

This is to certify that these minutes were approved by the Hamblen County
Legislative Body on

February 23, 2006

Joe Spone

Joe Spone, Chairman

Linda Wilder

Linda Wilder, Hamblen County Clerk

BE IT REMEMBERED that the Legislative Body Session for Hamblen County, Tennessee met at its regular monthly meeting on January 19, 2006 at 5:00 p.m. in the Hamblen County Courthouse with the Honorable Joe Spoone presiding.

The Legislative Body Session was opened by Tom McKinney.

The Pledge of Allegiance was led by Nancy Phillips

Upon roll call the following members were present:

Dennis Alvis	Herbert Harville
Larry Baker	Tom Lowe
Maudie Briggs	Linda Noe
Ricky Bruce	Edwin Osborne
Guy Collins	Nancy Phillips
Doyle Fullington	Bobby Reinhardt
	Joe Spoone

Absent: Donald Gray

MINUTES APPROVAL

Motion by Guy Collins, seconded by Larry Baker to approve the minutes of the commission meeting on December 22, 2005 be approved.

Voting for

Dennis Alvis	Herbert Harville
Larry Baker	Tom Lowe
Maudie Briggs	Linda Noe
Ricky Bruce	Edwin Osborne
Guy Collins	Nancy Phillips
Doyle Fullington	Bobby Reinhardt
	Joe Spoone

Absent: Donald Gray

NOTARIES AND BONDSMEN

Motion by Larry Baker, seconded by Guy Collins to approve the following notaries and their bondsmen.

Voting for: all

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 January, 20 06 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)
1 Shelia D. Clark Strate Insurance	2400 Southern Dr. Morristown, TN 37814 423-587-1286	5944 W. Andrew Johnson Hwy. Morristown, TN 37814 423-587-1972
2 Melinda Murray Farm Bureau	431 N. Hill St. Morristown, TN 37814 423-317-7308	2115 W. Andrew Johnson Hwy. Morristown, TN 37814 423-625-3329
3 Jonathan S. Walton Accordia Insurance	2455 Howard Rd. Bybee, TN 37713 423-613-8135	504 West Main St. Morristown, TN 37814 423-586-0522
4 Tina Deering State Farm Fire and Casualty Co.	1639 Green Rd. Morristown, TN 37814 423-581-1359	1103 W. First North St. Morristown, TN 37814 423-586-2359
5 Maxine R. Craig Phillip S. Bacon Michelle A. Bacon	1339 Appalachian Trace Morristown, TN 37814 423-587-6213	442 East Economy Rd. Morristown, TN 37814 423-587-3189
6 Angela Lamb Russell Nichols Harold L. Nichols	347 City Drive Bean Station, TN 37708 865-993-2130	221 E. Main St. Morristown, TN 37814 423-586-7613
7 Denise Trout - Bowlin Western Surety Co.	4150 Scarlett Drive Morristown, TN 37814 423-581-8602	3506 E. Andrew Johnson Hwy. Morristown, TN 37814 423-586-1147
8 Janice H. Snider Dan Morgan Donna S. Franco	4107 Lilly Lane Morristown, TN 37814 423-587-1789	535 N. Jackson St. Morristown, TN 37814 423-581-4486
9 Douglas R. Beier C. Dwaine Evans Gwendolynn Drinnon	1487 Springvale Rd. Morristown, TN 37813 423-587-5503	818 W. First North St. Morristown, TN 37816 423-587-2800
10 Jennifer Williams Old Republic Surety Co.	5628 Buell St. Talbot, TN 37877 423-587-2563	2226 W. Andrew Johnson Hwy. Morristown, TN 37814 423-581-4114
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Linda Wilder/m.s.

SIGNATURE

CLERK OF THE COUNTY OF Hamblen, TENNESSEE

1-11-06

DATE

REZONING REQUEST

Motion by Tom Lowe, seconded by Dennis Alvis to approve the following rezoning request. A request was made that a petition and a report on the proposed rezoning of the Troup/Peterson property be entered into the minutes.

Voting for the rezoning
Dennis Alvis
Tom Lowe
Nancy Phillips
Bobby Reinhardt

Voting against rezoning
Larry Baker
Guy Collins
Doyle Fullington
Herbert Harville
Linda Noe
Edwin Osborne
Joe Spooone

Passing
Maudie Briggs
Ricky Bruce*

*Ricky Bruce changed his vote to NO

Absent: Donald Gray

**Report on the proposed rezoning
of the Troup / Peterson property
Russellville, TN**

**Prepared for the
Hamblen County Planning Commission**

by James D. Moody, A.I.C.P.

5 December 2005

PROPERTY: A portion of Parcel 27, Hamblen County Tax Map 19; the portion being sought for rezoning contains approximately 36 acres.

OWNERS: Jackie Troup and Donna Peterson

LOCATION: At the intersection of US Highway 11-E and Old Russellville Pike, Russellville, TN.

REQUEST: To rezone from R-1 (Residential) to A-1 (Agricultural-Forestry) to allow the development of a Dollar General Store for neighborhood convenience shopping. The property being sought for rezoning is split by Old Russellville Pike, with the smaller portion being triangular-shaped and containing about 5 acres. The remainder of the tract being sought for rezoning contains about 31 acres.

EXISTING USE: The smaller tract along US Highway 11-E is vacant / agricultural. The portion north of Old Russellville Pike contains one single family residence and agricultural land.

HISTORY: At least six nearby rezoning requests to either C-1 (Commercial) or A-1 (Agricultural-Forestry) have been considered over the past five years, four of which have been approved. In January 2000 the Planning Commission voted 6-1 to recommend a rezoning from A-1 to C-1 for property on Warrensburg Road for a thrift store, a neighborhood shopping use.

In July 2001 a request to rezone property at the intersection of Old Russellville Pike and St. Clair Road from R-1 to C-1 was unanimously endorsed, by a vote of 7-0. According to the Minutes of that meeting, the TSPO staff planner stated, "... this is an ideal location for a commercial use..." and recommended that it be approved. Two months later, the Planning Commission considered another request from R-1 to C-1 along Old Russellville Pike. This request was vocally opposed by an adjoining resident, who categorized it as spot zoning. The TSPO staff planner recommended denial on the grounds that the

rezoning would be out of character with surrounding uses, was speculative, and was spot zoning. The Planning Commission voted to turn down the request by a vote of 6-0-1.

In November 2002 and July 2003, two similar requests were heard for adjacent tracts under common ownership on US Highway 11-E. The first request was to rezone from R-1 to A-1 to allow a nursery business to be established, and the TSPO staff planner recommended approval. The Planning Commission approved that request by a vote of 7-0. The second request apparently came up when the owners mistakenly placed hot houses on adjacent property that had not been rezoned. The Planning Commission endorsed this rezoning to C-1 (Commercial) by a vote of 6-0.

The Troup / Peterson property was petitioned for C-1 zoning two or three years ago, and that request was denied due in part to neighbors opposed to the speculative nature of the request. The current request began in late 2004, with the issue of whether or not a convenience retail store was permitted in the A-1 district. The Hamblen County Board of Zoning Appeals subsequently determined (in January 2005) that the A-1 district was the appropriate zone for a neighborhood convenience retail store such as a Dollar General Store.

The Hamblen County Planning Commission considered the current Troup / Peterson request in February 2005. The staff planner recommended that the request be denied because of surrounding land uses, and the Planning Commission voted 6-0-1 to deny. That decision was appealed to the Hamblen County County Commission, which considered the request at several meetings between March and September 2005. The County Commission's most recent action was to refer the request back to the Planning Commission for clarification.

SURROUNDING AREA / EXISTING CONDITIONS: Russellville is an unincorporated community in eastern Hamblen County lying along US Highway 11-E. The community is predominantly residential, with a mix of single family and mobile homes. Commercial and office uses are located primarily along US Highway 11-E.

To the north of the triangular portion of this property is vacant land and one single family residence. Single family residences adjoin the site to the west. Directly across US Highway 11-E to the south are single family homes, mobile homes, and one commercial business (see "Existing Land Use" map, attached).

ANALYSIS OF KEY ISSUES

Land use - The current R-1 zoning allows single family and two family dwellings, home occupations, day care centers, schools, and cemeteries. The existing mobile homes within the R-1 district apparently predated adoption of the Hamblen County Zoning Code and are legal nonconforming uses.

The proposed A-1 zoning allows residential uses (single family, duplexes, and mobile homes), agricultural uses and related sales, and a variety of neighborhood commercial and service uses (including barber and beauty shops, gasoline service stations, dry cleaners, doctor and veterinarian offices and clinics, grocery stores, laundromats, car washes, day care centers, and drug stores).

The uses permitted in the Hamblen County A-1 zoning district are similar to those permitted by other local governments in the region, with some being more restrictive and some less. The Sullivan County and Johnson City Zoning Codes do not permit a wide range of commercial uses but do allow the sale of products grown on the premises and more intensive uses such as sawmills, packing plants, dairies, feed mills, and firing ranges.

The Carter County and Greene County A-1 district regulations are more liberal than Hamblen County's. They both allow a wide range of commercial uses, from feed mills to restaurants, general stores, farm supply stores, and auto repair shops. In addition, the Carter County code permits unrestricted retail sales and small manufacturing uses in its A-1 district.

The typical Dollar General Store carries a variety of convenience goods, including food and drinks; limited clothing; cosmetics; over-the-counter drugs, medicines, and toiletries; housewares; cleaning supplies and equipment; greeting cards; pet food and supplies; and toys. Collectively, these products are termed “convenience goods”, since they are generally small purchases made frequently at the shopper’s convenience. This category does not include more durable goods such as automobiles, appliances, and furniture, which are usually more expensive and purchased less frequently.

Spot zoning – According to the record of previous Planning Commission meetings, the issue of spot zoning has come up with this and earlier rezonings nearby. Unfortunately, the term “spot zoning” does not have a universally accepted definition, so it is often thrown out casually by opponents to a rezoning, whether appropriate or not. Many planners and land use attorneys would agree that “spot zoning” involves *granting development rights to one property that are denied to similarly-situated properties.*

Three points are pertinent here. First, the question of “similarly-situated” requires looking not only at the immediate vicinity or adjoining property but also such factors as parcel size, road frontage, deed restrictions, whether or not the property is at an intersection, etc. Just because one parcel is zoned “commercial” and nearby parcels are not does not automatically qualify as a spot zoning – other factors must be considered.

Second, some uses are inherently appropriate even though the surrounding development is different. Neighborhood commercial is one example of this circumstance, since to be justified and useful, a neighborhood retail business must have a residential neighborhood to serve. Major commercial developments are another example. The limit of highway commercial zoning often is a tract that has direct access to the major highway, with adjoining property on side streets being zoned for less intensive uses.

Third, when deciding if the label “spot zoning” fits a particular situation, a Planning Commission should consider whether or not owners of similar properties have actually

petitioned for the development rights being sought by the current applicant. If not, then the claim of rights being denied is at least premature, if not baseless.

In considering whether or not rezoning the Troup / Peterson property would be “spot zoning”, one finds that other properties along US Highway 11-E to the east and west are zoned either A-1 or C-1. Certainly many parcels are zoned R-1 along the Highway, but most of these are small residential parcels, not large, vacant tracts. As a matter of zoning policy, it appears that Hamblen County has decided that many parcels along US 11-E in Russellville are appropriate for C-1 or A-1 uses. Denying such privileges to this tract could in fact be construed as reverse “spot zoning” against Troup and Peterson.

The road access characteristics of the site in question are also unique to this property. Not only is the tract at an intersection of two major roads, it also has several hundred feet of frontage along both these roadways. Very few other tracts in Russellville are “similarly situated” with this extended frontage along two major roads.

Finally, the issue of denying similar development rights to similar properties is not valid here. Since 2000, six requests to rezone property in Russellville for a variety of commercial purposes have been made, and the Planning Commission has approved four of these. Until any opponents seek to receive similar development rights with an A-1 zone and are turned down, their charges of spot zoning are not warranted.

Traffic – The site of the proposed Dollar General Store fronts on US Highway 11-E, a heavily traveled two-lane highway. The roadway carried an average of 22,350 vehicles per day in 2004, according to TDOT traffic counts. It is expected that the current traffic in late 2005 is slightly higher.

The nature of a convenience retail store is to serve residents who live nearby, in this case Russellville, Whitesburg, and outlying areas. A store at this location is unlikely to attract customers from beyond the immediate area, so it would not generate a significant amount of new traffic. Bulls Gap has a similar store (Familiar Dollar) and Morristown has a wide

variety of retail stores, so it is highly unlikely that anyone in these communities would drive to Russellville to shop at the Dollar General Store.

The "Traffic Generation" manual published by the Institute of Transportation Engineers (ITE) estimates the number of vehicle trips per day (VTPD) generated by various uses. The ITE has found that the average number of VTPD generated by "specialty retail" is about 41 per 1,000 sq. ft. of retail floor area, while the number for a "discount store" is about 71 per 1,000 sq. ft. Applying these factors to the proposed Dollar General Store (with 7,000 sq. ft. of retail space) yields a range of about 285 to 500 VTPD. Compared to the current daily volume on US Highway 11-E, this increase is minor.

However, the nature of a convenience shopping store in Russellville is that the actual number of additional vehicle trips is likely to be significantly fewer than even 285 to 500 per day. Each time a Russellville or Whitesburg resident shops at the Dollar General Store, one fewer trip is made to Morristown or Bulls Gap for those purchases. Being able to buy certain goods in Russellville will therefore result in fewer trips, shorter distances driven, and shorter travel times for some residents, which will save time and money and even reduce the traffic load on certain segments of Highway 11-E. These improvements in driving times, driving distances, and highway congestion provide a clear, measurable public benefit to the residents of Russellville and surrounding area.

Safety – The safety of motorists entering and exiting any development, as well as the safety of motorists traveling on the adjacent roadway, depends in large part on the characteristics of the roadway and the development itself. Two of the most important of these are the "sight distance" for motorists exiting the driveway and the speed at which motorists on the main road are traveling. The site proposed for a Dollar General Store lies on the north side of US Highway 11-E, on the outside of a curve. The significance of being on the outside of a curve is that the sight distance for motorists exiting the property onto the highway is greater than if the driveway location is on the inside of a curve.

For a motorist exiting the proposed Dollar General Store, clear sight distance is approximately 2250 ft. to the left (east) and 3,600 ft. to the right (west). A vehicle approaching on US 11-E (from the east) and traveling at the speed limit of 55 MPH would have some 28 seconds to see and react to a car pulling out of the proposed Dollar General Store. If approaching from the west, that same vehicle would have about 45 seconds to respond.

Traffic engineers use many factors to determine desirable sight distance for driveway entrances, with one of the most important being the "minimum stopping distance" for a vehicle approaching the driveway. This distance depends on the speed of the vehicle, its size and weight, the braking system of the vehicle, the driver's reaction time, whether or not a center-turn lane or right-turn deceleration lane exists, the number of other driveway entrances nearby, and many other factors. Using the methodology recommended by the American Association of State Highway and Transportation Officials (AASHTO) in its publication "A Policy on Geometric Design of Highways and Streets", it was determined that the minimum desirable sight distance for a left-turn movement out of a driveway onto a highway with a 55 MPH speed limit is approximately 1,000 ft. The available sight distance for a left turn from the proposed Dollar General Store driveway onto US Highway 11-E is approximately 2,250 ft., more twice the minimum recommended by AASHTO. It should be noted that these distances are estimates; a qualified traffic engineer should be consulted if a more precise analysis is desired.

An additional characteristic of this site that relates to safety and traffic movement is its frontage on two roadways, US Highway 11-E and Old Russellville Pike. This dual frontage allows the possibility of dual access points, which has several distinct advantages. First, traffic into and out of the property is dispersed, so that a concentration of all traffic at one point (on 11-E) is avoided. This dispersal serves to reduce the number of vehicles slowing down and/or stopping to turn into the store, reducing potential congestion on 11-E. Second, multiple accesses are more convenient for residents approaching or leaving the development. Those citizens who would approach this property along Old Russellville Pike can enter or exit on that road without having to get

out onto US Highway 11-E, which in turn reduces the amount of traffic and turning movements on the main highway. Finally, an alternate entrance allows access to and from the property if one entrance is ever blocked temporarily. Whether or not a second entrance on Old Russellville Pike is ever created is a matter for the developer and the Planning Commission to consider during the site plan review phase of development, and a second entrance may never be built. However, the possibility of a second entrance is a significant advantage to this site that should be considered.

Appearance - The proposed building will be similar to other Dollar General Stores, with masonry front and metal sides. Such a building will compare favorably with other commercial buildings in the community and will meet or exceed the appearance of many of them.

For surrounding residents, the impact of a retail store includes not just the building itself but the total development – the parking areas, signage, lighting, and the hours that the businesses will be open, especially at night. These components are usually addressed at the time of site plan review, which is within the jurisdiction of the Hamblen County Planning Commission. The initial site plan submitted with the rezoning request calls for buffering on the north and west property lines. The exact types of plants and the thickness of these buffer strips is regulated by the Zoning Code and ultimately approved by the Planning Commission as a part of the site plan. When considering any site plan for a neighborhood convenience store, the Planning Commission should give special attention to the interests of adjoining residents with regards to buffering, parking lot lighting, and hours of operation.

CONCLUSIONS

1. Similar rezonings to A-1 or C-1 have been approved for nearby properties in recent years. As a matter of fairness, the precedent of these actions should be given consideration in this case.

2. Rezoning the Troup / Peterson property to A-1 does not constitute spot zoning under any reasonable analysis.
3. The amount of increased traffic generated by the proposed development is expected to be minimal. The more convenient shopping opportunity for Russellville citizens will reduce travel times and distances for many and can marginally improve congestion on sections of US Highway 11-E.
4. The site of the proposed retail store is well-situated for the safety of motorists entering, exiting, or passing the development.
5. The appearance of the development and its impact on neighboring residents should be carefully addressed at the time of site plan review.
6. During site plan review, the Planning Commission should consider requiring that the development provide access to both US 11-E and Old Russellville Pike, to take advantage of the public safety and welfare benefits previously identified.
7. The Troup / Peterson property is an appropriate location for A-1 zoning and for the uses allowed in A-1, including a neighborhood convenience retail store. The surrounding residential uses adjoin either a major highway or a primary county road and are already close to existing commercial uses.
8. Not only is the Troup / Peterson property an acceptable site for a limited commercial use, it is an ideal location due to its proximity to nearby residents, its frontage on the major highway through Russellville, and the availability of alternate access to both US Highway 11-E and Old Russellville Pike.

41.28ACc

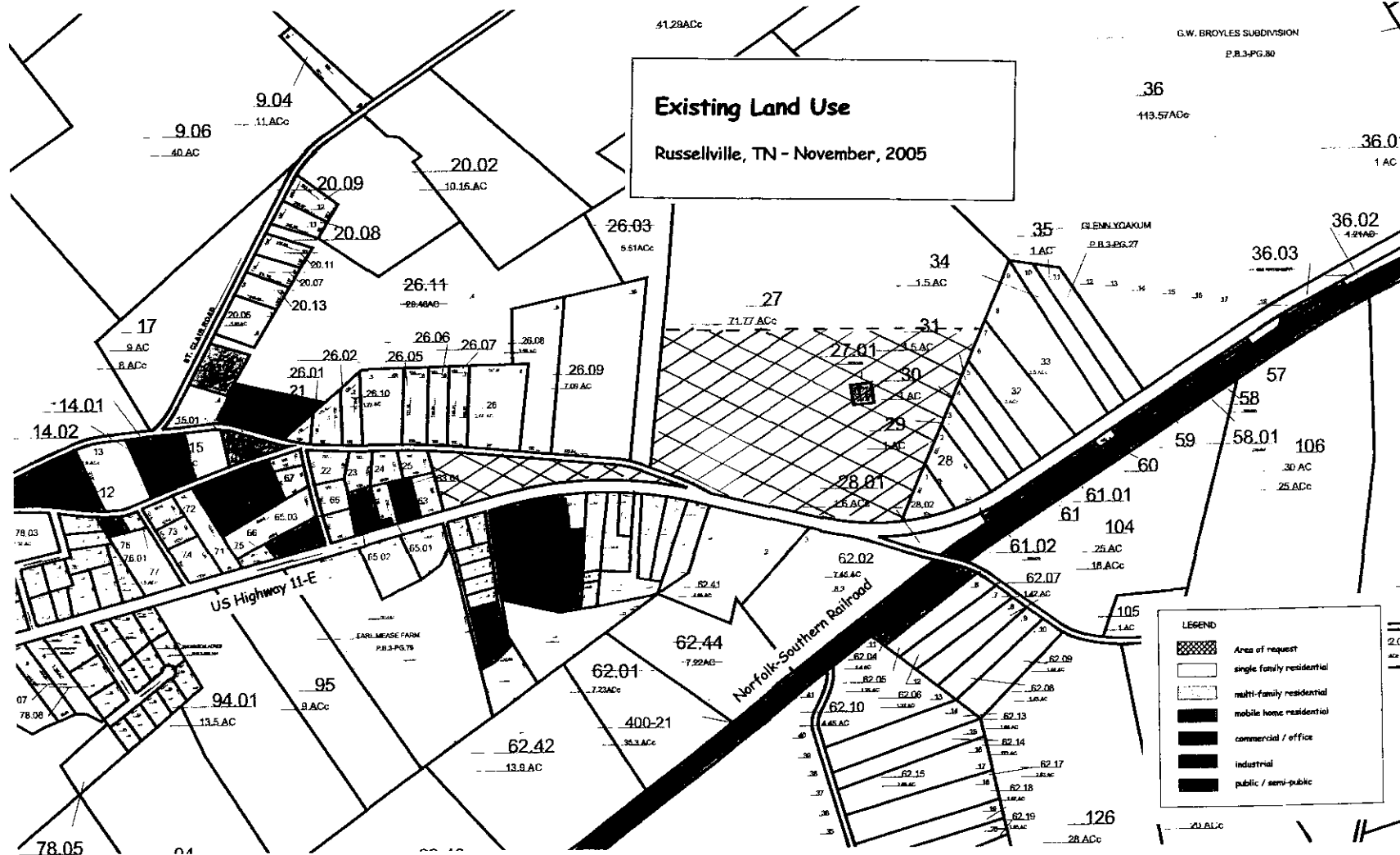
G.W. BROYLES SUBDIVISION
P.B.3-PG.80

Existing Land Use








Russellville, TN - November, 2005

36
143.57ACc

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LEGEND

-  Area of request
-  single family residential
-  multi-family residential
-  mobile home residential
-  commercial / office
-  industrial
-  public / semi-public

2.06
ACc

126
28 ACc

R-1

ST CLAIR

C-1 A-1

C-1 July 2-2001

A-1 C-1

Nov 4-2002
July 7-2003

C-1

A-1

R-1

I-1

C-1

DEPT JAN 10-2000

MC FADDEN DR

DENNISON DR

STAGECOACH

WILBURN

ROY POTTER RD

N 2ND

N 1ST

CHARLES DR

SOUTH ST

THOMSON LN

WINKLEY CIR

HUGHORN DR

DREW

BARNARD DR

SPRINGS
MILL
GAIN
RO

RO

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RD

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name	Address
Ethel Speed	6640 E.A.J Hwy Whitesburg TN
Mildred Shiget	6650 E.A.J Hwy Whitesburg TN
Alvin C. Hunt	6656 E.A.J Hwy Whitesburg TN
Paul Sexton	6654 E.A.J Hwy Whitesburg TN
Bill [unclear]	6658 East AT Hwy Whitesburg TN
Elicia Bowman	6690 East AS Hwy Whitesburg TN
Grant Bullock	6690 East AT Hwy Whitesburg TN
Joan Graham	6788 Stagwood Rd Whitesburg, TN
Carroll [unclear]	5855 Carlyle Ave. Russellville.
Paul [unclear]	5549 CARLYLE AVE Russellville
Patricia [unclear]	5545 CARLYLE AVE Russellville
Joe [unclear]	5537 CARLYLE AVE Russellville
Beoval Blewins	5508 Carlyle Ave Russellville
Jeanine Blewins	5508 Carlyle Ave Russellville
John [unclear]	5518 Carlyle Ave Russellville
Frank [unclear]	5538 Carlyle Ave Russellville TN 37860
Jimmy [unclear]	5538 Carlyle Ave Russellville TN 37860
Mandy Shelly	5500 Carlyle Ave Russellville TN 37860
Brad S. [unclear]	5658 VAUGHN RD RUSSELLVILLE TN 37860
Jennifer [unclear]	5658 Vaughn Rd. Russellville TN 37860
Arthur Owens	185 Harvey Dr. Russellville TN.
Heather Coady	185 Harvey Dr. Russellville TN.
Kimberly [unclear]	5252 Vaughn Rd Russellville TN.
Julie [unclear]	356. Harvey Dr Russellville TN
Dee [unclear]	" " " "

March 18, 2005

Hamblen County Commission
511 West Second North St.
Morristown, TN 37814

RE: Rezoning Request

Dear Commissioners,

I am in favor of the rezoning of Map 19 Parcel 27 from the current zoning to A-1, for the purpose of a Dollar General Store. I would appreciate the Hamblen County Commission voting in favor of this rezoning.

I own property directly across the street, Map 19G, Group A, Parcel 12.01.

Sincerely,



Vera A. Dennison

*I feel it would be
a benefit to the community.*

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name

Address

Billy & Brenda Shaw	555 Harney Dr. Russellville
Regina Bean	564 Harney Dr Russellville
John & Mary	544 Harney Dr. Russellville
Car Dean	524 Harney Dr. Russellville
Tranda Giza	524 Harney Russellville
Denise Giza	5635 Thompsie Russellville
Rick Adams	524 Harney Russellville
Charlotte A. [unclear]	422 Harvey Dr. Russellville
[unclear]	5664 Thompsie Dr Russellville, TN
Wacelin Young	5634 Thompsie Dr. Russellville
[unclear]	" " " " "
[unclear]	" " " " "
Joyce & Terry	5625 Thompsie Dr Russellville, TN
Delilus Davis	5621 Thompsie Dr Russ TN
Bob Davis	5624 Thompsie Dr Russ.
P. Bowlin	5614 Thompsie Dr. Russellville
Joyce Ely	451 Cambridge Cir. Russellville
Joe Ely	" " "
Richard Parrott	467 Cambridge Cir. Russellville
Dorothy Necessary	498 " " "
Della Greene	5598 Maxine St. Russellville, TN
Glen H. Greene	" " " "
Judy Carey	5607 Maxine St Russellville, TN
Regina Carey	5607 Maxine St Russellville, TN
Paul Humphrey	5588 Maxine St Russellville, TN
Edwin Humphrey	5588 Maxine St. Russellville, TN

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name	Address
Peggy Hugg	Fall Creek Rd Russellville
Pat Waggoner	Fall Creek DK Rd Russellville
Diana Jane	5980 Bright Pike Russellville
April Jally	Fall Creek Rd Russellville
Holly Thompson	Fall Creek Rd Russellville
Racheal Hugg	Fall Creek Rd Russellville
Kayla Waggoner	Fall Creek Dock Rd Russellville
Kelly Moore	Fall Creek Rd Russellville
Nikki Ward	Fall Creek Rd Russellville
Brenda Bullington	1621 Warrenburg Rd Whitesburg
Daniel D King	6291 Beacon Light Rd Whitesburg, TN
Ernie E King	6291 Beacon Light Rd Whitesburg, TN
Margaret Marshall	244 Berry Lane
Jerbo Stanifer	1434 Lonesome Lake Ln Russellville
Medina Tyler	5785 E.A.S. Hwy. Russellville
Jeff Armstrong	Whitesburg
Christy/Betty Cullum	5765 E.A.S Hwy Russellville
Stan	5742 E.A.S. Hwy Russ.
Richard Hawn	5742 E.A.S. Hwy Russ.
Bobby Bradley	5442 E.A.S. Hwy Russ.
Bill Proctor	5742 E.A.S Hwy Russ.
Eugene Matthews	5744 E.A.S. Hwy
Pat Williams	MLS - E.A.S Hwy
Fam Garretson	5664 East A.S. Hwy R'ville
Teresa Moore	St Clair Rd Whitesburg

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name	Address
Linda Harlin	941 Whitesburg Pike, Whitesburg, TN 37891
Cheryl Abbott	2825 Jefferson Diamond
Bonnie Buckridge	2162 DeCouteur Dr. Morristown TN 37814
Cyan Murphy	675 Roddy Dr. Morristown, TN 37814
Stephanie Greer	1585 Carrol Rd Morristown, TN 37813
Phil Nelson	5616 East A. J. Hwy. Morristown
Caren Johnson	5828 Old Russellville Pike, Russellville
Robin Adkins	5616 East A. J. Highway Morristown
Larry Adkins	5616 East A. J. Highway Morristown
Young Nelson	5616 East A. J. Highway Morristown, TN
Jack Videmore	5616 E A J Hwy Morristown TN
Steve Wolfe	5616 E A J Hwy Morristown TN
Karen Johnson	5828 Old Russ Pike Russ.
Carla Johnson	" " " "
Dana Johnson	" " " "
Seth Johnson	" " " "
Alyssa Nelson	5616 E A J Hwy Morristown
Ashley Nelson	" " " "
Ethan Nelson	" " " "
Mike Greer	1585 Carrol Rd. Morristown 37813
Curtis Greer	1585 Carrol Rd Morristown 37813
Tyler Greer	" " " " " "
Janice Austin	5614 E A J Hwy Russellville
Sherry Fields	5614 E A J Hwy Russellville
Alan Smith	5614 E A J Hwy Russellville

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name

Address

LUTHER MOWL	1017 DONNA ST. MORRISTOWN
MIKE MILLS	4095 WIDE VIEW DR. MORRISTOWN
STEVEN HELLER	664 JONES FRANKLIN RD MORRISTOWN
JENNIFER GULLEY	957 SPEEDWELL RD BULLS GAP
MARGARET M. ALLEN	200 JAGBIRD RD. MORRISTOWN, TN 37814
MALYSE ALLEN	200 JAGBIRD RD MORRISTOWN, TN
Mr. Johnson	1477 BARBER DR. " " 37814
CYNTHIA TAYLOR	3785 WISTERIA DR. MORRISTOWN TN 37814
SPRING B. DAVIS	1440 LAURA DR. MORRISTOWN TN 37814
ROBERT PEGG	N/E ROAD BEAN STATION
CHEL BLACK	5260 BRIGHTS PIKE
SAMUELS	
MARSKA COLLINS	
KIMBERLY BLACK	5260 BRIGHTS PIKE
ALYCE BLACK	" " "
VELVA SMITH	5240 " "
CAROLINE A DWAYNE DIZEMORE	4952 CEDAR CREEK

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name	Address
Amanda C. Uewell	2109 C. Outer Dr. Morristown
Robert W. Huntsman	3730 Meadland Drive, Morristown, TN 37814
Milli Hewes	1395 Elijah Martin Rd. Whitesburg, TN
Jean Butler	1604 Cedar Creek Rd. Russellville TN 37860
Shelly Webb	961, Shwinbone Rd Russellville TN 37860
Frank Flynn	384 Hayter Drive Morristown, TN 37813
Joanna Jabison	1075 Wilson Hale Rd Morristown, TN 37813
Ivonne Simpson	132 TN Ave Morristown TN 37813
Romer Samsel	2855 Jefferson Duane Rd Morristown, TN
Calla Steadman	500 Steadman Rd, Whitesburg, TN 37891
Juan Trujillo	3768 Halifax Ln Morristown TN 37813
Janece King	PO. Box 458 Morristown, TN 37808
Ray Ryan	1976 LEIA DR Morristown, TN 37814
Thibault D'hae	221A Warren Dr Morristown TN 37814
Amanda Strand	1688 Elaine Dr. Morristown, TN 37814
Nora Rouberts	2556 Alpine St. Morristown, TN 37814
David Walker	5572 Byrd Rd. Russellville, TN 37860
DeLore Miller	210 Clemens Rd. Whitesburg, TN 37891
Larry Voller	210 Clemens Rd. Whitesburg, TN 37891
Gregory	687 N. Houn Dr. Morristown TN 37814
Robert Becker	2837 Combs Ln - Morristown TN 37814
Larry Allright	3074 White Pine, TN 37980
Debbie C. Hong	6839 Beacon Light Rd, Whitesburg, TN 37891
Kathy Lynn Lawler	1519 Price Drive, Morristown 37813
Donald C. Lawler	1519 Price Drive, Morristown 37813
Cheryl Thomas	

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name

Address

James D. Jones	1160	Staten Gap	Morristown, TN	37812
Pauline Waller	3421	Maple Ave	Morristown, TN	37814
Wesley Lee	527	Pinewood Circle	Mt Airy	37814
James Walker	714	Dice St.	Morristown, Tenn	37813
Grace Walker	714	Dice St.	Morristown, TN	37813
Janice Huff	1021	Liberty Hill	Lot 69 MORRISTOWN	
Barbara Lively	4873	FOWLER DR	MORRISTOWN	37814
Eileen Kinsler	231	Phelps Rd	Rogersville, Tenn	
Byron Dawson	231	Phelps Rd	Rogersville, Tenn	
Joetta Phillips	111	Cannery Rd	Whitesburg, TN	37814
Nathan Vandiver	728	Pauley ckt et	Morristown, Tenn	37814
Lee Harrell	3017	Echoe Dr.	Morristown, TN	37814
Carolyn Holt	1107	S. Jackson St	Mt Airy TN	37814
Heneva Y. Henson	705	Marshall Ave.	Morristown, TN	37814
Nona Odom	6474	Louise Cir	Talbot, TN	37877
Eggi Shelton	4081	Copper Ridge Rd.	Mt Airy, Tenn	37814
Klean Kinsler	1047	Canal Rd.	Mt Airy, Tenn	37814
Zola Brown	1411	Canal Rd	Morristown, Tenn	
Arny Jenkins		Cleveland Ave	Morristown	
G. W. Bauch	1291	W WILDWOOD	City	
Opel H. Wolf	446	Silver City Rd	Whitesburg	
Mark Westin	5620	Leepers Ferry Rd	Morristown TN	
Chris Drott	1383	Elijah Martin Rd	Whitesburg TN	
Amy Wolfe	1383	Elijah Martin Rd.	Whitesburg, TN	37891
Faye Beck	125	Warrensburg Rd	Russellville, TN	37860

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name

Address

Randall Turner	5059 Jackson Ferry rd.
Mark Sharp	Ferry rd
Gregory S	5567 Hawthorn Rd
Brad McKinney	Oak Street
Shari Winburn	Garrett Ray Rd Whitesburg

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name **Address**

Mary Ballard	5988 Old Russellville Pk
James Duncan	4016 Frank Rd. Morristown
Buddy Jinks	Russellville
Mae Duncan	4016 Frank Rd. Morristown 37814
Susan Ingham	5927 Dodson Ferry Rd.
Joe Dalton	5927 Dodson Ferry Rd.
Johnny Jordan	5988 Old Russellville Pk.
Georgia King	5916 N 2nd St Russellville In
Greg Landa 1704	Joe Hill Rd Morristown TN
Jimmy Wallace	6885 Harmony Cir
Cliff Jinks	5888 Old Russellville Tn.
Geneva Ballard	5933 Old Russellville
Paul Ballard	5933 Old Russellville
Mandy Beale	5927 Dodson Ferry Rd
Joyce Beale	Russellville
Brandon Seato	Russellville
Jim Inge	Whitesburg
Matt Lusk	Whitesburg
Julie Mearns	170 Grassy Valley Rd Whitesburg Tn
Jim Galus	Greenlee Camp Ground
Pamela Parker	400 Mt. Zion Rd. Whitesburg, In 37891
David Rhoton	5871 Dodson Ferry Rd. Russellville Tn. 37860
Lee Rhoton	" " "
(ARRY) Ananell Rhoton	" "
Roger Rhoton	" "

PETITION

The following Hamblen County residences do hereby request that the Hamblen County Commission rezone Map 19, Parcel 27 to A-1 for the construction of a Dollar General Store at the March 24, 2005 meeting.

Name	Address
Rick Robinson	5255 Old Russellville PK
GARY BEASE	151 Minnie Ridge RD
Eric Tease	151 Minnie Ridge RD
Jenny May	1142 Warrensburg RD
Heather Reed	1118 Shannon Little Mtn. Rd
Mike Bunk	5758 Old Russellville Pike Russellville
David LAKINS	170 Walker Ln Whitesburg
LARRY Collins	6434 Old Russellville Pike
SHERMAN MANIS	Russellville
Angela Collins	6434 Old Russellville Pk.
Travis Lawson	1260 Little mtn. Rd.
Nancy WANNER	5839 Old Russellville Pike
Alice Roach	Stage Coach Rd. Whitesburg
William Roach	Stage Coach Rd. Whitesburg
Catherine Clark	Old KY Rd. Muckstown
Danny Kee	NORTH 3RD Street Russellville
MIKE DOUGHERTY	5977 FALLCREEK DR Rd Russellville
Paul Edger	5654 Vaughn Rd. Russellville
Lisa Barnett	848 Wilburn Rd.
Reginald Russell	3551 Elwood Dr lot 8
Wayne Stubblyfield	5764 Old Russellville Pk.
Jane Eldridge	Three Springs Rd.
Sunshine Rogers	Three Springs Rd.
Donald Parson	Talley Chapel RD
Paul Jones	6505 Jackson Rd.
Ricky Collins	
Karen Cobb	244 Lee Valley Rd Whitesburg
Joe Hart	7271 S.F. Clair Rd. Whitesburg look back on back →

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP OF HAMBLEN COUNTY,
TENNESSEE BY REZONING PARCEL 019.00, TAX MAP 027.00
DISTRICT 04, EAST A. J. HWY/OLD RUSSELLVILL PIKE
FROM R-1 TO A-1

WHEREAS, The Hamblen County Planning Commission heard the request to
Amend the Hamblen County Zoning Map from R-1 to A-1 on Tax Map 019.00, Parcel
027.00, located outside the Urban Growth:

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 Tom Lowe

Second by Dennis Alvis

Voting For:

Dennis Alvis
Tom Lowe
Nancy Phillips
Bobby Reinhardt

ATTEST:

Linda Wedder
County Clerk

AUTHENTICATED:

County Mayor

Date:

Voting Against:

Larry Baker
Guy Collins
Doyle Fullington
Herbert Harville
Linda Noe
Edwin Osborne
Joe Spoone
*Ricky Bruce changed his vote to NO

Absent: Donald Gray

Voting Against:

Passing
Maudie Briggs
Ricky Bruce*

REZONING REQUEST

Motion by Herbert Harville, seconded by Nancy Phillips to approve the following rezoning request.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Tom Lowe		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spoone		

RESOLUTION

A RESOLUTION TO AMEND THE ZONING MAP
OF HAMBLLEN COUNTY, TENNESEE, BY REZONING TAX MAP 054,
PARCELS 015.00, 015.01 & 014.00, DISTRICT 02,
7222, 7250, & 7272 W. ANDREW JOHNSON HWY.
FROM A-1 TO C-1

WHEREAS, The Morristown Regional Planning Commission heard the request to Amend the Hamblen County Zoning Map from A-1 to C-1 on Tax Map 054.00, Parcel 015.00, 015.01 & 014.00 located inside the Urban Growth:

WHEREAS, The Morristown Regional 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 Herbert Harville.

Second by Nancy Phillips.

Voting For:
Dennis Alvis Guy Collins Edwin Osborne
Larry Baker Doyle Fullington Nancy Phillips
Maudie Briggs Herbert Harville Bobby Reinhardt
Ricky Bruce Tom Lowe Joe Spooone

Voting Against: Absent:
None Donald Gray

ATTEST:

Linda Wilder
County Clerk

AUTHENTICATED:

James W. [Signature]
County Mayor

1/26/06
Date:

FEES-MOBILE HOMES

Motion by Larry Baker, seconded by Dennis Alvis to approve the fees recommended by the planning commission for placement of a mobile home on a lot.

Voting for: all

**HAMBLÉN COUNTY PLANNING COMMISSION
RECOMMENDATION TO THE
HAMBLÉN COUNTY LEGISLATIVE BODY FOR THEIR
CONSIDERATION ON THE JANUARY 19, 2006 AGENDA**

The Hamblen County Planning Commission has voted to change the rates Mobile Home owners are currently being charged for placement of a Mobile Home on a lot. The Planning Commission approved the following rates at their January, 2006 meeting, and is asking the County Commission to consider the following proposal:

Currently, rates to all Mobile Home owners are being charged as follows:
\$.25 per square foot per Mobile Home. \$0 Stormwater fees.

The proposed changes would include Flat Fees as follows:

<u>Type of Structure</u>	<u>Fee</u>
Single Wide Mobile Homes	\$100.00
Double Wide (with crawlspace)	\$350.00
Double Wide (on basement)	\$500.00
Replacement of an existing MH	\$100.00/\$350.00*

*\$100.00 Replacement fee is applicable if replacing a Single Wide with a Single Wide. If replacing a Single Wide with a Double Wide, the Double Wide fee of \$350.00 would apply.

Notes:

1. Any Manufactured Home exceeding 2,460 square feet or one built with a permanent flooring system, shall be classified as a modular home, and the fee would be \$.25 per square foot, plus a \$100.00 Stormwater fee.
2. Stormwater charges will not routinely apply to Mobile Homes, unless placed in a residential type subdivision, or an individual lot, having more than one (1) acre of land disturbed, or any other situation where soil erosion and sediment control become an issue. The latter decision will be determined by the Hamblen County Stormwater Technician or Building Inspector, during their routine site inspections of the property.

Motion by Nancy Phillips, seconded by Herbert Harville to add to the agenda the following items:

CDBG Grant

Brownfield Grant Application

Voting for: all

MONTHLY CHECKS

Motion by Herbert Harville, seconded by Guy Collins to approve the monthly checks submitted by the County Mayor's office.

Voting for

Voting against Absent

Dennis Alvis

Herbert Harville

None

Donald Gray

Larry Baker

Tom Lowe

Maudie Briggs

Linda Noe

Ricky Bruce

Edwin Osborne

Guy Collins

Nancy Phillips

Doyle Fullington

Bobby Reinhardt

Joe Spoone

RESOLUTION-PROPOSED PRIVATE ACT FOR HOSPITAL DEBT MONIES

**RESOLUTION TO REQUEST PRIVATE ACT CREATING
THE HAMBLEN COUNTY SPECIAL ENDOWMENT**

WHEREAS, Hamblen County, a political subdivision of the State of Tennessee (the "County"), owns all of the real estate on which the Morristown-Hamblen Hospital Association, a Tennessee non-profit corporate body ("MHHA"), operates its hospital and further owns a substantial portion of the medical equipment used in such operation; and

WHEREAS, County leases this property to MHHA under an Amended and Restated Lease and Security Agreement, as Amended (the "Restated Lease"), the rents from which are used to satisfy the County's obligations on certain hospital related bond issues (the "Bonds"), to include obligations to the Public Building Authority of Sevier County, Tennessee pursuant to the Series 2004 VI-D-1 Note, Loan Agreement and Supplemental Indenture of Trust (the "2004 Bonds"); and

WHEREAS, the rents to be collected from MHHA by the County are expected to far exceed the repayment of the 2004 Bonds; and

WHEREAS, the Hamblen County Board of Commissioners desires to use these one-time, excess funds to create a permanent endowment which will enable the County to have a constant source of funds to carry out special projects to benefit the citizens of Hamblen County; and

WHEREAS, to accomplish this end, it is necessary for the County to request that a Private Act be enacted by the Tennessee General Assembly establishing the "Hamblen County Special Endowment" which request will set out the terms and conditions governing the "Hamblen County Special Endowment";

NOW, THEREFORE, BE IT RESOLVED that the Hamblen County Board of Commissioners meeting in regular session on January 19, 2006 hereby resolves to request that its State Legislators, Senator Steve Southerland and State Representative John Litz, introduce legislation which will lead to the enactment of a Private Act establishing the "Hamblen County Special Endowment" to be operated upon and under the following terms and conditions:

1. All rents received by the County from MHHA in excess of the obligations on the 2004 Bonds shall be deposited into and allocated to the Hamblen County Special Endowment.
2. Such excess rent shall be allowed to accumulate until such time as the principal amount of the Endowment reaches the sum of One Million Dollars (\$1,000,000).

Capps, Cantwell, Capps & Byrd

SUNTRUST BANK BUILDING MORRISTOWN, TENNESSEE

3. The funds of the Endowment shall be invested in such funds as are allowed by Tennessee law for funds of governmental entities. To this end, the County may contract with and obtain advice from financial advisors from time to time, the cost of such financial advice to be paid out of "interest," as hereinafter defined accruing to the Endowment fund.
4. Each fiscal year, once the Endowment fund reaches the sum of One Million Dollars (\$1,000,000), the Hamblen County Board of Commissioners may expend funds of the Endowment on projects as hereinafter defined in an amount not to exceed the interest and/or income, as hereinafter defined, earned by the Endowment during the prior fiscal year and fifty percent (50%) of the excess rents collected during the previous fiscal year.
5. Expenditures from the Endowment may not be used for the operating expenses of Hamblen County government. Annual expenditures may be used for any capital project, matching funds for grants, County healthcare, County education, one time expenditures, equipment and non-recurring needs of the County.
6. Should a default occur in the payment of rents to the County by MHHA at any time, then all funds, both principal and interest as hereinafter defined, constituting the Endowment may be used to satisfy any outstanding County obligations remaining on the 2004 Bonds.
7. In the event MHHA chooses to exercise its option to repurchase assets as provided by the Restated Lease or other disposition is made pursuant to the Restated Lease, all payments from MHHA to the County shall be made pursuant to the terms and conditions of Section 6 of the Restated Lease. The proceeds from said repurchase or other disposition shall first be used by the County to satisfy all outstanding obligations owing on the Bonds with any remaining funds under the terms and conditions of Section 6 of the Restated Lease to be deposited into the Endowment, subject to the terms and conditions of such Endowment.
8. Should the 2004 Bonds be paid off prior to their maturity, the Endowment cannot be terminated so long as the principal amount of the Endowment exceeds One Million Dollars (\$1,000,000) except as set out in paragraph 10 below; however, should the funds in the Endowment be less than One Million Dollars

(\$1,000,000), then, the Hamblen County Board of Commissioners may terminate the Endowment and place all Endowment funds into the General Fund of the County.

9. For purposes of the Hamblen County Special Endowment, all excess rents received and paid into the Endowment fund shall be considered "Principal." All interest or income earned by the Endowment fund shall be considered "interest"; however, should any interest earned during the previous fiscal year, after the Endowment fund reaches the level of One Million Dollars (\$1,000,000), not be expended during the subsequent fiscal year, such unspent interest shall become Principal at the end of such subsequent fiscal year for all purposes herein.
10. Once the 2004 Bonds have been paid in full and the payment of rents by MHHA has ceased, the then balance shall constitute the Principal of the Endowment as defined in paragraph nine (9) above, and the Hamblen County Board of Commissioners may expend each year the interest or income earned by the Endowment fund during the previous fiscal year for purposes set out in paragraph 5 above. Any interest from the previous year not expended during the subsequent fiscal year shall become Principal for all purposes contained herein. At any time after the 2004 Bonds have been paid in full, the payment of rents by MHHA has ceased, and further the passage of twenty-five (25) years from the effective date of the adoption of the requested Private Act, the Hamblen County Board of Commissioners, if it deems that the Hamblen County Special Endowment is no longer serving its stated purpose, may terminate or dissolve the Endowment, at which time all principal and accumulated interest shall be paid into the General Fund of the County.

WHEREFORE, it was moved by Herbert Harville and seconded by Nancy Phillips that this Resolution be adopted.

Voting:

Aye: Dennis Alvis, Bobby Reinhardt, Guy Collins, Herbert Harville, Tom Lowe
Nancy Phillips, Bobby Reinhardt, Joe Spooone

Nay: Larry Baker, Doyle Fullington, Linda Noe, Edwin Osborne
Passing: Maudie Briggs
Absent: Donald Gray

Pass:

The Chair declared the Resolution adopted this 19th day of January, 2006.

Hamblen County Board of Commissioners

By: Joe Spone
Joe Spone, Chairman

APPROVED:

ATTEST:

David W. Humber 1/24/06
Hamblen County Mayor

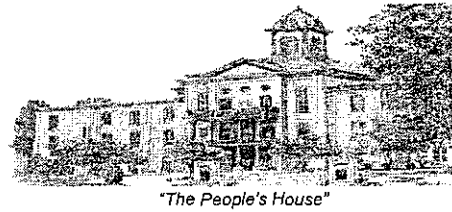
By: Linda Wilder
Linda Wilder, Hamblen County Clerk

BUDGET AMENDMENT-SIGN GRANT

Motion by Herbert Harville, seconded by Guy Collins to approve the following budget amendment.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Tom Lowe		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spooone		

Hamblen County Commission
Finance Committee



Month JAN Year 2006

Fund 101

DEPT: GENERAL ADMIN PROJECTS

Account Number	Description	Debit	Credit
91110.791	Other Construction	10,000	
58600.207	Medical Insurance		10,000

Brief Descriptions of Issue:
 To present budget amendment as approved by Commission in December 2005 meeting for sign grant match to be taken from the medical insurance line item

Signature: Nicole Capps, CPA
 Title: Finance Director
 Date: 1/5/06

For Finance Department Only:
 Reviewed by: _____
 Budget Amendment _____

BUDGET AMENDMENT-PROBATE COURT

Motion by Herbert Harville, seconded by Guy Collins to approve the following budget amendment.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Tom Lowe		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spoone		

BUDGET AMENDMENT-JAIL

Motion by Herbert Harville, seconded by Larry Baker to approve the following budget amendment.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Tom Lowe		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spooone		

BUDGET AMENDMENT-PATHOLOGIST

Motion by Herbert Harville, seconded by Larry Baker to approve the following budget amendment.

Voting for	Voting against	Absent
Dennis Alvis	Linda Noe	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spoone		

*Tom Lowe was not present at the time of the vote

Hamblen County Commission
Finance Committee

Month JAN Year 2006



"The People's House"

Fund 101

DEPT: COUNTY CORONER/MEDICAL EXAMINER

Account Number	Description	Debit	Credit
54610.189	Other Salaries & Wages	9,000	
39000.000	Undesignated Fund Balance		9,000

Brief Descriptions of issue:
 Budget amendment for estimated additional costs for UT Pathologists, transport services & bags.

Signature: Nicole Epps, CPA
 Title: Finance Director
 Date: 1/6/06

For Finance Department Only:
 Reviewed by: _____
 Budget Amendment _____

BUDGET AMENDMENT-GARBAGE DEPARTMENT

Motion by Herbert Harville, seconded by Bobby Reinhardt to approve the following budget amendment.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spoone		

*Tom Lowe was not present at the time of the vote.

Hamblen County Commission Finance Committee



Month JAN Year 2006

Fund 116 DEPT: GARBAGE

Account Number	Description	Debit	Credit
55710.187	Overtime Pay	10,000	
55710.359	Disposal Fees		10,000

Brief Descriptions of issue:	
To budget for additional overtime monies needed:	

Signature: Barry G. Pool
 Title: HAMBLÉN CO. ROAD Supt.
 Date: 01-04-06

For Finance Department Only.
 Reviewed by: _____
 Budget Amendment _____

Motion by Larry Baker, seconded by Guy Collins to add to the agenda a budget amendment for the Assessor of Property.

Voting for: all

BUDGET AMENDMENT-ASSESSOR OF PROPERTY

Motion by Herbert Harville, seconded by Nancy Phillips to approve the following budget amendment.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spooone		

*Tom Lowe was not present at the time of the vote.

JOINT RESOLUTION WITH CITY OF MORRISTOWN-EPA GRANT

Motion by Larry Baker, seconded by Edwin Osborne to approve the following joint resolution of the Morristown City Council and Hamblen County Board of Commissioners to apply for EPA Grant.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Tom Lowe		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spoone		

**JOINT RESOLUTION OF THE MORRISTOWN CITY COUNCIL
AND HAMBLÉN COUNTY BOARD OF COMMISSIONERS
TO APPLY FOR EPA GRANT**

WHEREAS, Lowland, Tennessee is an area located in South Hamblen County, several hundred acres of which were developed by American Enka in the early 1950's which over the years produced several kinds of synthetic fibers; and

WHEREAS, over the years American Enka created an industrial campus which included landfills, a water treatment plant, sewer treatment plant, electricity plant, fire protection, and post office as it grew and expanded; and

WHEREAS, beginning in the 1980's, various fiber-producing divisions were sold to various parties which subsequently resulted in multiple ownership of not only the fiber-producing plants but the various utility plants and facilities; and

WHEREAS, more recently due to worldwide economic factors, some of the new owners of the fiber-producing plants have filed for protection under the U. S. Bankruptcy laws; and

WHEREAS, the prior manufacturing activities on the property over approximately sixty years may have created important environmental issues, including issues involving hazardous wastes, asbestos, lead and PCBs, which, if existing, could adversely impact upon the public health and safety of the citizens of the community and the future redevelopment and marketing of the property as industrial property; and

WHEREAS, the City of Morristown (City) and Hamblen County (County) recognize that the industries in the Lowland area provided jobs for thousands of employees over the years and that, except for environmental concerns, the area has significant potential for redevelopment as a viable industrial site; and

WHEREAS, both the City and County have a vested interest in obtaining an environmental assessment of the site to better understand the scope of any environmental problems which may exist, the impact of those problems, if any, on the health and safety of the citizens of the community, and the feasibility of redevelopment of the property as an industrial site; and

WHEREAS, both the City and County have learned that there are grants available for environmental site assessments awarded by the Environmental Protection Agency in amounts ranging from \$200,000 up to \$350,000, on a competitive basis; and

WHEREAS, both City and County have been advised that the conditions existing at Lowland, Tennessee would make their application for these available EPA funds very competitive; and

WHEREAS, it is in the interest of City and County to determine the extent of the environmental issues and obtain information from which they can plan the future development and/or cleanup of this area; **NOW**

THEREFORE, BE IT RESOLVED by the City of Morristown acting by and through the Morristown City Council at its meeting on January __, 2006 and Hamblen County by and through its Board of Commissioners meeting at its regularly scheduled meeting held on January 19, 2006, that the City and County jointly apply for grant monies from the Environmental Protection Agency in such amounts for which they may qualify for the purpose of conducting environmental site assessments on the hereinbefore described Lowland, Tennessee properties.

Adopted this ____ day of January, 2006 by the Morristown City Council.

City of Morristown

Mayor Gary R. Johnson

Jim Crumley, City Administrator

Adopted this 19th day of January, 2006 by the Hamblen County Board of Commissioners.

Hamblen County Board of Commissioners

By: Joe Sporne
Joe Sporne, Chairman

ATTEST:

By: Linda Wilder
Linda Wilder, Hamblen County Clerk

APPROVED:

David W. Purkey
David W. Purkey
Hamblen County Mayor

RESOLUTION-CDBG PROGRAM APPLICATION

Motion by Nancy Phillips, seconded by Larry Baker to approve the following resolution.

Voting for	Voting against	Absent
Dennis Alvis	Linda Noe	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Tom Lowe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spoone		

A RESOLUTION AUTHORIZING THE SUBMISSION OF A
2006 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
APPLICATION

WHEREAS, the Community Development Block Grant (CDBG) Program as administered by the State of Tennessee offers grants to local jurisdictions to fund public infrastructure facilities, and

WHEREAS, Counties and municipalities within the State of Tennessee may apply annually for CDBG funding, however, at least 51% of the beneficiaries of the project must be low and moderate income residents of the target area served; and

WHEREAS, the project proposed would serve low and moderate income residents and would meet all of the eligibility criteria associated with the CDBG program, and

WHEREAS, it is the recommendation of the Hamblen County Commission that the County should apply for Community Development Block Grant funds in the amount of up to \$500,000.00 that would be used to partially finance the proposed public infrastructure project.

NOW, THEREFORE, BE IT RESOLVED that the Hamblen County Commission hereby authorizes the County Mayor or his representatives to prepare and submit a 2006 Community Development Block Grant application for funding up to the maximum amount of \$500,000 to be used for a public infrastructure project.

BE IT FURTHER RESOLVED that the Hamblen County Commission agrees to provide matching funds in the amount of 15% of total costs, said funds to be provided by the general fund account of Hamblen County.

Linda Wilder
Certified

Approved 1/19/06
David Sturges
County Mayor

PUBLIC SPEAKING POLICY

Motion by Nancy Phillips, seconded by Dennis Alvis to have a sign-up sheet at the County Commission meetings for visitors to list the items they wish to address to the County Commission, with the Chairman directing the items to the appropriate elected official, department head, or County Commission sub-committee, with the policy taking and also that the Chairman announce this new policy at the next three (3) County Commission meetings.

Voting for: all

GARBAGE PICKUP WITHIN BELLWOOD TRAILER PARK

Motion by Nancy Phillips, seconded by Guy Collins to allow garbage trucks to go through Bellwood Trailer Park to pick up trash provided the owner of the park sign a release to protect the county from any damage that may occur because of the trucks entering the mobile home park.

Voting for	Voting against	Absent
Dennis Alvis	None	Donald Gray
Larry Baker		
Maudie Briggs		
Ricky Bruce		
Guy Collins		
Doyle Fullington		
Herbert Harville		
Tom Lowe		
Linda Noe		
Edwin Osborne		
Nancy Phillips		
Bobby Reinhardt		
Joe Spoone		

RESOLUTION TO EXPRESS OPPOSITION TO VIDEO CHOICE ACT OF 2005

Motion by Nancy Phillips, seconded by Dennis Alvis to approve the following resolution.

Voting for: all

RESOLUTION

TO EXPRESS OPPOSITION TO THE VIDEO CHOICE ACT OF 2005, (H.R. 3146/ S 1349)
REGARDING LOCAL FRANCHISING AUTHORITY OVER NEW PROVIDERS OF VIDEO

WHEREAS, traditionally, local governments have been granted franchising authority over cable video programming providers that operate in local government rights of ways; and

WHEREAS, the Video Choice Act of 2005, Sponsored by Congresswoman Marsha Blackburn, strips local governments of much of this franchising authority with regard to new entrants into the video programming market, thereby eliminating the basic tool local governments use to manage the public right of way, impose customer service requirements, and enforce obligations of the video programming provider; and

WHEREAS, while the legislation does allow local governments the authority to collect franchise fees, the local government under the new legislation would no longer have any effective mechanism to audit or enforce a local franchise fee; and

WHEREAS, the legislation preempts a local governments ability to be involved in rate and service regulation and consumer protection authority, leaving a consumer faced with the task of pursuing a complaint through the Federal Communications Commission; and

WHEREAS, by relieving new entrants into the video programming market from local franchising and regulation, this legislation gives a competition advantage to those entrants over existing cable television providers;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hambly County, meeting in regular session on this 19 day of January, 2006 that the Tennessee Congressional Delegation is urged to oppose the Video Choice Act of 2005.

BE IT FURTHER RESOLVED, that the county clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Hambly County and to the Executive Director of the Association of County Mayors.

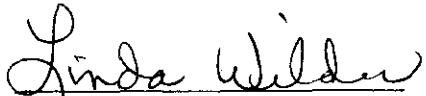
Adopted this 19 day of January, 2006

APPROVED:


County Mayor

1/26/06

ATTEST:


County Clerk

RESOLUTION-LPRF AND RTP GRANT APPLICATION

Motion by Nancy Phillips, seconded by Dennis Alvis to approve the following resolution.

Voting for: all

RESOLUTION No. 06-01-19

WHEREAS, the Hamblen County Commission supports all attempts to improve recreation opportunities within Hamblen County; and

WHEREAS, Hamblen County has indicated its intention to make major capital improvements to Cherokee Park; and

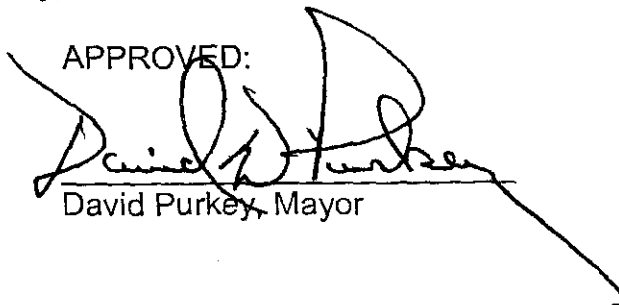
WHEREAS, the Tennessee Local Parks and Recreation Fund (LPRF) and the Recreational Trails Program (RTP), as administered by the Tennessee Department of Environment and Conservation, offers grants to local governments for partial financing of improvements made to local recreational facilities; and

WHEREAS, Hamblen County has committed to providing necessary matching funds or in-kind services which will be used to satisfy the fifty percent (50%) funding match required by the LPRF and the twenty percent (20%) match required by the RTP for all proposed improvements at Cherokee Park;

NOW, THEREFORE, BE IT RESOLVED that the Hamblen County Commission hereby authorizes the Mayor or his representatives to prepare an LPRF and an RTP grant application to fund the proposed improvements at Cherokee Park. The LPRF application would seek grant funds not to exceed \$500,000 with 50% of the total project cost to be matched from the existing capital improvements budget of Hamblen County and other in-kind matching sources. The RTP application would seek grant funds not to exceed \$100,000 with 20% of total project costs to be matched from the existing capital improvements budget of Hamblen County and other in-kind matching sources.

ADOPTED this the 19 day of January, 2006

APPROVED:


David Purkey, Mayor

Attest:



THEREUPON, MEETING ADJOURNED AT 7:05 P.M.