

BE IT REMEMBERED that the Legislative Body for Hamblen County, Tennessee met at its regular monthly meeting on August 19, 1996 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 Rev. George Rawn.

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	Joe Spoone
Herbert Harville	

Absent: Tony Sizemore

#### MINUTES APPROVAL

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

Voting for: all  
Voting against: none

#### NOTARIES AND BONDSMEN

Motion by Frank Parker, 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 August, 19 96 MEETING OF THE GOVERNING BODY:

NAME (PRINT OR TYPE)	HOME ADDRESS AND PHONE (INCLUDE ZIP AND AREA CODES)	BUSINESS ADDRESS AND PHONE (INCLUDE ZIP AND AREA CODES)
Denise Terry Stapleton	1881 Pointe DR. Talbot, Tn. 37877 423-475-6253	Terry, Terry, Stapleton 918 West 1st. North ST. Marristown, TN. 37814 423-586-5800
Hazel S. Bales E. Cherlyn Schooley	540 Robertson Creek RD. Whitesburg, TN. 37891 423-235-3126	Terry, Terry & Stapleton P.O. Box 724, Morr. TN. 37814 423-596-5800
Hazel S. Bales E. Cherlyn Schooley	855 Pinewood Cir. Morristown, Tn. 37814 423-587-9858	Terry, Terry Stapleton " " "
Denise Terry Stapleton E. Cherlyn Schooley	423-581-0709	Three Way Pawn Shop 1211 Buffalo Trail, Morr. Tn. 37814 423-581-2374
Denise Terry Stapleton Hazel S. Bales	512 Poplar St. Morristown, Tn. 37814	Frontier Motors 828 E. Morris Blvd., Morr. Tn. 37814 423-585-5450
Curtis R. Helton Bonding Co.	2914 LaVillas Morr. Tn. 37814 423-585-5450	United Southern Bank 2329 East Morris Blvd, Morr. Tn. 423-585-4538 " " "
Hugh Thomas Glenn Bonding Co.	290 Navaho Trail, Talbot, T. 423-586-5308 37877	
Rebecca R. Cox Bonding Co.	724 Montvue Ave., Morr. TN. 37814 423-587-4991	
Vivian Gayle Tyler Bonding Co.	320 E. 4th North St. Morristown, Tn. 37814 423-586-3940	Purkey Real Estate 2343 W.S.A.J. Hwy, Morr. Tn. 37814 423-586-7350
Brenda M. Griffin Bonding Co.	1558 Laura Dr. Morristown, Tn. 37814 423-581-8048	Cossum Harbin Samsel Court Report. P.O. Box 1062, Morristown, TN. 423-581-7940
Melissa Anne Cobble Bonding Co.	1953 Wanda Dr., Morr. Tn. 423-581-6852	First Tn. Bank 1112 West 1st. North St. Morristown, Tn. 37814 423-586-8021
Terry Michael Hackney Bonding Co.	423-581-4251	Lakeway Title Service 840 W. 1st. North St. Morr. TN. 423-587-6898
Dorothy S. Cox Bonding Co.	858 Spruce ST., Morristown, Tn. 37814	Brewer, Terry, PC Attorney's 1702 W. A. J. Hwy, Morr. Tn. 37816 423-587-2730
Lisa Michele Hyleman Bonding Co.	6223 Cotton Tail Lane Morristown, TN. 37814 423-586-4526	
Walter L. Dockery, Sr. Janie M. Coleman Willie P. Osborne	117 E. 3rd South St. Morristown TN. 37814 423-581-3549	Dockery Funeral Home 117 E. 3rd South St. Morristown, TN. 37814 423-586-8009

*Lucy Beck*  
\_\_\_\_\_  
SIGNATURE

CLERK OF THE COUNTY OF Hamblen, TENNESSEE  
8-19-96  
DATE

(SEAL)

LIBRARY BOARD MEMBER

Motion by Larry Baker, seconded by Maudie Briggs that Peggy Lingerfelt be appointed to the library board.

Voting for: all  
Voting against: none

BILLS

Motion by Willie Osborne, seconded by Keith Horner that all of the following bills be approved and paid.

Voting for : all  
Voting against: none

## BILLS Recommended for Payment - August 19, 1996

A&W Office Supply	CE	53.69	Evans Office City	HD	249.37
				Inv	2,692.45
Adrian Hale Pest Control	HD	19.00		CnC	263.23
	CH	59.00		CRC	94.80
	JC	38.00		CM	32.22
				A	62.95
Allison-Erwin Company	PC	275.00		HC	134.85
				EC	11.56
American Red Cross	THF	200.00		RD	40.32
				CE	7.68
Bob Barker	THF	283.85			
			Food City	Ext	14.90
Bradley's Hardware	HD	12.87			
	CH	74.44	Gall's Inc.	THF	79.92
Bridge Computer Systems	CRC	112.50	Global	CH	56.67
	CnC	592.37			
	CE	300.00	Graybar	CH	45.54
	HD	60.00			
			Hale, Gerri	Juv	24.48
Business Machines	CM	4,779.00			
			Hamblen Co Road Dept	HC	232.81
Capps, Cantwell, & Capps	HC	4,442.41			
			Hamblen Co Trustee	EMA	27.11
Citizen Tribune	CE	39.05		Juv	31.17
	T	15.95			
	EC	1,582.26	Hayter Stockyards Printing	T	63.00
Commercial Emblem	CE	10.50	Hill, Robert	CC	200.00
Comptroller of Treasury	A	92.00	Hiram H. Jones Assoc	HC	4,100.00
County Record Services	CM	88.28	Inman, John	EC	1,700.00
Cover One	EC	641.89	International Business	CnC	1,438.40
Custom Printing	CRC	119.75	Johnson Controls	JC	651.13
Dave's Cleaning Service	JC	613.36	Kel-San	Inv	1,044.00
Davis, Eddie R.	CC	275.00	Kinser, John MD	ME	760.00
Discount Paging	Juv	13.76	Lanier	HC	955.00
	CRC	6.88			
	EMA	13.76	Leonard's Office Equip.	CRC	119.50
	CH	66.43		EC	5.00

## BILLS Recommended for Payment - August 19, 1996

Log On Computer Services	RD	78.00	Walker Supply	CH	131.40
McQuiddy	EC	3,302.64	Wal-Mart	HD	143.53
Meek, Cissy	Juv	18.86	Ward Printing	CRC	498.50
				HD	65.00
Michie Company	Juv	22.50	West Publishing	Juv	41.75
	CM	22.50			
	CRC	28.31	Xerox	HC	471.28
Microvote Corporation	EC	17,000.00	Yardley Printing & Binding	CRC	494.00
Monroe Systems	CnC	201.44			
Murrell Burglar Alarm	CH	169.00	<b>Garbage Departement</b>		
			Bradley's		24.49
Newman, Jim	T	227.52	CCP Industries		269.55
			Cenco		361.72
Otis Elevator Company	CH	272.75	Hamblen Farmers Coop		86.95
			Jimmy's Auto		195.10
Pitney Bowes	CnC	274.00	Kenworth		303.00
			Lowe's		21.34
Premier Publications	HC	3,853.00	Spring Service Company		530.00
			TN Dept of Emp Security		505.00
Price, Leslie	EC	1,470.00	Wayne's Boot Store		180.00
			Wheels & Brakes		241.96
Price & Price Mechanical	JC	745.00			
	CH	1,800.00			
Purkoy, Joseph	PC	18.96			
Rental Uniform Service	CH	171.15			
	JC	190.85			
Robert Orr/Sysco	THF	35.59			
Ryder Truck Rental	EC	338.94			
Saf-N-Kleen	HD	437.50			
T R Systems	PC	2,095.00			
	CE	4,190.00			
Tidi Waste	HD	25.00			
Town & Country	JC	46.00			
UT CTAS	PC	60.00			

## BILLS RECOMMENDED FOR PAYMENT - Sheriff's Department August 19, 1996

A & W Office Supply	50.76	Ultramax	566.00
B & S Industries	561.35	Wal-Mart	633.73
Bradley's	93.96	Wallace Hardware	964.19
Discount Paging	48.16	WSCC	456.95
Division of Under Storage Tanks	250.00	War Surplus	10.00
Doctor's Hospital Pharmacy	356.45	Ward Printing	54.00
Doka, Steve L. D.D.S.	60.00	Western Medical Enterprises	195.36
Douthat, Marsha	2,916.67		
Express Lane Oil Change	300.00	<b>DUI/DARE</b>	1,950.00
Federal Signal	83.20		
Flav-o-rich	738.61	<b>ABBREVIATIONS</b>	
Flowers Baking	456.29	Assessor	A
Free Service Tire Company	1,599.81	Attorney General	AG
Gall's	1,104.26	County Coroner	CC
Greenshed Sales	35.50	County Executive	CE
Hale Brothers	22.08	Courthouse	CH
Hamblen Radiology	126.00	Clerk & Master	CM
Hiram H. Jones Assoc	40.00	County Clerk	CnC
Jerrys Auto	20.85	Commission	Com
Jimmy's Auto Parts, Inc.	300.81	Circuit Court	CRC
Kay Uniforms	209.60	Election Commission	EC
Knox Fire Ext	70.36	Extension Office	EXT
Kustom Signals	230.00	Garbage	G
Lakeway Regional	699.80	General Sessions	GS
Leonard's	23.17	Hamblen County	HC
Log on Computer Services	50.00	Health Department	HD
McNeil & Lindsey MD	130.00	Inventory	INV
Midwest Radar	90.00	Jail	J
Mitchell Hodge	351.24	Justice Center	JC
Morristown Hamblen EMS	492.00	Juvenile Court	Juv
Morristown Hamblen Hospital	2,184.08	Medical Examiner	ME
Price & Price	219.00	Planning Commission	PC
Reliable	18.18	Register of Deeds	RD
Rental Uniform	21.25	Sheriff's Department	SD
Robert Orr/Sysco	10,318.93	Trustee	T
Roto Rooter	90.00	Temporary Holding Facility	THF
Snyder Plumbing	198.00	Veterans Service Office	VSO
Sterling Radiology	304.00	Work Program	WP
Tennessee Two Way	636.00		
Tires Unlimited	30.00		

**Bills Not Reviewed by Committee - August 19, 1996**  
(Received after the meeting)

Letter Shop, The	CnC	225.00
	CE	156.00
Envelopes & Letterhead		
Meek, Cissy	Juv	81.09
Milage		
Michie	SD	30.00
Court Rules		
Paper Supply	Inv	1,699.63
Cleaning Supplies		
Pitney Bowes	CnC	74.00
Maintenance		
Purkey, Joe	PC	21.84
Milage		
Schwaab	A	35.20
Office Supplies		
TN Juv Court Services	Juv	85.00
Registration		

COPIER-CLERK AND MASTER OFFICE

Motion by Bud Jones, seconded by Eldridge Bryant to purchase a copier for the Clerk & Master's office with the understanding that the Clerk & Master's office would begin collecting fees for pass ports to provide the funds necessary to pay for the copier.

Voting for: all  
Voting against: none

PURCHASE OF SUPPLIES

Motion by Bud Jones, seconded by Eldridge Bryant to purchase office and custodial supplies for the 1997 Fiscal Year from Evans Office City.

Voting for: all  
Voting against: none

Motion by Bud Jones, seconded by Larry Baker that the following be approved:

- (1) A lawnmower for the Sheriff's Department be purchased from Wallace Hardware at a cost of \$964.19.
- (2) Accept the bid from Masengill Auction Company for auction services. The bid will be for commission plus advertising expenses only and placing the minimum amount of advertising that the law requires.
- (3) Accept the bid from Robinson Textiles for the purchase of inmate uniforms.

Voting for: all  
Voting against: none

WORK AREA JAIL

Motion by Bobby Reinhardt, seconded by Eldridge Bryant to have Price & Price Mechanical repair the air conditioning at the work area of the jail at a cost of \$18,170.00.

Voting for: all  
Voting against: none

TIDI WASTE CONTRACT

Motion by Bobby Reinhardt, seconded by Bud Jones to approve the following resolution.

Voting for  
Larry Baker  
Maudie Briggs  
Eldridge Bryant  
Stancil Ford  
Bud Jones  
Willie Osborne  
Bobby Reinhardt

Voting against  
Guy Collins  
Herbert Harville  
Keith Horner  
Frank Parker  
Joe Spooone

Passing  
Doyle Fullington

## RESOLUTION

**WHEREAS**, Cocke County does not presently have sufficient landfill capacity to dispose of its solid waste; and

**WHEREAS**, the Joint Hamblen County-Morristown Solid Waste Disposal System (Disposal System) is a governmental unit formed by Hamblen County, Tennessee and the City of Morristown to purchase, construct and operate a Class One landfill for the disposal of solid waste collected by the City of Morristown and Hamblen County, Tennessee ; and

**WHEREAS**, Cocke County is authorized under Tennessee Code Annotated §§5-19-101 et. seq. to enter into intergovernmental agreements for the purpose of disposing of solid waste generated in Cocke County, Tennessee; and

**WHEREAS**, Cocke County has entered into an exclusive Agreement with Tidi-Waste to transport its solid waste to the Disposal System's landfill in Hamblen County, Tennessee for a period commensurate with the term of this Agreement; and

**WHEREAS**, the Disposal System has entered into an agreement with Tidi-Waste to dispose of acceptable solid waste originating in Cocke County in the System's facility; and

**WHEREAS**, the Disposal System is willing to allow acceptable waste from Cocke County to be deposited in the System's landfill pursuant to Cocke County's agreement with Tidi, but only upon receiving certain assurance from the Cocke County Governing Body; and

**WHEREAS**, those assurances are contained in a Resolution passed by the Cocke County Governing Body at its meeting on the \_\_\_\_ day of August, 1996, which Resolution requires acceptance by the Disposal System and approval by the Hamblen County Governing Body prior to becoming effective.

**NOW, THEREFORE**, in consideration of the above stated premises, **BE IT RESOLVED** by the Joint Solid Waste Disposal System (Disposal System) at a meeting in regular session on the \_\_\_\_ day of August, 1996, as follows:

The Resolution of Cocke County provides in pertinent part that Cocke County will for a period of one year have the right to deposit up to 100 tons per day of its "acceptable" solid waste in the System's landfill; that it will exert its best efforts to establish in a timely manner and commence operations of a facility or system capable of accepting solid waste eligible for deposit in a Class One solid waste facility in Tennessee in or with which Cocke County and Hamblen County may dispose of their solid waste; that at such time as it has in operation such a facility or system, it will grant to the Disposal System the authority to utilize such facility or system for disposing of solid waste originating in Hamblen County for the same period of time that Cocke County actually utilized the Disposal System's landfill without limitation as to tonnage, and will charge the Disposal System Cocke County's published prevailing rates for such use; that the progress of the proposed facility or system development may be reviewed at the end of the initial one year term by a consulting engineer engaged by the Disposal System, and in the event,

based upon such review the Disposal System deems that Cocke County has failed to satisfactorily pursue its project as agreed, the Disposal System may upon 180 days written notice terminate its agreement with Tidi Waste to accept acceptable solid waste from Cocke County; that if the Disposal System deems progress is satisfactory, an additional term or terms of one year shall be granted, subject to the same type of annual review, and in no event shall the collective annual terms exceed five without the written consent of the parties and approval of the Hamblen County Governing Body; that Cocke County assures payment to the Disposal System for use of the System's facility and agrees to hold harmless and indemnify the System from all claims generated by deposit of unacceptable solid waste in the System's facility; and that the price charged by the System for the waste will be \$4.00 per cubic yard as increased by the CPI Index.

**FURTHER RESOLVED** that the Disposal System hereby accepts the Cocke County Governing Body Resolution.

**BE IT FURTHER RESOLVED** that this Resolution be presented to the Hamblen County Governing Body for its approval, after which, this Resolution shall be deemed binding and effective, subject only to the commencement date of the initial term being the date upon which the Systems new landfill or cell is operational.

Passed this \_\_\_\_ day of August, 1996

Hamblen County-Morristown Solid Waste Disposal System

By: \_\_\_\_\_

Chairman

Approved:

Hamblen County Governing Body

By: \_\_\_\_\_ Date \_\_\_\_\_

Chairman

LAW OFFICES  
BACON, JESSEE, PERKINS & SWANSON  
GEORGIAN COURT  
1135 WEST THIRD NORTH STREET  
MORRISTOWN, TENNESSEE 37814

FAX COVERSHEET

HERBERT M. BACON  
RICHARD C. JESSEE  
RONALD L. PERKINS  
RICHARD N. SWANSON  
JOSEPH N. BACON  
MARK A. COWAN  
LORI L. JESSEE

TELEPHONE 423-586-5291  
TELEFAX 423-581-6883

Date: 8-16-96  
Time: \_\_\_\_\_  
Number of pages (including this page): 5  
Receivers Fax number: \_\_\_\_\_

TO: Rusty Cardwell  
FROM: Richard Jesse  
RE: Production

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**RESOLUTION**

**WHEREAS**, Cocke County does not presently have sufficient landfill capacity to dispose of its solid waste; and

**WHEREAS**, the Joint Hamblen County-Morristown Solid Waste Disposal System (Disposal System) is a governmental unit formed by Hamblen County, Tennessee and the City of Morristown to purchase, construct and operate a Class One landfill for the disposal of solid waste collected by the City of Morristown and Hamblen County, Tennessee and which Disposal System is about to open a new landfill or cell; and

**WHEREAS**, Cocke County is authorized under Tennessee Code Annotated §§5-19-101 et. seq. to enter into intergovernmental agreements for the purpose of disposing of solid waste generated in Cocke County, Tennessee; and

**WHEREAS**, Cocke County has entered into an exclusive Agreement with Tidi-Waste to transport its solid waste to the Disposal System's landfill in Hamblen County, Tennessee for a period commensurate with the term of this Agreement; and

**WHEREAS**, the Disposal System is willing to allow acceptable waste from Cocke County to be deposited in the System's landfill pursuant to Cocke County's agreement with Tidi, but only upon receiving certain assurances from the Cocke County Governing Body.

**NOW, THEREFORE**, in consideration of the above stated premises, **BE IT RESOLVED** by the Cocke County Governing Body meeting in regular session on the \_\_\_ day of August, 1996, as follows:

1. The covenants made by Cocke County by virtue of this resolution are contingent upon the Disposal System accepting Cocke County's acceptable solid waste at its landfill for a period of up to five (5) years (the "Term") at a rate not to exceed one hundred (100) tons per day. The term of this Agreement may be less than five years as provided hereinbelow or extended for an additional five (5) year period upon mutual agreement of all the parties hereto.

2. That during the term of this Agreement Cocke County, through Tidi Waste, will pay a tipping fee of twenty five dollars (\$25.00) per ton for the first year of the term, after which the tipping fee will increase in an amount equal to the CPI increase (all items index) Consumer Price Index for Urban Consumers as published by the U.S. Department of Labor, Bureau of Labor Statistics, during the preceding year, not to exceed 3.5% per year with an increase cost based on regulatory changes, all as more specifically set forth in the agreement between Tide Waste and Cocke County. While the tipping fee may actually come from Tidi Waste, Cocke County, Tennessee will be ultimately responsible for payment of the tipping fees charged.

3. Cocke County agrees to exert its best efforts to establish in a timely manner and commence operations of a facility or system capable of accepting solid waste eligible for deposit in a Class One solid waste facility in Tennessee in or with which Cocke County and Hamblen County may dispose of their solid waste. Cocke County shall, at such time as it has in operation such a

facility or system, grant to the Disposal System the authority to utilize such replacement facility or system for the same period of time that Cocke County actually utilized the Disposal System's landfill, without limitation as to tonage and will charge the Disposal System Cocke County's published prevailing rates for such use. The progress of the proposed facility or system development may be reviewed on an annual basis by a consulting engineer engaged by the Disposal System. In the event Cocke County fails to abide by this covenant, the Disposal System may upon 180 days written notice terminate its agreement with TIDI to accept acceptable solid waste from Cocke County.

4. Cocke County will defend, hold harmless and indemnify the Disposal System against any and all claims for damages arising out of Cocke County delivering to or providing for pick-up by TIDI any unacceptable waste (as is defined in the aforementioned agreement which is incorporated herein by reference) which is deposited in the Disposal System's facility.

5. The commencement of the term of these covenants shall be at the time the Disposal System's new landfill or cell is legally open for operation.

6. Cocke County agrees that the Disposal System shall have no obligation to accept from Tide Waste any acceptable or unacceptable solid waste originating in Cocke County as of the date upon which Cocke County commences operation of its anticipated Class I solid waste disposal facility or system. Cocke County further acknowledges and agrees that in no event, even if it does not have in operation an adequate solid waste disposal facility at that time, the Disposal System shall have no obligation to accept Cocke County solid waste later than five (5) years from the date hereof, unless the term is extended for an additional five (5) years by agreement of the parties *in writing*

7. **BE IT FURTHER RESOLVED** that this Resolution shall take effect from and after its execution by the Chairman of the Cocke County governing body and the County Executive for Cocke County and resolution of acceptance by the Disposal System, approved by the Hamblen County Governing Body.

8. **BE IT FURTHER RESOLVED** that this Resolution, once accepted as provided in the preceeding paragraph, shall constitute a binding and enforceable agreement between Cocke County, Tennessee and the Disposal System.

Name	Yes	No	Abstain
_____			
_____			
_____			
_____			
_____			

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1996.

**COCKE COUNTY GOVERNING BODY**

by: \_\_\_\_\_

Chairman

AUG-15-96 THU 2:31 PM B J P & S ATTYS.

FAX NO. 423 531 6883

P. 6

---

Cocke County Executive

Approved as to legal form and binding effect

---

County Attorney

The undersigned certifies that the foregoing resolution was passed by the Cocke County Governing Body on the date shown above and that the foregoing is a true and accurate copy of such resolution.

---

County Court Clerk: Dated \_\_\_\_\_

LAW OFFICES  
BACON, JESSEE, PERKINS & SWANSON  
GEORGIAN COURT  
1135 WEST THIRD NORTH STREET  
MORRISTOWN, TENNESSEE 37814

FAX COVERSHEET

HERBERT M. BACON  
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JOSEPH N. BACON  
MARK A. COWAN  
LORI L. JESSEE

TELEPHONE 423-586-5291  
TELEFAX 423-581-6883

Date: 8-15-96  
Time: \_\_\_\_\_  
Number of pages (including this page): 6  
Receivers Fax number: \_\_\_\_\_  
TO: Mr. Cantwell  
FROM: Jessie  
RE: \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**ADDENDUM TO AGREEMENT**

THIS ADDENDUM entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 1996, by and among the **HAMBLEN COUNTY-MORRISTOWN SOLID WASTE DISPOSAL SYSTEM** (hereinafter referred to as the "Solid Waste Board") and **TENNESSEE INDUSTRIAL DISPOSAL, INC.**, a Tennessee corporation (hereinafter referred to as "Tidi Waste").

**W I T N E S S E T H:**

**WHEREAS**, the Solid Waste Board and Tidi Waste entered into an Agreement on the \_\_\_\_\_ day of \_\_\_\_\_, 1996 whereby the Solid Waste Board agreed to accept solid waste from Cocke County, Tennessee upon the terms and conditions set out therein; and

**WHEREAS**, the parties hereto have agreed to amend certain provisions as set out herein and have negotiated further terms and conditions to be made a part of their contractual relationship; and

**WHEREAS**, the parties desire to reduce to writing the amended and additional provisions agreed upon between them;

**NOW, THEREFORE**, in consideration of the above-stated premises and the following mutual agreements and covenants, the Solid Waste Board and Tidi Waste, each intending to be legally bound, agree as follows:

1. Paragraph "4.1 Fees" is hereby amended to state that the tipping fee shall be \$4.00 per cubic yard unless and until some applicable law, rule or regulation requires that the computation of solid waste be in tonnage in which case the tipping fee shall be computed at \$25.00 per ton.
2. Paragraph "3.1 Duration and Renewal" is hereby amended to provide that the term of this Agreement shall be on an annual basis for a period of up to and not exceeding five (5) years. The term may be extended for an additional period of up to five (5) years by written agreement of the parties hereto. It is agreed and understood between the parties hereto that the Solid Waste Board has the right and authority to terminate this Agreement if and in the event the Solid Waste Board determines that Cocke County has failed to exert its best efforts to establish in a timely manner and commence operations of a facility or system capable of accepting solid waste eligible for disposal in a Class One solid waste facility in Tennessee in or with which Cocke County and Hamblen County may dispose of their solid waste. The progress of the proposed facility or system development may be reviewed on an annual basis by a consulting engineer engaged by the Solid Waste Board. In the event Cocke County fails to abide by its covenant to exert its best efforts to establish such a facility or system, the Solid Waste Board may upon 180 days written notice terminate its agreement with Tidi Waste to accept acceptable solid waste from Cocke County.
3. Tidi Waste agrees to provide and sell to the Solid Waste Board a total of 81,000 cubic yards of dirt to cap the old landfill

**Capps, Cantwell & Capps**

at a price not to exceed \$4.50 per cubic yard. In addition, the parties hereto understand that the Solid Waste Board will probably need additional fill dirt in the future, the amounts of which are presently unknown. The parties hereto agree to negotiate in good faith an agreement whereby Tidi Waste, if it has sufficient quantities of dirt, will provide the Solid Waste Board fill dirt at a reasonable and mutually agreed upon price.

4. The provisions of the original Agreement entered into between the parties hereto dated the \_\_\_\_ day of \_\_\_\_\_, 1996 and the provisions of this Addendum shall become effective upon the approval of the governing body of Hamblen County, Tennessee.

Except as amended and modified herein, the original Agreement between the parties hereto remains unchanged.

**IN TESTIMONY WHEREOF**, the parties have caused their names to be hereunto subscribed by their duly authorized officers and agents.

HAMBLEN COUNTY-MORRISTOWN  
SOLID WASTE BOARD

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

ATTEST:

\_\_\_\_\_

TENNESSEE INDUSTRIAL  
DISPOSAL, INC.

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

AUDIT COMMITTEE REPORT

Motion by Willie Osborne, seconded by Larry Baker to employ Reliance Trust Co. at a rate of .005% to be a second overseer of Hamblen County's money.

Voting for: all  
Voting against: none

WORLD WAR II MEMORIAL

Motion by Stancil Ford, seconded by Joe Spone to appropriate \$5,000. from unappropriated surplus for Hamblen County to construct a World War II monument in Nashville.

Voting for: all  
Voting against: none

REZONING REQUESTS

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLEN COUNTY, TENNESSEE BY REZONING PARCEL 048.01 OF THE BOBBY & BELVA GIBSON PROPERTY LOCATED AT 5553 & 5573 BYRD RD.

WHEREAS, The Hamblen County Planning Commission heard the request to amend the zoning map from R-1 to A-1 on Parcel 048.01 owned by Bobby & Belva Gibson; 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 R-1 to A-1 according to the attached map.

Motion was made by Joe Spoons seconded by Stancil Ford.

Voting For: All

Voting Against: None

ATTEST:

Herbert Hamblen, Clerk

AUTHENTICATED:

Daniel W. Stinson

DATE:

8/21/96

Karen D. Mayfield  
Notary Public

October 19, 1999  
My Commission Expires

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLEN COUNTY, TENNESSEE BY REZONING PARCEL 063.00 OF THE DEAN COFFMAN & TIM SMITH PROPERTY LOCATED AT 2710 CHEROKEE DRIVE

WHEREAS, The Hamblen County Planning Commission heard the request to amend the zoning map from R-1 to A-1 on Parcel 063.00 owned by Dean Coffman & Tim Smith; 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 R-1 to A-1 according to the attached map.

Motion was made by Joe Spone seconded by Stancil Ford.

Voting For: All

Voting Against: None

ATTEST:

Herbert Hamill, Clerk

AUTHENTICATED:

Daniel W. Ford

DATE:

8/21/96

Karen D. Hatfield  
Notary Public

October 19, 1999  
My Commission Expires

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLLEN COUNTY, TENNESSEE BY REZONING PARCEL 058.00 OF THE CLAYTON & BONNIE COFFEY PROPERTY LOCATED AT 121 OLD WITT RD.

WHEREAS, The Hamblen County Planning Commission heard the request to amend the zoning map from R-1 to A-1 on Parcel 058.00 owned by Clayton & Bonnie Coffey; 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 R-1 to A-1 according to the attached map.

Motion was made by Joe Spone seconded by Stancil Ford.

Voting For:

ALL

Voting Against:

None

ATTEST:

Herbert H. Harill, Clerk

AUTHENTICATED:

Daniel W. [Signature]

DATE:

8/21/96

Karen D. Maxfield  
Notary Public

October 19, 1999  
My Commission Expires

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLEN COUNTY, TENNESSEE BY REZONING PARCEL 058.00 OF THE ALBERT & FRANCES CANSLER PROPERTY LOCATED AT 4315 ENKA HWY.

WHEREAS, The Hamblen County Planning Commission heard the request to amend the zoning map from A-1 to C-1 on Parcel 058.00 owned by Albert & Frances Cansler; 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 A-1 to C-1 according to the attached map.

Motion was made by Joe Spooone seconded by Stancil Ford.

Voting For:

All

Voting Against:

None

ATTEST:

Herbert Albarrillo Clerk

AUTHENTICATED:

Daniel W. Ford

DATE:

8/21/96

Karen D. Hatfield  
Notary Public

October 19, 1999  
My Commission Expires

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLLEN COUNTY, TENNESSEE BY REZONING PARCEL 059.01 OF THE HANNAH J. FRANK PROPERTY LOCATED AT 4519 EAST A.J. HWY.

WHEREAS, The Hamblen County Planning Commission heard the request to amend the zoning map from A-1 to C-1 on Parcel 059.01 owned by Hannah J. Frank; 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 A-1 to C-1 according to the attached map.

Motion was made by Joe Spone seconded by Stancil Ford.

Voting For:

All

Voting Against:

None

ATTEST:

Robert H. Havelle, Clerk

AUTHENTICATED:

Daniel W. [Signature]

DATE:

8/21/96

Karen D. Sheffield  
Notary Public

October 19, 1999  
My Commission Expires

Motion by Joe Spoons, seconded by Bud Jones that the following resolution be approved.

## RESOLUTION

### A RESOLUTION TO AMEND THE ZONING RESOLUTION OF HAMBLÉN COUNTY BY THE SUBSTITUTION OF ARTICLE 7.3 MOBILE HOME PARK STANDARDS AS WRITTEN BELOW IN PLACE OF THE CURRENT ARTICLE 7.3.

WHEREAS, The Hamblen County Planning Commission has reviewed and recommended the rewriting of Article 7.3 Mobile Home Park Standards to replace the existing Article 7.3 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 7.3 Mobile Home Park Standards as a replacement for the existing section:

**7.3 MOBILE HOME PARK STANDARDS.** A mobile home parks consists of three (3) or more mobile homes as defined herein or mobile home sites on a parcel or adjacent/contiguous parcels under the same or affiliated ownership and/or established for the purpose of or intent to provide rental housing, and shall include all accessory buildings used or intended to be used as a part of the development. "Affiliated" as used herein shall mean related by a shared or joint intent or scheme to provide such rental housing. The following standards shall apply:

- A. No mobile home park shall be within five hundred (500) feet of any residence, EXCEPT a residence owned by the mobile home park operator/owner.
- B. Mobile home parks within 1,000 feet of any residence, EXCEPT that of the park owner, shall have a five (5) feet wide buffering of at least eight (8) feet tall evergreens on all perimeters adjacent to said residences.
- C. No mobile home park may be constructed in which the only access is by residential streets in a duly recorded subdivision. Mobile home parks must have thirty (30) feet wide access roads connected to a County, State, Federal, or City owned road.
- D. Internal roads must be built to County owned standards.
- E. Six (6) inch public water lines must be provided to all sites. A fire hydrant must be located every five hundred (500) feet.
- F. Parks having over fifteen (15) lots must be on public water.
- G. Parks having less than fifteen (15) units must have individual systems approved by the State Department of Health and Environment.
- H. A Site Plan must be approved prior to construction by the Planning Commission. Said Site Plan must include topography, drainage plans, site sizes, number, parking, location of water or sewer lines, septic systems, fire hydrants, buffering, accessory buildings such as an office, laundromat, parks open space.
- I. A Bond to cover the cost of improvements must be made to the Planning Commission.
- J. The Planning Commission may deny the Site Plan due to poor site design for traffic patterns, poor visibility at mobile home park entrance, poor drainage plans, inadequate soil percolation of sixty (60) MPI or greater, lack of parking, etc.
- K. All sites must have parking stalls of 9 x 18 with two (2) off-road stalls per mobile home site. No on-street parking is permitted.
- L. All mobile home parks must provide and show on the Site Plan garbage disposal/dumpster units adequate to handle the refuse and dumped weekly.
- M. Five (5) acres minimum lot area for mobile home park.



Motion by Maudie Briggs, seconded by Stancil Ford to approve the following resolution. Voting for: all Voting against: none

**RESOLUTION TO REQUEST UNCLAIMED BALANCE OF ACCOUNTS REMITTED TO STATE TREASURER UNDER UNCLAIMED PROPERTY ACT**

**WHEREAS, Tennessee Code Annotated 66-29-102 and 66-29-121 provides that a county may request payment for the unclaimed balance of funds reported and remitted by or on behalf of that county and its agencies if it exceeds \$100, less a proportionate share of the cost of administering the program; and**

**WHEREAS, Hamblen County meets all of the requirements of Tennessee Code Annotated 66-29-101 et seq. and accepts liability for future claims against accounts represented in funds paid to it and agrees to submit an annual report of claims received on these accounts to the State Treasurer; and**

**WHEREAS, it is agreed that this county will retain a sufficient amount to insure prompt payment of allowed claims without deduction for administrative cost or service charges and that the balance of funds will be deposited in this county's general fund.**

**THEREFORE, BE IT RESOLVED that the county legislative body of Hamblen County requests the State Treasurer to pay the unclaimed balance of funds remitted for the 1995 report year to it in accordance with the provisions of Tennessee Code Annotated 66-29-121. A list of remittances made by or on behalf of this county and its agencies is attached.**

Approved:

Herbert H. Hamill  
Chairman - County Commission

8-19-96  
Date

Daniel W. Funderburk  
County Executive

8/21/96  
Date

Attest:

Karen D. Hatfield  
Notary Public

8-22-96  
Date

October 19, 1999  
My Commission Expires

BUDGET AMENDMENT-COUNTY COURT CLERK

Motion by Bud Jones, seconded by Joe Spoons that the following budget amendment be approved.

Voting for: all  
Voting against: none

**Budget Amendment**

This budget amendment is for maintenance on the computer system in the County Court Clerk's office.

During the budget hearings the line item in the County Court Clerk's budget for a new computer system was removed, in doing so, no money was left in the budget for maintenance on the current system.

39000.000 Unappropriated Fund Balance	\$3,993.75	
52500.337 Maintenance Office Equipment		\$3,993.75

RESOLUTION-REIMBURSEMENT OF IMPRISONMENT EXPENSES

Motion by Willie Osborne, seconded Maudie Briggs that the following resolution be approved.

Voting for: all  
Voting against: none

## RESOLUTION

**WHEREAS**, Tennessee Code Annotated (TCA), Section 41-11-103 Reimbursement of Imprisonment Expenses states that "A county may seek reimbursement for any expenses incurred by the county in relation to the charge or charges for which a person was sentenced to a county jail, and

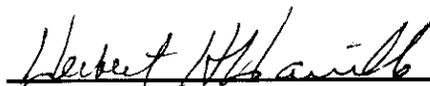
**WHEREAS**, the County may seek reimbursement for each person who is or was an inmate for not more than sixty dollars (\$60.00) a day for the expense of maintaining such inmate or the actual per diem cost of maintaining such inmate, whichever is less, for the entire time the person was confined in the county jail, including any period of pretrial detention," and

**WHEREAS**, for the purposes of these guidelines, "county jail" includes county workhouses and other correctional facilities that are for the confinement of a person sentenced to a county jail, and

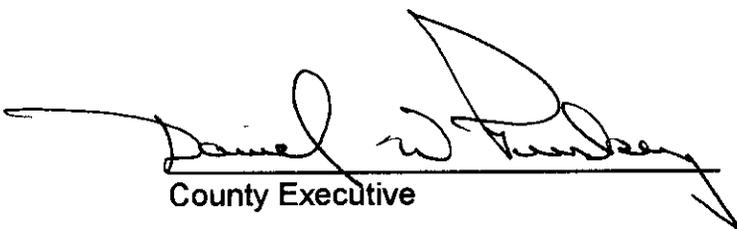
**WHEREAS**, TCA, Section 41-11-112 states that the Comptroller of the Treasury shall develop guidelines and solicit proposals for the collection of expenses incurred by the county in relation to the charge or charges for which a person was sentenced to a county jail pursuant to the provisions of TCA, Section 41-11-103(a), and

**THEREFORE, BE IT RESOLVED** that the Hamblen County Commission by cooperative agreement with the East Tennessee Human Resources Agency and the Hamblen County Circuit Court Clerk elects to implement its own Inmate Reimbursement Program with the collection of fees not to exceed \$15 per day.

**BE IT FURTHER RESOLVED** that the Hamblen County Commission by copy of this resolution elects to not participate in the collection program developed by the State of Tennessee Comptroller of the Treasury.

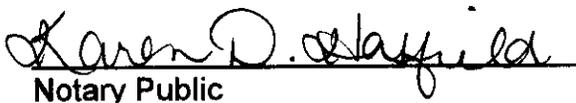
  
\_\_\_\_\_  
Chairman - County Commission

8-19-96  
Date

  
\_\_\_\_\_  
County Executive

8/21/96  
Date

Attest:

  
\_\_\_\_\_  
Notary Public

8-21-96  
Date

October 19, 1999  
My Commission Expires

APPROVAL OF QUARTERLY REPORTS

Motion by Bud Jones, seconded by Maudie Briggs that the quarterly reports of the County Executive, Trustee, Schools, Garbage Collection, Road Department, Volunteer Fire Department, and Sheriff's Self Insurance be approved and filed.

Voting for: all  
Voting against: none

TRUSTEE'S ANNUAL REPORT

Motion by Bud Jones, seconded by Joe Sponee that the trustees annual report be approved.

Voting for: all  
Voting against: none

WILLIAM BRITTAIN, TRUSTEE OF HAMBLEN COUNTY, TENNESSEE  
STATEMENT OF RECEIPTS, DISBURSEMENTS AND BALANCES  
FOR THE YEAR ENDED JUNE 30, 1995  
In compliance with sections 6-829 and 6-830 T.C.A., I respectfully submit my annual report

FUND	DESCRIPTION	CASH BALANCE JULY 1, 1995	RECEIPTS	DISBURSEMENTS	COMMISSIONS	CASH BALANCE JUNE 30, 1995
GENERAL FUND		1445,873.78	6644,447.40	6174,037.61	78,443.31	1897,817.28
GARBAGE COLLECTION		445,043.35	930,758.20	975,734.85	11,331.23	440,453.45
SHERIFF'S - SELF INSURANCE		19,152.94	5,894.89	4,501.50		20,436.33
VOLUNTEER FIRE DEPARTMENT		91,712.23	109,155.57	110,000.00	1,595.35	99,293.55
HAMBLEN CO EMPLOYER SELF INSURANCE FEE		1,181.58	475,618.03	475,331.43		1,469.18
HAMBLEN CO SCHOOLS SELF INSURANCE FD		300.00	2535,384.35	2535,025.13		599.82
HIGHWAY FUND		1011,753.99	1603,619.92	1925,020.50	15,754.56	674,503.73
GENERAL PURPOSE SCHOOL FUND		5207,212.73	37794,735.33	37294,454.28	415,692.00	5290,792.79
FEDERAL PROJECTS FUND - PL 89-10		195,465.87	2104,394.23	2181,549.61		108,510.49
SCHOOL FOOD SERVICE		1058,960.96	2439,215.92	2595,327.82		921,273.96
HAM CO SCH ASBESTOS & PAVING FUND		19,201.55	1,054.97	8,753.48		11,513.04
GENERAL DEBT FUND		1553,240.10	3403,133.05	3075,041.23	58,780.34	1921,551.53
RURAL DEBT FUND		524,925.44	62,325.35	317,817.50	624.71	268,809.58
HOSPITAL DEBT SERVICE		134,631.09	645,420.39	756,179.94		23,971.53
HC CAPITAL IMPROVEMENTS		585,738.49	329,512.30	719,939.05		195,311.74
HC CAPITAL IMPROVEMENTS - SCHOOLS		192,588.37	175,512.36	335,840.80		22,359.93
1991 SCHOOL CONSTRUCTION FUND		10,982.78	329.57	11,312.35		
D U I TREATMENT FINES		5,754.07	19,057.98	14,987.56	182.25	9,652.24
COUNTY DRUG FUND		20,281.49	18,673.84	5,594.33	186.77	33,074.23
CITY DRUG FUND		49,357.83	29,495.96	61,502.37	294.97	17,055.45
FIREARMS CONTROL FUND		2,298.76	4,088.94	3,399.75	39.29	2,948.66
TRUST & AGENCY FUND		539,995.20	6204,788.43	6166,661.42	61,810.34	515,311.87
COUNTY TRUSTEE		124,730.45	653,270.11	724,305.49		53,695.07
<b>TOTAL COUNTY FUNDS</b>		<b>14321,700.00</b>	<b>66252,098.28</b>	<b>66455,439.29</b>	<b>645,927.17</b>	<b>13460,432.82</b>

Personally appeared before me, in the county aforesaid William Brittain, to me known, Trustee of Hamblen County, who made oath in due form of law, that the foregoing is full true and correct to the best of his knowledge and belief.

My commission expires  
2-27-99

*William H. Brittain*  
TRUSTEE FOR HAMBLEN COUNTY

Sworn and subscribed to before me,  
this, the 27th day of July, 1995  
*Sheila C. O'Brien*  
NOTARY PUBLIC

HAMBLEY COUNTY TRUSTEE'S REPORT  
 BALANCE SHEET  
 PERIOD ENDING JUNE 30, 1995

CASH & RECEIVABLES:

CASH ON HAND		500.00
CASH RECEIVABLES		
VOUCHER RECEIVABLE		4,466.00
1 - CASH IN BANK - SUN TRUST	145,869.55	
2 - CASH IN BANK - EAST TENN		
3 - CASH IN BANK - 1ST TN MRSTWN		
4 - CASH IN BANK - 1ST TN DYERBG		
5 - CASH IN BANK - UNITED SOTHRN		
6 - CASH IN BANK - HAMB CO BK		
-----		
TOTAL CASH IN BANK		245,869.55
1 - INVESTMENTS - SUN TRUST	1,533,000.00	
2 - INVESTMENTS - EAST TENN	25,000.00	
3 - INVESTMENTS - 1ST TN MRSTWN		
4 - INVESTMENTS - UNITED SOTHRN		
6 - INVESTMENTS - HAMB CO BK	727,628.58	
10 - INVESTMENTS - L G I P	1,114,127.54	
11 - INVESTMENTS - FRANKLIN FED	1,300,000.00	
12 - INVESTMENTS - JEFFERSON FED	501,335.35	
13 - INVESTMENTS - SECURITY FED		
14 - INVESTMENTS MULTI-BANK SECURIT	99,000.00	
15 - INVESTMENTS - HILL LYONS	454,393.92	
16 - INVESTMENTS - BEAR STRARNS		
17 - INVESTMENTS - EDWARD D JONES CO		
18 - INVESTMENTS - M J WHITMAN CO	441,125.22	
19 - INVESTMENTS - A G EDWARDS CO	1,303,886.35	
-----		
TOTAL INVESTMENTS		13,209,497.25
-----		
TOTAL CASH & RECEIVABLES		13,460,432.82
=====		

FUND BALANCES:

101.99	GENERAL FUND	1,837,817.25
116.99	GARBAGE COLLECTION	440,485.41
121.99	SHERIFF'S - SELF INSURANCE	20,436.33
122.99	VOLUNTEER FIRE DRPT	89,293.50
125.99	HAM CO EMPLOYER SELF INS FD	1,468.12
126.99	HAM CO SCHOOLS SRLP INS FD	588.37
131.99	HIGHWAY FUND	674,603.73
141.99	GENERAL PURPOSE SCHOOL FUND	6,290,792.78
142.99	FEDERAL PROJECTS PL 89-10	108,512.49
143.99	SCHOOL FOOD SERVICE	921,278.96
145.99	H C SCH ASBESTOS & PAVING FD	11,513.04
151.99	GENERAL DEBT	1,921,551.53
152.99	RURAL DEBT	268,809.58
153.99	HOSPITAL DEBT SERVICE	23,871.53
171.99	HC CAPITAL IMPROVEMENTS	195,311.74
172.99	HC CAPITAL IMPROVEMENTS-SCHL	22,359.93
178.99	1991 SCHOOL CONSTRUCTION FD	
301.99	D U I TREATMENT FINES	9,652.24
310.99	COUNTY DRUG FUND	33,074.22
311.99	CITY DRUG FUND	17,055.45
312.99	FIREARMS CONTROL FUND	2,949.56
351.99	TRUST & AGENCY - CITY FUNDS	515,311.87
999.99	COUNTY TRUSTEE	53,595.07
-----		
TOTAL FUND BALANCES		13,460,432.82
=====		

\*\* PROOF \*\*

THEREUPON, MEETING ADJOURNED.