

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

December 22, 2005

Joe Spooone
Joe Spooone, 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 November 21, 2005 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
Ricky Bruce	Linda Noe
Guy Collins	Edwin Osborne
Doyle Fullington	Nancy Phillips
Donald Gray	Bobby Reinhardt
	Joe Spoone

Absent: Maudie Briggs

A petition was presented and put into the minutes urging the commission to pass an ordinance to require junkyards to put fences around the junkyards that have road frontage on any Hamblen County road.

Rec'd 11/7/2005 in
Public
Service

This is a petition to ask our Hamblen County commissioner's to pass a ordinance to get junk yards to put up enclosed fence where they have road frontage on any Hamblen County Road. Within 3 years

Name	Address	Phone
Rosa Lee Watkins	Old 25 th E	MT 587-6453
Chris [unclear]	3810 Sublett Rd	MT 587-4534
Andrew Moore	3810 Sublett Rd	MT 587-4534
Michelle Rhea	1803 Kabeaway Rd	MT 318-1891
Melinda Gregory	1066 Sawyers Rd	MT 318 2891
Lise Bregg	1047 Sawyers Rd	MT 312-1474
Brian Bregg	1066 Sawyers Rd	MT 318 2891
Mike Woodard	1391 Mue Collins Rd	MT 312-1474
Kennic Greene Jr.	893 Prebroke Rd.	MT 587-6018
Robert Lucker	1168 Sawyers Rd	MT 423-748-2556
Sam Kuykendall	3737 Maple Valley Rd	MT
Brandon Grean	1066 Sawyers Rd	MT 318 2891
Latisha Gregg	1066 Sawyers Rd	MT 318 2891
Nicole Singleton	137 Ellen Dr	MT 586 5921
Megan Tischer	137 Ellen Dr	MT 586 5921
Geordi Tischer	137 Ellen Dr	MT 586 5921
Esteb [unclear]	2710 Westwood Rd	MT 235-7501
Teressa Gibbs	2710 Westwood Rd	MT 235-7501
David H Stephens	1441 Pinebrook	MT 581-8964
Kosetta Beckner	3951 Bruce St.	MT 587-9540
Mike Beckner	3951 Bruce	MT 7-9540
Patricia Steeden	1441 Pinebrook Rd. Merristown	581-6564
Ramond Maher	5331 McAnnin Rd. Merristown	586-6216
Judy Maher	5331 McAnnin Rd. Merristown	586-6216

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name	address	phone #
1. JANIE Waites	1162 SAWYERS Rd.	581-7652
2. Rosa Mae Hamille	1162 Sawyer Rd.	581-7652
3. Summer Bonsey	1162 1280 State College	587-1954
4. Wayne Hickey	1108 SAWYERS Rd	317-7226
5. Marvin & Naomi Hugg	1282 Sawyers Rd.	587-5616
6. Wanda Stolt	725 Pinebrook Rd	231-1968
7. Mark Owens	680 " "	231-1968
8. Brandy Brown	725 Pine Brook Rd	581-5811
9. Wayne Brown	" "	581-5811
10. Melvin Wampler	2152 Sulphur Springs Rd	
11. Charles Wampler	2152 Sulphur Springs Rd	
12. Lona Frazier	4125 Sulphur Springs Rd	
13. Brenda Hunter	2152 Sulphur Springs Rd	581-7191
14. [unclear]		
15. Bill & Bailey	1980 BROOKSIDE DR	
16. Barbara Bailey	1980 Brookside Dr	581-1929
17. Lusley Rogers	1900 Mistywood Dr.	581-5035
18. Chris Rogers	1900 Mistywood Dr.	581-5035
19. Mitchell Rogers	" " " "	" "
20. Jonathan Rogers	" " " "	" "
21. Pam Pollock	1967 Brookside Dr.	581-8339
22. Melinda Wilson	1900 Brookside Dr.	615-216-5188
23. Bobby Wilson	1900 Brookside Dr.	615-216-5189
24. James Fuller	2078 Sulphur Sp. Rd	586-0531
25. J. C. Fuller	2078 Sulphur Sp. Rd.	586-0531

6	Shanola Stephens	559 Wylie Miller Rd	317-9482
7	Connie Stephens	561 Wylie Miller Rd	317-9482
8	Maudie Munsey	800 Dover Rd	318-8320
9	Danny Munsey	" "	318-8320
10	Benny Munsey	5801 Wylie Miller Rd	317-9482
11	Kathy Brown	557 Wylie Miller Rd	317-9482
12	Tonya Lynn France	241 West 13 th North St	587-6924
13	Charles Ray Digger	" "	
14	Mary France	Kennedy Circle	586-8135
15	Tracy Digger	" "	
16	William France	557 Wylie Miller Rd	
17	Billy Bowles	116 Park Ave	
18	Sharon Holly	800 Dover Rd	
19	Cherie Stephens	515 Huston Street	
20	Michele Stephens	433 NE Adair Dr	581-1298
21	Vikki Bolcher	" "	
22	Charlene Stephens	" "	581-1298
23	Nathan Ledford	1951 Sykes Rd	586-9606
24	Tina Lane	1951 Sykes Rd	586-9606
25	Paula Crum	1919 Sykes Rd	586-1478
26	Patty Mc McDonald	ELIXIR W 172	586-8885
27	B.C. Burger	1919 Sykes Rd	586-1478
28	Shirley Ledford	2252 N Coffee Rd	581-6548
29	Red Ledford	2252 N. coffee rd	581-6548
30	Lance White	1970 Cedar Creek	586-2390
31	Rebecca Moore	3810 Sublett Rd	587-4534
32	Casey Beckner	3951 Bruce St MTown	587-9540
33	Crystal Beckner	3951 Bruce St. morristown tn	587-9540
34	Teresa McDonald	1821 Sykes Rd Morristown	581-0207
35			
36			

This is a petition to ask our Hamblen County commissioners to pass a ordinance to get junk yards to put up enclosed fence within 3 years where they have road frontage on any Hamblen county road.

<u>name</u>	<u>address</u>	<u>Phone #</u>
Mike Woodard	1389 Mae Collins Rd	423-231-7612
John Horner	1392 Mae Collins Rd	
Lisa Gregg	1278 Sawyers Rd	423-312-1474
Tim Woodard	1389 Mae Collins Rd	423-731-7612
Jean McClanahan	2332 Roe Jct Rd	586-0486
Ben McClanahan	2332 Roe Jct Rd	586-0486
Anna Greeve	1280 statem bar	587-1954
Brian Gregg	1066 Sawyers Rd	318-2891
Marvin Gregg	1282 Sawyers Rd	587-5616
Angela Smith	1130 Sawyers Rd.	
Tammy Lackey	1168 Sawyers Rd.	423-317-0426
Rebecca Templeton	403 Mottawk st.	423-736-2587
Donna Rhea	500 McFlanada	(423) 586-9081
Adriest Lackey	1168 Sawyers Rd.	423-317-0426
Kathy Barnette	921 Pine Brook RD	(423) 581-5025
Ella McDaniel	1205 Shannons St. Mt	(423) 587-5576
Lawrence McDaniel	1205 Shannons St Mt Rd.	(423) 5-87-5576
Gwendolyn Helden	2343 Sulphur Spring Rd	423-581-1503
Charles Helden	2343 Sulphur Spring Rd.	423-581-1503

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Name	address	Phone #
Shane Estep	1620 Greene Rd	
John Estep	1620 Greene Rd	
Paul Estep	1620 Greene Rd	
Joyce Campbell	1621 Greene Rd	
Billy Campbell	1621 Greene Rd	
Gene West	1615 Greene Rd	
Bridget Patton	1839 Hinkle Drive	586/433
Jamie Patton	1839 Hinkle Drive	586/433
Connie French	2545 Sulphur Springs Rd	
TOTTY Adkisson	2328 Ozark Dr.	
MOTT Adkisson	2328 Ozark Dr.	
Chelsea Bidley	2328 Ozark Dr.	
Kelli Ball	2545 Sulphur Springs Rd	

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name	address
Tammy Jones	1905 Roe Junction Rd Mt town TN 37813
Jeff Jones	1905 Roe Junction Rd Mt town TN 37813
Chris Price	1945 Roe Junction Rd Mt town TN 37813
James Brown	1945 Roe Junction Rd Mt town TN 37813
Michael Wilson	2406 Roe Junction Rd Mt town TN 37813
Walter D. Brown	2291 Roe Junction Rd Mt town TN 37813
Duff Owens	2291 Roe Junction Rd Mt town TN 37813
Charles Reed	2080 Roe Jct Rd Mt town TN 37813
J. Donkaler	2060 Roe Junction Rd Mt town TN 37813 318-9595
M. Granting	2500 Roe Junction Rd Mt town TN 37813
Elanda Hill	1965 Roe Junction Rd Mt town TN 37813
David R. Moore	2995 Sulphur Sp Rd Mt town TN 37813
Pearl Moore	2995 Sulphur Sp Rd Mt town TN 37813
Borden Smith	2014 Fernwood Ch Rd Mt town TN 37813
Kathy Ross	3611 Sublett Rd Mt town TN 37813
Laurie Spurling	3611 Sublett Rd Mt town TN 37813
Mark Spurling	3611 Sublett Rd Mt town TN 37813
Ashley Spurling	3611 Sublett Rd Mt town TN 37813
Ruby M. Birch	3660 Sublett Rd Mt town TN 37813
Wanda Pollard	3670 Sublett Rd Mt town TN 37813
Shelma Jones	3440 Speer Rd Mt town TN 37813
Charles E. Jones	3440 Speer Rd Mt town TN 37813
Jimmy Burger	2927 Sulphur Springs Rd Mt town TN 37813
Helen Taylor	1938 Roe Junction Rd Mt town TN 37813
Jessica Dean	1938 Roe Junction Rd Mt town TN 37813

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name	address		Phone #
Tom Long	1459 DeVault St.	MT	312-3509
Barbara Long	1459 DeVault St.	MT	312-6346
Wesley Gullett	3703 Old Wv.	MT	317-7069
Catherine Clark	3703 Old Ky Rd	MT	581-1584
Robert Crittendon	1495 Camp Mill	MT	318-1013
Jo Ann Rimes	438 3 Springs Rd	MT	748-1802
Edith Roark	4045 Frank Rd	MT	587-1079
Chad Crittendon	6543 Old Kennelville	MT	586-4092
Ronald Crittendon	302 Clemon Rd	MT	235-0644
Hodie Smith	438 3 Springs Rd	MT	748-1802
MARK BARK	306 Isaac Street	MT	587-5969
Chuck Anwell	581 Lakewood Rd	MT	586-2007
Vivian Crittendon	930 Whitesburg	MT	235-4937
Jim Crittendon	1157 Little Mtn Rd.	MT	581-6538
Debra Crittendon	1157 Little Mtn Rd.	MT	581-6538
Tiffany Crittendon	930 Whitesburg	MT	235-4937
Paul Ballard	Russville	MT	587-2692
Gene Webber	Russville	MT	736-0740
Kathy Murray	1260 Little Mtn Rd. Russellville	MT	312-2797
John Murray	1260 Little Mtn Rd. Russellville	MT	312-2797
Hazel Collins	Three Springs Rd. Russellville	MT	318-2080
Debra Collins	1776 Needmore Rd. Whitesburg	MT	235-9015
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Names	Address	Phone
Frances Wambsgater	1991 Sykes Rd	587-0875
Clarence Lewis	1991 Sykes Rd	587-0878
Lenna DeClart	544 Willie Miller Rd	587-1694
Carolyn Brash	862 Wylie Miller Rd	586-7771
Beatrice Lockhart	844 Wylie Miller Rd	587-1694
Johnnie Lynn	525 Willie Miller	277-3455
Michelle Pinnerly	525 Willie Miller Rd	231-2039
Ralph Purby	525 Wylie Miller Rd	_____
Carmen McElhiney	3800 Soblett Rd	
Sue Burton	" " "	
John Purkey	3700 Soblett Rd	
Fodell BURTON	3830 Soblett Rd	587-4295
Vickie Rickard	3430 Sulphur Springs Rd	317-0650
Wayne Litz	Hwy 160 MORRISTOWN	581-6880
JEAN Spence	3420 Sulphur Springs Rd	586-3842
Sybil Bohman	1651 Thomas R James	587-1501
Mildred Courtney	2459 Wether Lane	586-1936
Melba Courtney	" " "	" "
Lois Kimbrough	872 Red Fox Ave.	
Don White	1725 Holdway St	736-2654
Kenneth Punter	1666 Ripston E Ave	
Kim Braden	1781 Sykes Rd	
Red Dauler	" 1781 " Sykes Rd.	
marvin Collions	1776 Need more Rd. Whitesburg	235-9015

MINUTES APPROVAL

Motion by Guy Collins, seconded by Larry Baker to approve the minutes of the commission meetings of October 20 and October 24, 2005 be approved.

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

NOTARIES AND BONDSMEN

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

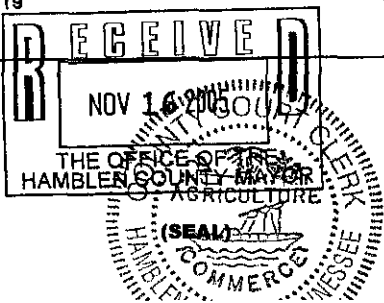
Voting for: all except Edwin Osborne who abstained because his name is on the list of notaries to be approved.

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 November, 20 05 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 Diane Snyder Carroll Snyder Maurice Hatcher	1626 Elgin Dr. Morristown, TN 37814 423-581-8325	3477 Old Kentucky Rd. Morristown, TN 37814 423-586-3695
2 Kimberly Gibson State Farm Insurance	373 Antercan Rd. Sneedville, TN 37869 423-733-1522	3606 W. Andrew Johnson Hwy. Suite 19 423-318-9991 Morristown, TN 37814
3 Jennifer Ducey Sam Neill Insurance Agency	422 East Fourth North St. Morristown, TN 37814 423-317-9944	4035 Fish Hatchery Rd. Mohawk, TN 37810 423-587-4810
4 Regina Hicks Stan Eversole Chad Huntsman	351 Benton Hale Rd. Morristown, TN 37813 423-581-0824	2885 Enka Hwy. Morristown, TN 37813 423-312-3362
5 Cheri Mullins F. Braxton Terry Denise Terry Stapleton	3434 Hamilton Place Morristown, TN 37814 423-585-8493	918 West First North St. Morristown, TN 37814 423-586-5800
6 Edwin P. Osborne Notary Public Underwriters, Inc.	1514 Johnson Dr. Morristown, TN 37814 423-317-8320	1514 Johnson Dr. Morristown, TN 37814 423-312-9111
7 Thomas M. Strate Westfield Insurance Company	1461 Darbee Dr. Morristown, TN 37814 423-587-2108	400 W. Main St., Suite 207 Morristown, TN 37814 423-587-2204
8 Ricky H. Sutton R. L. I. Surety	330 Navaho Trail Talbott, TN 37877 423-585-5525	5655 W. Andrew Johnson Hwy. Morristown, TN 37814 423-586-0360
9 Susan R. Moles Claudette Grigsby John J. Maloney III	611 N. Henry St. Morristown, TN 37814 423-587-1327	711 West First North St. Morristown, TN 37814 423-587-0675
10 Maria C. Salgado Farm Bureau	1016 S. Jackson St. Morristown, TN 37813 423-581-8822	1141 S. Cumberland St. Morristown, TN 37813 423-586-8474
11 Gwen L. Hughes Farm Bureau	800 Pullen Rd. Whitesburg, TN 37891 423-587-0867	1018 W. First North St. Morristown, TN 37814 423-586-4365
12 John A. Keasling Garner Insurance	4650 Brockwood Dr. Morristown, TN 37813 423-586-5866	N/A
13 Beverly A. Molnar Notary Public Underwriters, Inc.	1351 Daniel Boone Dr. Morristown, TN 37814 423-587-3551	1137 W. First North St. Morristown, TN 37814 423-581-2020
14 M. A. Leslie Farm Bureau	1200 Tarr Rd. Talbott, TN 37877 865-475-6037	1709 W. Andrew Johnson Hwy. Morristown, TN 37814 423-587-8848
15 Kellie McDonald Cumberland Insurance Group	2804 Harley Road Morristown, TN 37814 423-585-0950	2226 W. Andrew Johnson Hwy. Morristown, TN 37814 423-581-4114
16 Carolyn E. Harris State Farm Fire and Casualty Co.	3242 Enka Hwy. Morristown, TN 37813 423-587-4288	304 Central Church Rd. Morristown, TN 37814 423-581-3516
17 Amy Richardson Massengill & McCrary	1034 E. Fourth North Street Morristown, TN 37814 423-318-2954	116 E. Main Street Morristown, TN 37814 423-586-9302
18 Teresa L. Malone Susan O. Malone Jared Malone	7495 Evolene Circle Talbott, TN 37877 423-317-0750	2611 W. Andrew Johnson Hwy. #B 423-587-6044 Morristown, TN 37814
19		



Linda Wilder m.s.
SIGNATURE

CLERK OF THE COUNTY OF Hamblen, TENNESSEE
November 9, 2005
DATE

RESOLUTION APPROVAL

Motion by Tom Lowe, seconded by Guy Collins to approve the following resolution opposing Senate Joint Resolution 1 Relative to Property Tax Relief.

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

- Commissioner Noe wants the record to reflect that this resolution was not in committee and she did not have enough time to study the issue.

RESOLUTION 11-21-01
TO OPPOSE SENATE JOINT RESOLUTION 1 RELATIVE TO PROPERTY TAX RELIEF

WHEREAS, in 2004, Senate Joint Resolution 1 was introduced to propose an amendment to Article II, Section 28, of the Constitution of the State of Tennessee, to authorize a new method of property tax relief for senior citizens in Tennessee; and

WHEREAS, the program proposed by Senate Joint Resolution 1 would freeze property taxes for elderly taxpayers at the rate paid when the program is enacted or when the taxpayer turns sixty-five years of age; and

WHEREAS, the language of Senate Joint Resolution 1 provides little detail with regard to the parameters of the program which would be established by the General Assembly in the future; and

WHEREAS, the program would be authorized and paid for by local governments, but control of the specifics of the program would rest with the General Assembly; and

WHEREAS, if the program described in Senate Joint Resolution 1 is authorized, there would be substantial political pressure for local governments to establish such programs which would then be under the discretion and control of the General Assembly; and

WHEREAS, a program for low income elderly property tax relief is already authorized under state law pursuant to Tennessee Code Annotated, Section 67-5-701, *et seq.* and provides a significant level of relief to needy taxpayers.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hamblen County, meeting in regular session on this 21 day of Nov., 2005, that the Tennessee General Assembly is strongly urged to defeat Senate Joint Resolution 1 and to reject similar legislative proposals which would have the effect of authorizing local property tax relief programs where the parameters and conditions of such programs are outside the control of the local government adopting such program.

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 Hamblen County.

Adopted this 21 day of Nov., 2005.

APPROVED: * _____
County Mayor

ATTEST: Linda Wilder
County Clerk

* I prefer to withhold my signature from this resolution pending more information. DWT

RESOLUTION APPROVAL

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

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

RESOLUTION 11-21-02
TO URGE THE GENERAL ASSEMBLY TO CONSIDER LEGISLATION
RELATIVE TO EMINENT DOMAIN

WHEREAS, on June 23, 2005, the United States Supreme Court reached its decision in the case of *Suzette Kelo, et al. v. City of New London, et al.*, upholding the use of condemnation powers by a Connecticut municipality to seize residential property for an economic development project; and

WHEREAS, the 5-4 decision of the Supreme Court expanded the understanding of what constitutes a "public use" relative to the exercise of eminent domain authority by a local government and has sparked a firestorm of objections from representatives at all levels of government as well as from advocacy groups and citizens; and

WHEREAS, legislation has been filed at both the state and federal level in response to the *Kelo v. New London* decision to limit abusive uses of eminent domain; and

WHEREAS, county governments in Tennessee have heard a clear message from Tennessee citizens that they are concerned about abusive uses of local government condemnation authority:

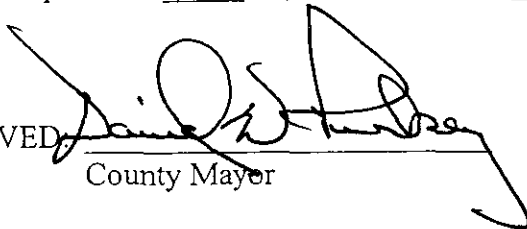
NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hambler County, meeting in regular session on this 21 day of Nov., 2005, that:

- 1) The Board of County Commissioners of Hambler County opposes the exercise of eminent domain or condemnation powers by a local government for the sole or primary benefit of private parties.
- 2) The Board of County Commissioners of Hambler County finds that eminent domain powers should be used as a last resort and should be limited to the acquisition of property for county purposes. The only circumstance where condemned property could be sold or transferred at a later date to a private entity would be in the context of redevelopment of blighted areas.
- 3) The Board of County Commissioners of Hambler County urges the Tennessee General Assembly to thoughtfully consider issues relative to the use of eminent domain by local governments in Tennessee and to enact legislation to protect private property owners in Tennessee from abusive use of eminent domain.

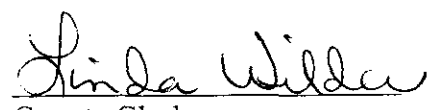
BE IT FURTHER RESOLVED, that the county clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Hambler County.

Adopted this 21 day of Nov., 2005.

APPROVED


County Mayor

ATTEST:


County Clerk

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

FUNDING REQUEST FOR NASCAR HALL OF FAME

Motion by Herbert Harville, seconded Dennis Alvis to appropriate \$2,500. from the Hospital Debt Fund to support an exploratory committee to study the possibility of having a NASCAR Hall of Fame in Morristown. This money will be given for the study only if Downtown Morristown contributes \$1,000, the City of Morristown contributes \$2,500, and the Chamber of Commerce contributes \$1,000.

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

BUDGET AMENDMENT-HIGHWAY DEPARTMENT

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

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

Hamblen County Commission
Finance Committee



NOVEMBER Year 2005

Budget Amendment* Reallocation** (please X one)

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Fund 131

Account Number	Description	Debit	Credit
62000.404	ASPHALT-HOT MIX	15,000.00	
68000.718	VEHICLES	47,000.00	
68000.718	STATE-AID PROJECTS		62,000.00

Brief Descriptions of issue: THIS REQUEST IS TO REALLOCATE MONIES FOR EXPECT OVERRUNS IN VARIOUS BUDGET LINE ITEMS.

NO NEW MONIES REQUIRED !

Signature: *Randy S. Pool*
 Title : Hamblen County Road Supt.
 Date: 10/28/2005

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

*Amendment is to add to a line item from unappropriated
 **Reallocation is to rearrange monies within the department

**AMENDMENTS TO ZONING REGULATIONS-GRANDFATHERED
JUNKYARDS**

Motion by Nancy Phillips, seconded by Dennis Alvis to approve the following Proposed amendments to the zoning regulations affecting grandfathered junkyards.

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

ARTICLE 5

AMENDED AND ADDITIONAL DEFINITIONS

"Junkyard" shall mean an establishment, a place of business and/or a parcel of real estate which is maintained, operated, or used for storing, keeping, buying or selling junk, or salvage, or for the maintenance or operation of an automobile wrecking yard. "Junkyard" includes scrap metal processors, car crushing sites, used auto parts yards, yards providing temporary storage of automobile bodies or parts awaiting disposal as a normal part of the business operation, when the business will continually have like materials located on the premises, garbage dumps and sanitary landfills. For purposes of this resolution, a "recycling center" shall not be a "junkyard."

"Junk" or "salvage" shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, wrecked or inoperable automobiles, or parts thereof, salvage, iron, steel, and other old or scrap ferrous or nonferrous metals.

"Automobile wrecking yard" shall mean any lot or place which is exposed to the weather and upon which more than five (5) inoperable motor vehicles of any kind, or parts thereof, or which it would not be economically practical to make operative, are placed, located or found. For purposes of this definition, any landowner owning more than one adjoining lots or parcels shall be considered the owner of one (1) tract of land. "Automobile wrecking yard" shall not be construed to mean an establishment having facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron, steel, or nonferrous scrap for sale or remelting purposes only; nor shall such definition include a body shop or towing service licensed to conduct business in Hamblen County.

"Inoperable motor vehicle" shall be defined as any vehicle, car, truck, van, bus, recreational vehicle, motorcycle, or parts thereof, which does not have an engine or drive train in operating condition, inflated tires on all wheels, an operative battery, or valid state license plate and registration issued to a person in possession of the property on which the vehicle is located, or which, for any reason, is not operable and capable of being legally driven upon the roads and highways of the County and the State of Tennessee under its own power.

"Recycling center" means an establishment, place of business, facility or building which is maintained, operated or used for the storing, keeping, buying or selling of newspaper, paper products or glass or plastic used for food or beverage containers for the purpose of converting such items into a usable product.

- 7.4 DEVELOPMENT STANDARDS FOR AUTOMOBILE WRECKING, JUNK AND SALVAGE YARDS, AND DUMPS. Because of the nature and character of their operations, automobile wrecking and salvage yards, junkyards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic and health hazards and may adversely affect property values by their general appearance. The following standards shall be used as a guide in evaluating whether proposed land uses, such as those outlined above, will have properly minimized their objectionable characteristics:
- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch or hold water in which mosquitoes may breed or so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
 - B. Because of the tendency for salvage yards, junkyard or automobile wrecking yards to promote the breeding of vermin, no such operation shall be permitted closer than five hundred (500) feet from any established residence.
 - C. All automobile wrecking, junk and salvage yards located on a county road shall be conducted entirely within either an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) feet to twelve (12) feet in height or a screen or wall composed of white pines, eastern hemlocks, scotch pines or Leland cypress trees, no less than four feet in height at planting, at 20' intervals between tree trucks along the fence lines, excepting driveway areas. Any fence, screen or wall for screening purposes shall be properly painted or otherwise maintained in good condition. Variances may be granted by the Board of Zoning Appeals where traffic safety is an issue.
 - D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety.
 - E. OFF-ROAD PARKING. No vehicles may be parked outside of the fence, screen, or wall.
 - F. INGRESS AND EGRESS. The number of vehicular access driveways permitted on any single street frontage shall be limited to:
 - 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
 - 2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet.
 - G. Except for grandfathered, nonconforming yards, no automobile wrecking, junkyard or salvage yards shall be permitted within three hundred (300) feet of any public road in Hamblen County.
 - H. APPLICATION FOR AUTOMOBILE WRECKING, JUNK, OR SALVAGE YARD PERMIT. No person shall own or maintain an automobile wrecking, junkyard, or salvage yard within Hamblen County until he has secured a permit from the Hamblen County Board of Zoning Appeals. An application for said permit shall be filed and shall be accompanied by a detailed Site Plan, a schedule for construction, and any other information herein required.

- I. DUMPS. No person shall own or maintain a landfill or waste dump within Hamblen County until a Site Plan has been submitted and approved by the Planning Commission; received approval as a special exception by the Board of Zoning Appeals; and received a permit issued by the Tennessee Department of Health and Environment, Division of Solid Waste. No such landfill or dump shall be permitted within five hundred (500) feet of a residence, school, church, park, or public gathering place. All debris must be covered daily from public view. The dumping of chemicals or toxins is not permitted. Other standards required for junkyards shall also be required for dumps.
- J. SAVINGS CLAUSE. If any of the provisions of this Article 7.4 conflict with the provisions of general law regarding the regulation of junkyards, by being less restrictive than the general law or otherwise, then the general law provisions shall govern the matter at issue.
- K. AMORTIZATION SCHEDULE. With respect to Article 7.4 A., C., D., E. and F., any non-conforming junkyard considered "grandfathered" under this Resolution or general law shall lose such grandfathered status with regard to Article 7.4 A., C., D., E. and F. three (3) years after the adoption of this amended Article 7.4.

ZONING AMENDMENT

10.6 Penalties. It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any of the provisions of this Resolution or any Amendment thereof enacted or adopted by the Hamblen County Board of Commissioners. A violation of this part shall constitute a Class C Misdemeanor. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues is deemed a separate offense. In addition, Hamblen County shall also have the authority to enforce this Resolution by any and all measures permitted by *Tennessee Code Annotated* §§ 5-1-121 and/or 13-7-111.

CHARTER COMMUNICATIONS CHARTER

Motion by Nancy Phillips, seconded by Larry Baker to pursue the informal process for the renewal of the franchise with Charter Communications.

Voting for: all

CONTRACT-UNIVERSITY PATHOLOGISTS, PC

Motion by Nancy Phillips, seconded by Dennis Alvis to accept the contract with University Pathologists, PC.

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

AGREEMENT BETWEEN HAMBLLEN COUNTY, TENNESSEE

AND

UNIVERSITY PATHOLOGISTS, PC

This agreement, made and entered into this _____ day of _____, 20____, by and between Hamblen County, Tennessee (hereinafter referred to as "County"), and University Pathologists, P.C., (hereinafter referred to as "UPPC").

WITNESSETH

WHEREAS, County wishes to retain UPPC to perform post mortem examinations; and

WHEREAS, UPPC is willing to perform said post mortem examinations for County;

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. UPPC will perform a post mortem examination and issue a report on each case referred to UPPC by County for a fee, per case, of Thirteen Hundred Dollars (\$1,300). This fee shall include the usual supplies, laboratory and pathology doctor's charges, in addition to subsequent testimony. This fee shall include receipt and storage of the body. In the event there are unusual supplies, laboratory or pathology doctor's charges, County will be notified in advance for approval. No additional charges will be incurred without County prior approval.
2. County shall be responsible for all charges regarding the transportation of the body to and from the UPPC Regional Forensic Center facilities in Knoxville, Tennessee. UPPC shall invoice Hamblen County for its charges after it has completed its examination and issued its report.
3. The charges shall be paid by County within thirty (30) days of the receipt of said invoice.

4. Either party may terminate this Agreement upon thirty (30) days written notice to the other party. This Agreement will remain valid and in effect until such time as written notice to terminate is issued by one party to the other.
5. County and UPPC shall have no liability except as specifically provided herein.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates hereinafter mentioned.

HAMBLEEN COUNTY

By: Original Already Signed

Title: + mailed. DWT

Date: _____

UNIVERSITY PATHOLOGISTS, P.C.

By: _____
STUART E. VAN METER, M.D.

Title: _____

Date: _____

THEREUPON, MEETING ADJOURNED.

HAMBLEN COUNTY

Government

LINDA WILDER
County Clerk

511 West Second North Street • Morristown, Tennessee 37814
Phone (423) 588-1893 • Fax: (423) 587-9798



"The Peoples House"

December 8, 2005

Honorable John Litz
20 Legislative Plaza
Nashville, TN 37243-0110

Dear Representative Litz:

Enclosed please find certified copies of two (2) resolutions that were passed at the regular monthly meeting of the Hamblen County Commission on November 21, 2005.

Thank you for your attention in these matters.

Sincerely,

Linda Wilder
Hamblen County Clerk

HAMBLÉN COUNTY

Government

LINDA WILDER
County Clerk

511 West Second North Street • Morristown, Tennessee 37814
Phone (423) 586-1993 • Fax (423) 587-9798



"The Peoples House"

December 8, 2005

Honorable Steve Southerland
318 War Memorial Building
Nashville, TN 37243-0201

Dear Senator Southerland:

Enclosed please find certified copies of two (2) resolutions that were passed at the regular monthly meeting of the Hamblen County Commission on November 21, 2005.

Thank you for your attention in these matters.

Sincerely,

Linda Wilder
Hamblen County Clerk

Hamblen County Legislative Body
Monday, November 21, 2005
Hamblen County Courthouse
Large Courtroom, 3rd Floor
5 p.m.

Chairman Joe Spoons, District 6
Vice-Chairman Guy Collins, District 11

Commissioner Edwin P. Osborne, District 1
Commissioner Nancy Phillips, District 2
Commissioner Tom Lowe, District 3
Commissioner Bobby Reinhardt, District 4
Commissioner Maudie Briggs, District 5
Commissioner Dennis Alvis, District 7
Commissioner Ricky Bruce, District 8
Commissioner Larry Baker, District 9
Commissioner Herbert Harville, District 10
Commissioner Doyle Fullington, District 12
Commissioner Donald Gray, District 13
Commissioner Linda Noe, District 14

AGENDA




Indicates Roll Call Vote Required

Opening of Hamblen County Legislative Body Monthly Meeting

– *Sheriff Otto Purkey*

- Call to Order – *Chairman Joe Spoons*
- Prayer – *Commissioner Dennis Alvis, Chaplain*
- Pledge of Allegiance – *Commissioner Nancy Phillips*
- Roll Call – *County Clerk Linda Wilder*
- Recognition of Visitors – *Chairman Joe Spoons*
 - i. *Rev. Nigel Markin Reid, Sr.*

1. Minutes, Notaries, and Appointments/Confirmations

- a. Approval of Minutes from Previous County Commission Meeting -*Submitted by County Clerk's Office*
 - i.  October 20, 2005
- b. Approval of Notaries and Bonds -*Submitted by County Clerk's Office*
- c. Elections, Appointments, and Confirmations

2. Planning Commission Report – Director Danny Young




- a. None Stated

3. Old Business – None Stated.


4. New Business

- a. Resolution to Oppose Senate Joint Resolution 1 Relative to Property Tax Relief
–*Commissioner Nancy Phillips*
- b. Resolution to Urge the General Assembly to Consider Legislation Relative to Eminent Domain
–*Commissioner Nancy Phillips*

5. Finance Committee Report – Chair Herbert Harville

- a. Operating Summaries – 10/31/05 (*Informational Purposes Only*)
-  b. Review of Monthly Checks Submitted by Office of the Hamblen County Mayor (*Distributed by Mail*)
-  c. Report from Special-Called Finance Committee Meeting RE: Proposed Private Act for Hospital Debt Monies
- d. Healthcare Insurance Announcement for 2006 Calendar Year
- e. Request for Committee Funding From Downtown Morristown Association for Sesquicentennial Project
- f. Budget Amendments
 - i.  Highway Department

6. Public Services Committee Report – Chair Nancy Phillips

-  a. Proposed Amendments to Zoning Regulations Affecting Grandfathered Junkyards
- b. Review of Fees from Planning Office
- c. Legal Opinion on Enforcing Beer Laws
- d. Initial Discussion of Charter Franchise Process
- e. Report from Special-Called Public Services Committee Meeting – 11/10/05

7. Open Floor Discussion

8. Items of Interest

- a. Medical Examiner's Report – October 2005
- b. Notice of Workshop to Discuss Illegal Aliens

9. Adjournment

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

December 22, 2005

Joe Spooone
Joe Spooone, 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 November 21, 2005 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
Ricky Bruce	Linda Noe
Guy Collins	Edwin Osborne
Doyle Fullington	Nancy Phillips
Donald Gray	Bobby Reinhardt
	Joe Spoone

Absent: Maudie Briggs

A petition was presented and put into the minutes urging the commission to pass an ordinance to require junkyards to put fences around the junkyards that have road frontage on any Hamblen County road.

MINUTES APPROVAL

Motion by Guy Collins, seconded by Larry Baker to approve the minutes of the commission meetings of October 20 and October 24, 2005 be approved.

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

NOTARIES AND BONDSMEN

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

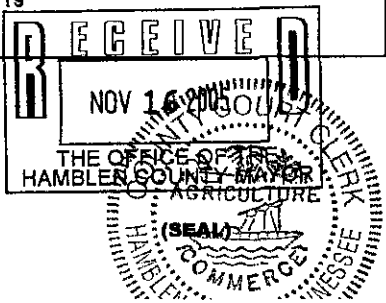
Voting for: all except Edwin Osborne who abstained because his name is on the list of notaries to be approved.

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 November, 20 05 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 Diane Snyder Carroll Snyder Maurice Hatcher	1626 Elgin Dr. Morristown, TN 37814 423-581-8325	3477 Old Kentucky Rd. Morristown, TN 37814 423-586-3695
2 Kimberly Gibson State Farm Insurance	373 Antercan Rd. Sneedville, TN 37869 423-733-1522	3606 W. Andrew Johnson Hwy. Suite 19 423-318-9991 Morristown, TN 37814
3 Jennifer Ducey Sam Neill Insurance Agency	422 East Fourth North St. Morristown, TN 37814 423-317-9944	4035 Fish Hatchery Rd. Mohawk, TN 37810 423-587-4810
4 Regina Hicks Stan Eversole Chad Huntsman	351 Benton Hale Rd. Morristown, TN 37813 423-581-0824	2885 Enka Hwy. Morristown, TN 37813 423-312-3362
5 Cheri Mullins F. Braxton Terry Denise Terry Stapleton	3434 Hamilton Place Morristown, TN 37814 423-585-8493	918 West First North St. Morristown, TN 37814 423-586-5800
6 Edwin P. Osborne Notary Public Underwriters, Inc.	1514 Johnson Dr. Morristown, TN 37814 423-317-8320	1514 Johnson Dr. Morristown, TN 37814 423-312-9111
7 Thomas M. Strate Westfield Insurance Company	1461 Darbee Dr. Morristown, TN 37814 423-587-2108	400 W. Main St., Suite 207 Morristown, TN 37814 423-587-2204
8 Ricky H. Sutton R. L. I. Surety	330 Navaho Trail Talbot, TN 37877 423-585-5525	5655 W. Andrew Johnson Hwy. Morristown, TN 37814 423-586-0360
9 Susan R. Moles Claudette Grigsby John J. Maloney III	611 N. Henry St. Morristown, TN 37814 423-587-1327	711 West First North St. Morristown, TN 37814 423-587-0675
10 Maria C. Salgado Farm Bureau	1016 S. Jackson St. Morristown, TN 37813 423-581-8822	1141 S. Cumberland St. Morristown, TN 37813 423-586-8474
11 Gwen L. Hughes Farm Bureau	800 Pullen Rd. Whitesburg, TN 37891 423-587-0867	1018 W. First North St. Morristown, TN 37814 423-586-4365
12 John A. Keasling Garner Insurance	4650 Brockwood Dr. Morristown, TN 37813 423-586-5866	N/A
13 Beverly A. Molnar Notary Public Underwriters, Inc.	1351 Daniel Boone Dr. Morristown, TN 37814 423-587-3551	1137 W. First North St. Morristown, TN 37814 423-581-2020
14 M. A. Leslie Farm Bureau	1200 Tarr Rd. Talbot, TN 37877 865-475-6037	1709 W. Andrew Johnson Hwy. Morristown, TN 37814 423-587-8848
15 Kellie McDonald Cumberland Insurance Group	2804 Harley Road Morristown, TN 37814 423-585-0950	2226 W. Andrew Johnson Hwy. Morristown, TN 37814 423-581-4114
16 Carolyn E. Harris State Farm Fire and Casualty Co.	3242 Enka Hwy. Morristown, TN 37813 423-587-4288	304 Central Church Rd. Morristown, TN 37814 423-581-3516
17 Amy Richardson Massengill & McCrary	1034 E. Fourth North Street Morristown, TN 37814 423-318-2954	116 E. Main Street Morristown, TN 37814 423-586-9302
18 Teresa L. Malone Susan O. Malone Jared Malone	7495 Evolene Circle Talbot, TN 37877 423-317-0750	2611 W. Andrew Johnson Hwy. #B 423-587-6044 Morristown, TN 37814
19		



Linda Wilder m.s.
SIGNATURE

CLERK OF THE COUNTY OF Hamblen, TENNESSEE
November 9, 2005
DATE

RESOLUTION APPROVAL

Motion by Tom Lowe, seconded by Guy Collins to approve the following resolution opposing Senate Joint Resolution 1 Relative to Property Tax Relief.

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

- Commissioner Noe wants the record to reflect that this resolution was not in committee and she did not have enough time to study the issue.

RESOLUTION 11-21-01
TO OPPOSE SENATE JOINT RESOLUTION 1 RELATIVE TO PROPERTY TAX RELIEF

WHEREAS, in 2004, Senate Joint Resolution 1 was introduced to propose an amendment to Article II, Section 28, of the Constitution of the State of Tennessee, to authorize a new method of property tax relief for senior citizens in Tennessee; and

WHEREAS, the program proposed by Senate Joint Resolution 1 would freeze property taxes for elderly taxpayers at the rate paid when the program is enacted or when the taxpayer turns sixty-five years of age; and

WHEREAS, the language of Senate Joint Resolution 1 provides little detail with regard to the parameters of the program which would be established by the General Assembly in the future; and

WHEREAS, the program would be authorized and paid for by local governments, but control of the specifics of the program would rest with the General Assembly; and

WHEREAS, if the program described in Senate Joint Resolution 1 is authorized, there would be substantial political pressure for local governments to establish such programs which would then be under the discretion and control of the General Assembly; and

WHEREAS, a program for low income elderly property tax relief is already authorized under state law pursuant to Tennessee Code Annotated, Section 67-5-701, *et seq.* and provides a significant level of relief to needy taxpayers.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hamber County, meeting in regular session on this 21 day of Nov., 2005, that the Tennessee General Assembly is strongly urged to defeat Senate Joint Resolution 1 and to reject similar legislative proposals which would have the effect of authorizing local property tax relief programs where the parameters and conditions of such programs are outside the control of the local government adopting such program.

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 Hamber County.

Adopted this 21 day of Nov., 2005.

APPROVED: * _____
County Mayor

ATTEST:

Linda Wilder
County Clerk

* I prefer to withhold my signature from this resolution pending more information. DW

RESOLUTION APPROVAL

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

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

RESOLUTION 11-21-02
TO URGE THE GENERAL ASSEMBLY TO CONSIDER LEGISLATION
RELATIVE TO EMINENT DOMAIN

WHEREAS, on June 23, 2005, the United States Supreme Court reached its decision in the case of *Suzette Kelo, et al. v. City of New London, et al.*, upholding the use of condemnation powers by a Connecticut municipality to seize residential property for an economic development project; and

WHEREAS, the 5-4 decision of the Supreme Court expanded the understanding of what constitutes a "public use" relative to the exercise of eminent domain authority by a local government and has sparked a firestorm of objections from representatives at all levels of government as well as from advocacy groups and citizens; and

WHEREAS, legislation has been filed at both the state and federal level in response to the *Kelo v. New London* decision to limit abusive uses of eminent domain; and

WHEREAS, county governments in Tennessee have heard a clear message from Tennessee citizens that they are concerned about abusive uses of local government condemnation authority:

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Hamber County, meeting in regular session on this 21 day of Nov., 2005, that:

- 1) The Board of County Commissioners of Hamber County opposes the exercise of eminent domain or condemnation powers by a local government for the sole or primary benefit of private parties.
- 2) The Board of County Commissioners of Hamber County finds that eminent domain powers should be used as a last resort and should be limited to the acquisition of property for county purposes. The only circumstance where condemned property could be sold or transferred at a later date to a private entity would be in the context of redevelopment of blighted areas.
- 3) The Board of County Commissioners of Hamber County urges the Tennessee General Assembly to thoughtfully consider issues relative to the use of eminent domain by local governments in Tennessee and to enact legislation to protect private property owners in Tennessee from abusive use of eminent domain.

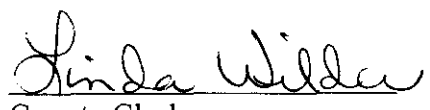
BE IT FURTHER RESOLVED, that the county clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Hamber County.

Adopted this 21 day of Nov., 2005.

APPROVED


County Mayor

ATTEST:


County Clerk

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

FUNDING REQUEST FOR NASCAR HALL OF FAME

Motion by Herbert Harville, seconded Dennis Alvis to appropriate \$2,500. from the Hospital Debt Fund to support an exploratory committee to study the possibility of having a NASCAR Hall of Fame in Morristown. This money will be given for the study only if Downtown Morristown contributes \$1,000, the City of Morristown contributes \$2,500, and the Chamber of Commerce contributes \$1,000.

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

BUDGET AMENDMENT-HIGHWAY DEPARTMENT

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

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

Hamblen County Commission
Finance Committee



NOVEMBER Year 2005

"The People's House"

Budget Amendment* Reallocation** (please X one)

Fund 131

Account Number	Description	Debit	Credit
62000.404	ASPHALT-HOT MIX	15,000.00	
68000.718	VEHICLES	47,000.00	
68000.718	STATE-AID PROJECTS		62,000.00

Brief Descriptions of issue: THIS REQUEST IS TO REALLOCATE MONIES FOR EXPECT OVERRUNS IN VARIOUS BUDGET LINE ITEMS.

NO NEW MONIES REQUIRED !

Signature: *Barry G. Pool*

Title : Hamblen County Road Supt.

Date: 10/28/2005

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

*Amendment is to add to a line item from unappropriated
 **Reallocation is to rearrange monies within the department

**AMENDMENTS TO ZONING REGULATIONS-GRANDFATHERED
JUNKYARDS**

Motion by Nancy Phillips, seconded by Dennis Alvis to approve the following
Proposed amendments to the zoning regulations affecting grandfathered junkyards.

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

ARTICLE 5

AMENDED AND ADDITIONAL DEFINITIONS

"Junkyard" shall mean an establishment, a place of business and/or a parcel of real estate which is maintained, operated, or used for storing, keeping, buying or selling junk, or salvage, or for the maintenance or operation of an automobile wrecking yard. "Junkyard" includes scrap metal processors, car crushing sites, used auto parts yards, yards providing temporary storage of automobile bodies or parts awaiting disposal as a normal part of the business operation, when the business will continually have like materials located on the premises, garbage dumps and sanitary landfills. For purposes of this resolution, a "recycling center" shall not be a "junkyard."

"Junk" or "salvage" shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste, or junked, dismantled, wrecked or inoperable automobiles, or parts thereof, salvage, iron, steel, and other old or scrap ferrous or nonferrous metals.

"Automobile wrecking yard" shall mean any lot or place which is exposed to the weather and upon which more than five (5) inoperable motor vehicles of any kind, or parts thereof, or which it would not be economically practical to make operative, are placed, located or found. For purposes of this definition, any landowner owning more than one adjoining lots or parcels shall be considered the owner of one (1) tract of land. "Automobile wrecking yard" shall not be construed to mean an establishment having facilities for processing iron, steel, or nonferrous scrap and whose principal product is scrap iron, steel, or nonferrous scrap for sale or remelting purposes only; nor shall such definition include a body shop or towing service licensed to conduct business in Hamblen County.

"Inoperable motor vehicle" shall be defined as any vehicle, car, truck, van, bus, recreational vehicle, motorcycle, or parts thereof, which does not have an engine or drive train in operating condition, inflated tires on all wheels, an operative battery, or valid state license plate and registration issued to a person in possession of the property on which the vehicle is located, or which, for any reason, is not operable and capable of being legally driven upon the roads and highways of the County and the State of Tennessee under its own power.

"Recycling center" means an establishment, place of business, facility or building which is maintained, operated or used for the storing, keeping, buying or selling of newspaper, paper products or glass or plastic used for food or beverage containers for the purpose of converting such items into a usable product.

7.4 DEVELOPMENT STANDARDS FOR AUTOMOBILE WRECKING, JUNK AND SALVAGE YARDS, AND DUMPS. Because of the nature and character of their operations, automobile wrecking and salvage yards, junkyards, and similar uses of land can have a decidedly detrimental effect upon surrounding properties. Salvage and wrecking yards tend to create problems of noise, dust, traffic and health hazards and may adversely affect property values by their general appearance. The following standards shall be used as a guide in evaluating whether proposed land uses, such as those outlined above, will have properly minimized their objectionable characteristics:

- A. All motor vehicles stored or kept in such yards shall be so kept that they will not catch or hold water in which mosquitoes may breed or so that they will not constitute a place or places in which rats, mice, or other vermin may be harbored, reared, or propagated.
- B. Because of the tendency for salvage yards, junkyard or automobile wrecking yards to promote the breeding of vermin, no such operation shall be permitted closer than five hundred (500) feet from any established residence.
- C. All automobile wrecking, junk and salvage yards located on a county road shall be conducted entirely within either an enclosed opaque fence, screen, or wall, excepting driveway areas, from eight (8) feet to twelve (12) feet in height or a screen or wall composed of white pines, eastern hemlocks, scotch pines or Leland cypress trees, no less than four feet in height at planting, at 20' intervals between tree trucks along the fence lines, excepting driveway areas. Any fence, screen or wall for screening purposes shall be properly painted or otherwise maintained in good condition. Variances may be granted by the Board of Zoning Appeals where traffic safety is an issue.
- D. All such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to the public health or safety.
- E. OFF-ROAD PARKING. No vehicles may be parked outside of the fence, screen, or wall.
- F. INGRESS AND EGRESS. The number of vehicular access driveways permitted on any single street frontage shall be limited to:
 - 1. One (1) driveway where the parcel to be used has a maximum road or street frontage of one hundred (100) feet or less.
 - 2. Two (2) driveways where the road or street frontage exceeds one hundred (100) feet.
- G. Except for grandfathered, nonconforming yards, no automobile wrecking, junkyard or salvage yards shall be permitted within three hundred (300) feet of any public road in Hamblen County.
- H. APPLICATION FOR AUTOMOBILE WRECKING, JUNK, OR SALVAGE YARD PERMIT. No person shall own or maintain an automobile wrecking, junkyard, or salvage yard within Hamblen County until he has secured a permit from the Hamblen County Board of Zoning Appeals. An application for said permit shall be filed and shall be accompanied by a detailed Site Plan, a schedule for construction, and any other information herein required.

- I. DUMPS. No person shall own or maintain a landfill or waste dump within Hamblen County until a Site Plan has been submitted and approved by the Planning Commission; received approval as a special exception by the Board of Zoning Appeals; and received a permit issued by the Tennessee Department of Health and Environment, Division of Solid Waste. No such landfill or dump shall be permitted within five hundred (500) feet of a residence, school, church, park, or public gathering place. All debris must be covered daily from public view. The dumping of chemicals or toxins is not permitted. Other standards required for junkyards shall also be required for dumps.
- J. SAVINGS CLAUSE. If any of the provisions of this Article 7.4 conflict with the provisions of general law regarding the regulation of junkyards, by being less restrictive than the general law or otherwise, then the general law provisions shall govern the matter at issue.
- K. AMORTIZATION SCHEDULE. With respect to Article 7.4 A., C., D., E. and F., any non-conforming junkyard considered "grandfathered" under this Resolution or general law shall lose such grandfathered status with regard to Article 7.4 A., C., D., E. and F. three (3) years after the adoption of this amended Article 7.4.

ZONING AMENDMENT

10.6 Penalties. It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any of the provisions of this Resolution or any Amendment thereof enacted or adopted by the Hamblen County Board of Commissioners. A violation of this part shall constitute a Class C Misdemeanor. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance or use continues is deemed a separate offense. In addition, Hamblen County shall also have the authority to enforce this Resolution by any and all measures permitted by *Tennessee Code Annotated* §§ 5-1-121 and/or 13-7-111.

CHARTER COMMUNICATIONS CHARTER

Motion by Nancy Phillips, seconded by Larry Baker to pursue the informal process for the renewal of the franchise with Charter Communications.

Voting for: all

CONTRACT-UNIVERSITY PATHOLOGISTS, PC

Motion by Nancy Phillips, seconded by Dennis Alvis to accept the contract with University Pathologists, PC.

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

AGREEMENT BETWEEN HAMBLEN COUNTY, TENNESSEE

AND

UNIVERSITY PATHOLOGISTS, PC

This agreement, made and entered into this _____ day of _____, 20____, by and between Hamblen County, Tennessee (hereinafter referred to as “County”), and University Pathologists, P.C., (hereinafter referred to as “UPPC”).

WITNESSETH

WHEREAS, County wishes to retain UPPC to perform post mortem examinations; and

WHEREAS, UPPC is willing to perform said post mortem examinations for County;

NOW, THEREFORE, in consideration of the premises, the parties agree as follows:

1. UPPC will perform a post mortem examination and issue a report on each case referred to UPPC by County for a fee, per case, of Thirteen Hundred Dollars (\$1,300). This fee shall include the usual supplies, laboratory and pathology doctor’s charges, in addition to subsequent testimony. This fee shall include receipt and storage of the body. In the event there are unusual supplies, laboratory or pathology doctor’s charges, County will be notified in advance for approval. No additional charges will be incurred without County prior approval.
2. County shall be responsible for all charges regarding the transportation of the body to and from the UPPC Regional Forensic Center facilities in Knoxville, Tennessee. UPPC shall invoice Hamblen County for its charges after it has completed its examination and issued its report.
3. The charges shall be paid by County within thirty (30) days of the receipt of said invoice.

4. Either party may terminate this Agreement upon thirty (30) days written notice to the other party. This Agreement will remain valid and in effect until such time as written notice to terminate is issued by one party to the other.
5. County and UPPC shall have no liability except as specifically provided herein.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates hereinafter mentioned.

HAMBLEEN COUNTY

By: Original Already Signed

Title: It mailed. DWJ

Date: _____

UNIVERSITY PATHOLOGISTS, P.C.

By: _____
STUART E. VAN METER, M.D.

Title: _____

Date: _____

THEREUPON, MEETING ADJOURNED.

HAMBLEN COUNTY

Government

LINDA WILDER
County Clerk

511 West Second North Street • Morristown, Tennessee 37814
Phone (423) 586-1993 • Fax: (423) 587-9798



"The Peoples House"

December 8, 2005

Honorable John Litz
20 Legislative Plaza
Nashville, TN 37243-0110

Dear Representative Litz:

Enclosed please find certified copies of two (2) resolutions that were passed at the regular monthly meeting of the Hamblen County Commission on November 21, 2005.

Thank you for your attention in these matters.

Sincerely,

Linda Wilder
Hamblen County Clerk

HAMBLEN COUNTY

Government

LINDA WILDER
County Clerk

511 West Second North Street • Morristown, Tennessee 37814
Phone (423) 586-1993 • Fax (423) 587-9798



"The Peoples House"

December 8, 2005

Honorable Steve Southerland
318 War Memorial Building
Nashville, TN 37243-0201

Dear Senator Southerland:

Enclosed please find certified copies of two (2) resolutions that were passed at the regular monthly meeting of the Hamblen County Commission on November 21, 2005.

Thank you for your attention in these matters.

Sincerely,

Linda Wilder
Hamblen County Clerk

Hamblen County Legislative Body
Monday, November 21, 2005
Hamblen County Courthouse
Large Courtroom, 3rd Floor
5 p.m.

Chairman Joe Spoons, District 6
Vice-Chairman Guy Collins, District 11

Commissioner Edwin P. Osborne, District 1
Commissioner Nancy Phillips, District 2
Commissioner Tom Lowe, District 3
Commissioner Bobby Reinhardt, District 4
Commissioner Maudie Briggs, District 5
Commissioner Dennis Alvis, District 7
Commissioner Ricky Bruce, District 8
Commissioner Larry Baker, District 9
Commissioner Herbert Harville, District 10
Commissioner Doyle Fullington, District 12
Commissioner Donald Gray, District 13
Commissioner Linda Noe, District 14



Indicates Roll Call Vote Required


AGENDA

Opening of Hamblen County Legislative Body Monthly Meeting

– *Sheriff Otto Purkey*

- Call to Order – *Chairman Joe Spoons*
- Prayer – *Commissioner Dennis Alvis, Chaplain*
- Pledge of Allegiance – *Commissioner Nancy Phillips*
- Roll Call – *County Clerk Linda Wilder*
- Recognition of Visitors – *Chairman Joe Spoons*
 - i. Rev. Nigel Marlin Reid, Sr.*

1. Minutes, Notaries, and Appointments/Confirmations

- a. Approval of Minutes from Previous County Commission Meeting -*Submitted by County Clerk's Office*
 -  i. October 20, 2005
- b. Approval of Notaries and Bonds -*Submitted by County Clerk's Office*
- c. Elections, Appointments, and Confirmations

2. Planning Commission Report – *Director Danny Young*




- a. None Stated

3. Old Business – None Stated.


4. New Business

- a. Resolution to Oppose Senate Joint Resolution 1 Relative to Property Tax Relief
–*Commissioner Nancy Phillips*
- b. Resolution to Urge the General Assembly to Consider Legislation Relative to Eminent Domain
–*Commissioner Nancy Phillips*

5. Finance Committee Report – *Chair Herbert Harville*

- a. Operating Summaries – 10/31/05 (*Informational Purposes Only*)
-  b. Review of Monthly Checks Submitted by Office of the Hamblen County Mayor (*Distributed by Mail*)
-  c. Report from Special-Called Finance Committee Meeting RE: Proposed Private Act for Hospital Debt Monies
- d. Healthcare Insurance Announcement for 2006 Calendar Year
- e. Request for Committee Funding From Downtown Morristown Association for Sesquicentennial Project
- f. Budget Amendments
 -  i. Highway Department

6. Public Services Committee Report – *Chair Nancy Phillips*

-  a. Proposed Amendments to Zoning Regulations Affecting Grandfathered Junkyards
- b. Review of Fees from Planning Office
- c. Legal Opinion on Enforcing Beer Laws
- d. Initial Discussion of Charter Franchise Process
- e. Report from Special-Called Public Services Committee Meeting – 11/10/05

7. Open Floor Discussion

8. Items of Interest

- a. Medical Examiner's Report – October 2005
- b. Notice of Workshop to Discuss Illegal Aliens

9. Adjournment