W. A. J. Hwy, Morr. Tn 615-586-5032 Self Employed P.O. Box 3313 Morrilltown, Tn. 37814
13 Ginger Tyler Tommy Horner Mary Cecile Tyler	416 Priscilla St. Morrilltown, Tn. 37814 615-586-3713	Morr. Real Estate Co. 511 N. Haun Dr., Morrilltown, T 615-586-1000
14 Dearl Myers Dale Overholt Stephen Johnson	3646 Copper Ridge Rd. Morrilltown, TN. 37814 615-581-8540	
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Approving two personal surities for Jim F. Mathis:

1. Bryan Sanders
2. Randy Pokorny


SIGNATURE

CLERK OF THE COUNTY OF Hamblen, TENNESSEE

March 23, 1995

DATE

(SEAL)

BILLS

Motion by Frank Parker, seconded by Guy Collins that the following bills be approved and paid.

Voting for: all
Voting against: none

BILLS RECOMMENDED FOR PAYMENT - MARCH 23, 1995

Ace Hydraulics (G)	63.14	Mathis Company (RD)	262.10
Acme Printing Co. (RD)	38.50	Mitchell-Hodge Mod. Elec. (HD)	148.95
(T)	330.00	Momar (G)	69.97
Adrian Hale (CH)	59.00	Monroe Systems for Business (CNC)	47.33
(JC)	38.00	Morristown Electric Whls. (JUV)	150.00
(HD)	19.00	Morristown Lock & Safe (CNC)	30.00
The Art Find (HC)	27.30	Murrell Burglar Alarm Co. (HD)	20.00
Bradley's (THF)	99.99	(CH)	20.00
(HD)	6.93	NAPA Auto Supply (G)	105.45
Bridge Computer Systems, Inc (HC)	150.00	Jim Newman (T)	167.04
CCP Industries Inc (G)	208.32	Otis Elevator (CH)	260.60
Citizen Tribune (T)	115.48	Panther Steel Co. (HD)	250.00
(T)	36.00	Pitney Bowes (CRC)	70.80
(HD)	233.28	(CNC)	80.40
(PC)	25.44	Price & Price Mechanical (CNC)	92.00
(EC)	128.31	R. Chatfield Co. (CRC)	389.47
Contel (RD)	75.00	Radio Communications Service (EMA)	50.00
Co-op (G)	75.89	Rental Uniform Service (CH)	136.92
County Record Services (RD)	363.91	(JC)	152.68
Cumberland Glass Co. (CNC)	26.83	Schwaab (C&M)	239.30
Curlee Candy Co. (Ext)	45.08	(CNC)	213.12
Custom Printing & Engraving (Ext)	50.00	Smithline Beecham Clin Labs (HD)	3.00
Dial Page (EMA)	39.00	Ted Russell (G)	66.95
(THF)	28.00	TN Juv Court Services Assoc. (JUV)	50.00
(JUV)	28.00	Tidi Waste Systems (HD)	25.00
Evans Office City (CNC)	35.87	Town & Country Lock & Key (JC)	5.50
(CRC)	102.29	Universal Forms & Systems (CRC)	255.53
(WP)	7.22	Vaught & Son Safe & Lock, (CNC)	90.00
Five Rivers Hydraulics (G)	33.75	Valley Instant Printing (T)	67.85
Food City Store (THF)	26.09	Walker Bros. Wrecker & Towing (G)	75.00
Freightliner Of Knoxville (G)	560.54	Wal-Mart (HD)	78.48
Gateway Ind. Supply (G)	97.00	(Ext)	10.80
Hamblen County Coroner (CC)	350.00	Ward Printing (A)	17.00
Hamblen Co. Dept. of Ed. (JUV)	4.23	Welding Supply (JC)	5.97
(EMA)	73.55	Wheels & Brakes Inc. (G)	447.62
Hamblen Co. Deputy Coroner (CC)	225.00		
Hamblen Co. Justice Cen. (JUV)	376.00		
Hodge Electric Co. (JC)	46.30		
Jimmy's Auto Parts, Inc. (G)	127.89		
Dr. John H. Kinser, MD (ME)	920.00		
Leonard's Office Equip. (A)	47.50		
Terry Majors (JUV)	71.76		
		<u>BILLS OVER \$1,000.00</u>	
		Bridge Computer (HC)	4,710.00
		Capps, Cantwell, Capps (HC)	1,413.63
		Lakeway Recycling (G)	3,757.31

BILLS NOT REVIEWED BY COMMITTEE

(Received After Meeting)

Business Information Systems, Inc. (RD) Tape Cartridge	380.00
Citizen Tribune (CRC) Public Notice	15.36
Clay Ward Printing (SD) Business Cards	36.00
Dial Page (CRC) Pager	188.66
Dr. William P. Doka (SD) Medical Services/Jail Inmate	25.00
Dr. Steve L. Doka (SD) Medical Services/Jail Inmate	90.00
Hamblen Co. Hwy. Dept. (HC) Street Signs	89.80
Dr. John H. Kinser (SD) Hamblen Co. Deputy Exam	218.75
Mathis Company (CRC) Paper & Jail Dockets	1,170.55
The Michie Company (GS) TN Court Annot.	28.22
Miller Reporting Service (CNC) Court Services	45.00
Moore's Tractor & Trl. Serv. (SD) Litter Truck Repair	452.76
Morristown Ford, Inc. (SD) Vehicle Repair	119.82
Morristown-Hamblen Hosp. (SD) Medical Service/Jail Inmate	1,361.55
Pitney Bowes (CNC) Mailing Scale & Software	269.00
R&R Uniforms & Co. (SD) Uniforms	1,517.39
Radio Communications Service (EMA) Repeater Site Rental & Radio Repair & Install.	409.00
Hamblen Co. Dept. of Ed. (JUV) Fuel	15.31
Universal Forms & Sys. Inc. (CRC) Circuit Court Receipts	273.10

ABBREVIATIONS

A	Assessor
AG	Attorney General
CC	County Coroner
CE	County Executive
CH	Courthouse
CM	Clerk & Master
CnC	County Court Clerk
Com	Commission
CRC	Circuit Court Clerk
CRDP	Community Resource Development Person
EC	Election Commission
EMA	Emergency Management
EXT	Extension Office
G	Garbage
GS	General Sessions
HC	Hamblen County
HD	Health Department
IMP	Impact
INV	Inventory
J	Jail
JC	Justice Center
Juv	Juvenile Court
ME	Medical Examiner
PC	Planning Commission
RD	Register of Deeds
S	Sheriff
T	Trustee
THF	Temporary Holding Facility
VSO	Veterans Service Office
WP	Work Program

BUDGET AMENDMENT-HEALTH DEPARTMENT

Motion by LARRY Baker, seconded by Eldridge Bryant that the following budget amendment be approved.

Voting for: all
Voting against: none

This is to request that \$38,397.37 be taken from the Hamblen County Health Department's Local Direct funds to be placed in capital improvements for the construction of the new health department.

This transaction would:

Credit Salaries	\$36,758.00
Credit Equipment	1,100.00
Credit Supplies	539.37
	<hr/>
	\$38,397.37
	<hr/> <hr/>
Debit Capital Improvements	\$38,397.37
	<hr/> <hr/>

BID FOR HEALTH DEPARTMENT CONSTRUCTION

Motion by Joe Spone, seconded by Eldridge Bryant to accept the low bid of \$809,159 from H.F.C. Construction Company for the the construction of the new Hamblen County Health Department.

Voting for: all
Voting against: none

RESOLUTION-CAPITAL OUTLAY NOTE FOR HEALTH DEPARTMENT

Motion by Willie Osbonre, seconded by Tony Sizemore to approve the following resolution with the stipulation that the money from the sale of the present health department will be used to pay off the capital outlay note.

Voting for: all
Voting against: none

**RESOLUTION OF THE GOVERNING BODY OF HAMBLEN COUNTY,
TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT
OF INTEREST-BEARING PUBLIC HEALTH FACILITIES
OUTLAY NOTES NOT TO EXCEED \$ 76,901.00**

WHEREAS, the Governing Body of Hamblen County, Tennessee, (the "Local Government") has determined that it is necessary and desirable to undertake the financing of constructing a health department facility, (the "Project") by borrowing money and issuing and selling its capital outlay notes therefore for the benefit of the citizens of the Local Government; and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV and VI of 1986 Tennessee Public Acts, Chapter 770 (the "Act"), local governments in Tennessee are authorized to finance cost of this Project through the issuance and sale of interest bearing capital outlay notes upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of Hamblen County, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the County Executive of the Local Government is hereby authorized in accordance with the terms of this resolution to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed Seventy-Six Thousand Nine Hundred One Dollars (\$ 76,901.00) (the "Notes") at either a competitive public sale or at a private negotiated sale upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions of the Act. The Notes shall be designated "Hamblen County Public Health Facilities Capital Outlay Notes, Series 1995"); shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination(s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed (6%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than two (2) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the

the Governing Body to be at least 9 years. Provided, however, that each year the Notes are outstanding, one-third (1/3rd), but in no event not less than one-sixth (1/6th), of the original principal amount of Notes shall mature without renewal but subject to prior redemption.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government, for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local Government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for the purpose.

Section 5. That, the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the County Clerk with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the Trustee of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the Trustee of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Note remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register for the registration, exchange or transfer of the Notes. The note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or

notes of the same aggregate principal amount and maturity as the surrendered Note. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form attached hereto and shall recite that the Notes are issued pursuant to the Act.

Section 8. That the Notes shall be sold only after the receipt of the written approval of the State Director of Local Finance for the sale of the Notes.

Section 9. That, after the issuance and sale of the Notes, and for each year that any of the Notes are outstanding, the Local Government shall submit its annual budget to the State Director of Local Finance for approval immediately upon the Local Government's adoption of the budget.

Section 10. That, if any of the Notes shall remain unpaid at the end of two (2) years from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approved by the State Director of Local Finance.

Section 11. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 23rd day of March, 1995.

Chairman
Hamblen County Board of Commissioners

ATTEST:

County Clerk

Approved:

County Executive

Date: _____

REGISTERED

Hamblen County
of the
State of Tennessee

REGISTERED

[]

\$ _____

HAMBLLEN COUNTY PUBLIC HEALTH FACILITIES
CAPITAL OUTLAY NOTES, SERIES 1995

DATED

INTEREST
RATE

MATURITY
DATE

_____, 1995

_____%

_____, 1998

Registered Owner:	_____
Principal Sum:	_____

The County of Hamblen (the Local Government) of the State of Tennessee hereby acknowledges itself indebted, and for value received hereby promises to pay to the Registered Owner hereof (name above), or registered assigns, the Principal Sum (specified above) on the Maturity Date (specified above) (unless this note shall have been duly called for prior redemption and payment of the redemption price shall have been duly made or provided for), upon presentation and surrender to the Local Government or its agent, and to pay interest on the unpaid Principal Sum on _____, _____ and semi-annually thereafter from the date of issuance at the Interest Rate per annum (specified above), by check, draft, or warrant mailed to the Registered Owner, at the address of the Registered Owner as it appears on the fifteenth (15th) calendar day of the month next preceding the applicable payment date in the note register maintained on or behalf of the Local Government. Both principal of and interest on this note are payable at the office of the County Trustee or paying agent appointed by the Local Government in lawful money of the United States of America.

This note is a direct obligation of the Local Government for the payment of which as to both principal and interest the full faith and credit of the Local Government is pledged.

This note is subject to redemption prior to its stated maturity in whole or in part at any time at the option of the Local Government upon payment of the principal amount of the note together with the interest accrued thereon to the date of redemption with a premium of 0% of par value.

This note is issued under the authority of Parts I, IV, and VI of 1986 Tennessee Public Acts, Chapter 770, and a Resolution duly adopted by the Governing Body of the Local Government meeting in regular session on the 23rd day of March, 1995, (the "Resolution") to finance some or all of the health department facilities construction.

This note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the Registered Owner of the note in person or by the Registered Owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent of the note together with a written instrument of transfer satisfactory to the Local Government duly executed by the Registered Owner or the Registered Owner's duly authorized attorney but only in the manner as provided in the Resolution of the Local Government authorizing the issuance of this note and upon surrender thereof for cancellation. Upon the transfer of any such note, the Local Government or its agent shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered note. The Local Government shall not be obligated to make any such Note transfer during the fifteen days (15) next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Part I, Section 17 of the Act provides that this note and interest thereon are exempt from taxation by the State of Tennessee or by any county, municipality or taxing district of the State, except for inheritance, transfer and estate taxes and except as otherwise provided under the laws of the State of Tennessee.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this note exist, have happened and have been performed in due time, form and manner as required by the Constitution and laws of the State of Tennessee, and that the amount of this note, together with all other indebtedness of the Local Government, does not exceed any constitutional or statutory limitation thereon, and that this note is within every constitutional and statutory limitation.

IN WITNESS WHEREOF, the Governing Body of the Local Government has caused this note to be executed in the name of the Local Government by the manual signature of the county Executive, and countersigned and attested by the manual signature of the County Clerk, with the Seal of the Local Government, affixed hereto or imprinted hereon, and this note to be dated as of the ___ day of _____, 1995.

County Executive

ATTESTED:

County Clerk

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

Please insert social security
or other tax identifying
number of assignee

_____ (name and address of assignee)

the within-mentioned note and hereby irrevocably constitutes and appoints

attorney-in-fact, to transfer the same on the note register in the office of the _____ or the agent of the Local Government with full power of substitution in the premises.

Date: _____

_____ (name of assignor)

_____ (address of assignor)

Signature Guaranteed:

NOTE:

The signature as to this assignment must correspond with the name as written on the face of the within note in every particular, without alternation, enlargement or any change whatsoever.

CLERK AND MASTER-FUNDS FOR SALARIES

Motion by Maudie Briggs, seconded by Larry Baker to allocate \$10,000 to pay the salaries in the Clerk & Master office. This shortage in funds is due to the shortages in fees collected in the office.

Voting for: all
Voting against: none

RESOLUTION-HOUSING STATE PRISONERS

Motion by Larry Baker, seconded by Maudie Briggs to approve the following resolution.

Voting for: all
Voting against: none

**RESOLUTION ESTABLISHING FIXED RATE
REIMBURSEMENT FOR HOUSING STATE
PRISONERS**

WHEREAS, Guidelines established by the Tennessee Department of Correction effective July 1, 1989, authorize reimbursement to Tennessee counties housing convicted felons in county jails, workhouses and penal farms based on reasonable allowable cost, and

WHEREAS, Said Guidelines also authorize reimbursement at a fixed rate of eighteen (18) dollars per day to facilities with a Tennessee Corrections Institute rated capacity of less than one hundred (100) and twenty (20) dollars per day to facilities with a capacity of one (100) or more on January 1 prior to the fiscal year, and

WHEREAS, The Hamblen County jail had a Tennessee Corrections Institute rated capacity of 157 on January 1, 1994, and the cost of housing inmates in the Hamblen County jail does not exceed twenty dollars per day under Tennessee Department of Correction guidelines,

NOW, THEREFORE BE IT RESOLVED AND ORDERED, That the reimbursement rate for housing convicted felons in the Hamblen County Jail shall be fixed at twenty dollars per day for the fiscal year beginning July 1, 1994.

AND, BE IT FURTHER RESOLVED AND ORDERED, That the Hamblen County Clerk promptly transmit a certified copy of this resolution to the Judicial Cost Accountant, Tennessee Department of Correction, Third Floor, Rachel Jackson Building, Nashville, Tennessee 37243-0465.

Whereupon, passage of the resolution was moved by
Larry Baker _____, duly seconded by
Maudie Briggs _____.

The resolution was adopted by the following vote:

Voted for the resolution	<u>14</u>
Voted against	<u>0</u>
Passed	<u>0</u>
Absent	<u>0</u>

C E R T I F I C A T I O N

STATE OF TENNESSEE

COUNTY OF HAMBLLEN

I, _____, County Clerk of the aforesaid County
do hereby certify this to be a true and correct copy as
found in this office in Morristown, Tennessee. This _____
day of _____, 1995.

County Clerk
Hamblen County

ZONING RESOLUTION AMENDMENTS

Motion by Joe Spoone, seconded by Keith Horner to approve the following zoning resolution amendments.

Voting for: all
Voting against: none

RESOLUTION

**A RESOLUTION TO AMEND THE ZONING RESOLUTION OF
HAMBLÉN COUNTY BY THE SUBSTITUTION OF ARTICLE
4 NONCONFORMING USES AS WRITTEN BELOW IN PLACE
OF THE CURRENT ARTICLE 4.**

WHEREAS, The Hamblén County Planning Commission has reviewed and recommended the rewriting of Article 4 Nonconforming Uses to replace the existing Article 4 section of the Hamblén County Zoning Resolution; and,

WHEREAS, The Hamblén County Board of Commissioners has held a public hearing on _____ and advertised the proposed amendment on _____;

NOW, THEREFORE, BE IT RESOLVED that the Hamblén County Board of Commissioners do hereby adopt the following Article 4 Nonconforming Uses as a replacement for the existing section:

**ARTICLE 4
NONCONFORMING USES**

After the adoption of this Zoning Resolution and map, any new construction must be in conformance with this code. Existing structures will be allowed to remain as nonconforming uses subject to the limitations set out in Article 6, except any new extensions or expansions to nonconforming properties must be done in accordance with this Zoning Resolution.

Certified:

Recommended and Certified to the
Legislative Body for approval.

County Court Clerk

Florence Kegley, Chairman
HAMBLÉN COUNTY PLANNING COMMISSION

Date: _____

Date: _____

Attest:

Wilburn Beck, County Clerk

Authenticated:

Paul L Bruce, County Executive

Date: _____

RESOLUTION

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF HAMBLEN COUNTY BY THE SUBSTITUTION OF ARTICLE 6.2 NONCONFORMING USES AS WRITTEN BELOW IN PLACE OF THE CURRENT ARTICLE 6.2.

WHEREAS, The Hamblen County Planning Commission has reviewed and recommended the rewriting of Article 6.2 Nonconforming Uses to replace the existing Article 6.2 section of the Hamblen County Zoning Resolution; and,

WHEREAS, The Hamblen County Board of Commissioners has held a public hearing on _____ and advertised the proposed amendment on _____;

NOW, THEREFORE, BE IT RESOLVED that the Hamblen County Board of Commissioners do hereby adopt the following Article 6.2 Nonconforming Uses as a replacement for the existing section;

ARTICLE 6.2 NONCONFORMING USES

A) Continuance of Nonconforming Uses. Any lawful use of any building or land existing at the time of the enactment of this Resolution or whenever a district is changed by an amendment thereafter may be continued although such use does not conform with the provisions of this Resolution with the following limitations:

- 1) No building or land containing a nonconforming use shall hereafter be expanded or extended unless such expansions or extensions shall conform with the provisions of this Resolution for the district in which it is located except as specifically set out in this Article 6.2.
- 2) Any nonconforming building, which has been damaged by fire or other causes, may be repaired and used as before, unless it is determined by the building commissioner that the building is damaged to the extent of more than seventy (70) percent of the fair market cash value of the structure, in which case any repair or reconstruction shall meet all the requirements of the zone in which it is located.
- 3) When a nonconforming use of any building, structure or land has ceased for a period of six (6) months, it shall not be re-established or changed to any use not in conformity with the provisions of this Resolution.
- 4) Any building containing a nonconforming use shall not be changed to another nonconforming use unless it is determined by the Board of Zoning Appeals that such use is similar or less noxious than the previous use.
- 5) All lots and property previously subdivided prior to the September 2, 1990 adoption of the Hamblen County Zoning Resolution will be allowed to be utilized for construction if the lot is less than the requirements of this Resolution, UNLESS setback lines and road frontage requirements cannot be met.
- 6) Nonconforming mobile home - A mobile home deemed to be a legal nonconforming use at the time of the adoption of this Resolution and located on a single lot may be replaced under the following conditions:
 - a) Provided that it is replaced within six (6) months of the removal or partial destruction (less than 70%) of the previous mobile home;
 - b) Provided that the replacement mobile home is of structural quality equal to or exceeding that of the previous mobile home in the opinion of the building commissioner;
 - c) Provided that it meets the front, side and rear yard setback requirements of the district in which it is located; and

- c) Lots which have more than one (1) mobile home at the time of the adoption of zoning are NOT permitted to REPLACE each mobile home UNLESS each mobile home meets the minimum square footage required for a single family residential dwelling or UNLESS the mobile homes are located in a nonconforming mobile home park of record which has not ceased to operate for more than six (6) months.

7) Except as hereinafter set out a nonconforming commercial or industrial use may be expanded or extended provided that said expansion or extension is approved by the Hamblen County Planning Commission. Before any expansion or extension is begun, however, a Site Plan (as set out in Article 6.6) showing existing development and the proposed expansion or extension shall be presented to the Planning Commission for review and approval along with any other documentation or information required under the terms of this Zoning Resolution. A nonconforming use by its nature is not in character with its surrounding neighborhood, and therefore, an effort shall be made to maintain the aesthetic characteristics of the neighborhood in order to protect the safety and welfare of citizens and to protect property values. No expansion or extension shall be approved unless the Planning Commission determines the result of the proposed expansion or extension has a positive net effect on the surrounding neighborhood. Since noise, visual pollution and traffic congestion are the primary sources of incompatibility of land uses, efforts should be made to minimize their effects.

Certified:

Recommended and Certified to the
Legislative Body for approval.

County Court Clerk

Florence Kegley, Chairman
HAMBLÉN COUNTY PLANNING COMMISSION

Date: _____

Date: _____

Attest:

Wilburn Beck, County Clerk

Authenticated:

Paul L Bruce, County Executive

Date: _____

Motion by J B Shockley, Seconded by Joe Spoons, to recommend the proposed amendments, Article 4 and Article 6.2 Nonconforming Uses, of the Hamblen County Zoning Resolution to the Legislative Body for their consideration to adopt.

Voting For: All
Voting Against: None

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLEN
COUNTY, TENNESSEE BY REZONING PARCEL
052.01 OF THE Jamie Brogan
PROPERTY LOCATED ON
1230 Silver City Rd.

WHEREAS, The Hamblen County Planning Commission heard the request to
amend the zoning map from I-2 to A-1 on Parcel 052.01
owned by Jamie Brogan; and

WHEREAS, The Hamblen County Planning Commission does hereby recommend
for the rezoning request:

NOW THEREFORE, BE IT RESOLVED that the Hamblen County Board of
Commissioners does hereby approve the rezoning and map amendment from
I-2 to A-1 according to the attached map.

Motion was made by Joe Spooone seconded by
Larry Baker.

Voting For: all

Voting Against: none

ATTEST:

AUTHENTICATED:

DATE:

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLEN COUNTY, TENNESSEE BY REZONING PARCEL 052.01 OF THE Jamie Brogan PROPERTY LOCATED ON 1230 Silver City Rd.

WHEREAS, The Hamblen County Planning Commission heard the request to amend the zoning map from I-2 to I-1 on Parcel 052.01 owned by Jamie Brogan; and

WHEREAS, The Hamblen County Planning Commission does hereby recommend for the rezoning request:

NOW THEREFORE, BE IT RESOLVED that the Hamblen County Board of Commissioners does hereby approve the rezoning and map amendment from I-2 to I-1 according to the attached map.

Motion was made by Joe Spooone seconded by Larry Baker.

Voting For: All

Voting Against: None

ATTEST:

AUTHENTICATED:

DATE:

ASSESSOR OF PROPERTY-MAP CABINET

Motion by Bud Jones, seconded by Tony Sizemore to accept the low bid of \$863.95 from National Business Furniture for the purchase of a new map cabinet for the assessor of property's office. These funds will come from the unappropriated surplus.

Voting for: all

Voting against: none

RESOLUTION-HERBERT HARVILLE

Motion by Bud Jones, seconded by Guy Collins that a resolution be prepared thanking Herbert Harville for serving as County Executive during the interim period.

Voting for: all

Voting against: none

MEMORIAL FOR PAUL BRUCE

Motion by Willie Osborne, seconded by Joe Spooone to allow Keep America Beautiful to plant a tree with a plaque on the courthouse lawn in memory of Paul Bruce.

Voting for: all

Voting against: none

VISION 2000 COMMITTEE MEMBER

Motion by Osborne, seconded by Larry Baker to appoint Debra Wolfe to the Vision 2000 committee.

Voting for: all

Voting against: none

THEREUPON, MEETING ADJOURNED.