

RESOLUTION NO. 13-501

A RESOLUTION AMENDING RESOLUTION NO. 203 BY AMENDING THAT PORTION OF THE PLAN OF SERVICES FOR FOX RUN PARTNERS PROPERTY (WOLFE LAUREL SUBDIVISION) ANNEXATION OF THE TOWN OF MOUNT CARMEL, TENNESSEE PERTAINING TO THE PROVISION OF SANITARY SEWER

WHEREAS, the Plan of Services for the Fox Run Partners Property (Wolfe Laurel Subdivision) Annexation approved by the board in Resolution No. 203 provides for sanitary sewer in the annex territory; and

WHEREAS, the majority of the property owners of the annexed territory have requested that the city amend the Plan of Services approved in Resolution No. 203 to extend the completion date until such time as the current septic systems fill beds fail; and

WHEREAS, prior to the adoption of this amendment to the Plan of Services the city held a public hearing on April 9, 2013 regarding the same in accordance with a notice of the time and place of a public hearing published in the Kingsport Times-News on March 15, 2013, and more than fifteen (15) days prior to the hearing; and

WHEREAS, the board has determined that it is desirable to amend the resolution so that the Plan of Services extend the installation and completion of the sanitary sewer in the Fox Run Partners Property (Wolfe Laurel Subdivision) Annexation. Now, therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE, as follows:

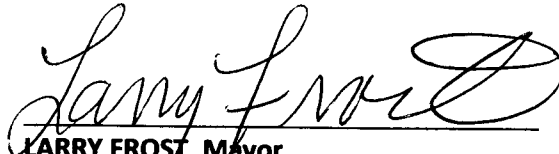
SECTION I. That the Plan of Services contained in Resolution No. 203 for the Fox Run Partners Property (Wolfe Laurel Subdivision) Annexation of the Town of Mount Carmel, Tennessee is amended by adding the following sentence to section II Sanitary Sewer:

Pursuant to the written request provided to the Town a majority of the property owners by parcel of the annexed territory, sanitary sewer will be upgraded when their current septic system's field beds show signs of failure and after the effective date of annexation.

SECTION II. That except as amended herein the provisions of Resolution No. 203 adopting the Plan of Services for Fox Run Partners Property (Wolfe Laurel Subdivision) Annexation previously adopted by the board is hereby ratified and confirmed and shall remain in effect.

SECTION III. This resolution shall be effective from and after its adoption, the public welfare requiring it.

Duly passed and approved this the 28th day of May, 2013.

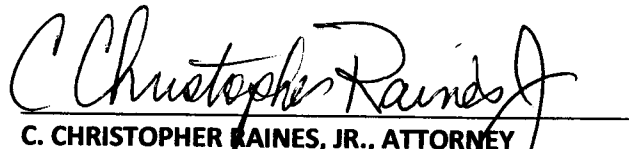

LARRY FROST, Mayor

ATTEST:


MARIAN SANDIDGE, City Recorder



APPROVED AS TO FORM:


C. CHRISTOPHER RAINES, JR., ATTORNEY

FIRST READING	AYES	NAYS	OTHER
Alderman Eugene Christian	X		
Alderman Wanda Davidson	X		
Alderman Leann DeBord	X		
Alderman Frances Frost	X		
Alderman Carl Wolfe	X		
Vice-Mayor Paul Hale	X		
Mayor Larry Frost	X		
TOTALS	7	0	0

PASSED FIRST READING May 28, 2013

PLAN OF SERVICE (POS) AMENDMENT REPORT
File No.:

TO: MOUNT CARMEL REGIONAL PLANNING COMMISSION
FROM: Karen B. Combs, PRINCIPAL PLANNER
DATE: March 20, 2013
APPLICANT: Mount Carmel Planning Staff
REQUESTED ACTION: Plan of Service (POS) Review & Approval

STAFF REPORT: As part of the annexation process as mandated by State law, more specifically Tennessee Code Annotated 6-51-102(b) 1, a plan of services was prepared and adopted by the Board of Mayor and Alderman. Those services mandated by State law include sewer, police and fire protection among others. As required by TCA, staff is tasked to provide a Plan of Service update (POS) to the Planning Commission and Board of Mayor and Alderman on any outstanding annexation once a year until all services have been installed. As of today's date, sewer services have not been installed to the Wolfe Laurel Annexation area. The Plan of Service requires that this service is installed by 9/24/2014 unless an amendment is accepted by at least one half of the present property owners. Staff realizes that many property owners have installed private septic systems at a significant individual cost. These systems are relatively new and have many years left in the lifetime of that investment. Staff is proposing an amendment to this Plan of Service until the time of expiration of the septic tanks or field bed failure starts to occur. We are estimating that to occur in approximately 10 to 15 years. Estimated costs of installing sewer to this annexed area are approximately 1 to 2 million dollars with no funds readily available in the capital budget.

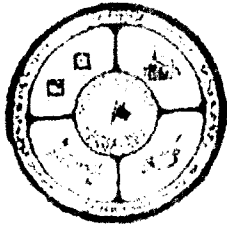
Staff approached and gained approval from the Utilities Board and has gained agreements from one half of the property owners in the annexed area (attached) as required by TCA to extend the Plan of Service regarding Sewer installation until such time as the field beds start to fail.

Attached to this letter is the letter sent to the property owners.

OPTIONS: The Planning Commission's options are as follows:

1. Approve the Plan of Service Amendment by sending a favorable recommendation to the Mount Carmel Board of Mayor and Aldermen.
2. Deny the amendment by sending an unfavorable recommendation and state the reasons for denial in writing.
3. Postpone action pending receipt of additional information.

STAFF
RECOMMENDATION: Staff recommends Approval



Larry Frost
MAYOR

Town of Mount Carmel

OFFICE OF THE MAYOR

100 East Main Street
Post Office Box 1421
Mount Carmel, Tennessee 37645

Phone (423) 357-7311 ** Fax (423) 357-7710
E-Mail: MCCH@Chartertn.net

February 19, 2013

Dear Property Owner:

At the request of the developer of your subdivision (on 9/24/99) prior to construction your property was annexed into the corporate limits of the Town of Mount Carmel. As part of the annexation process as mandated by State law, more specifically Tennessee Code Annotated 6-51-102(b) 1, a plan of services was prepared and adopted by the Board of Mayor and Alderman. Those services mandated by State law include sewer, police and fire protection among others.

Staff realizes that many property owners have installed private septic systems at a significant individual cost. These systems are relatively new and have many years left in the lifetime of that investment. The purpose of this letter is to request permission to extend the timeframe for sewer installation to your annexed area until such time as these septic systems show signs of failure or the anticipated lifetime of these systems begin to expire. Your agreement to extend the timeframe for the plan of services would then be presented by planning staff to the Board of Mayor and Alderman for adoption. This request is made so that you may enjoy the full expected lifetime of your investment and not be required to expend additional funds to connect to the municipal sewer system. The current cost of a tap is a minimum of \$2,500 plus monthly user fees. At the time of expiration or field bed failure occurring after 9/24/14, the Town agrees to start the proceedings of planning the sewer line extension and would pump any septic systems that experience field bed failure in the annexed area until the new line is extended to your property line.

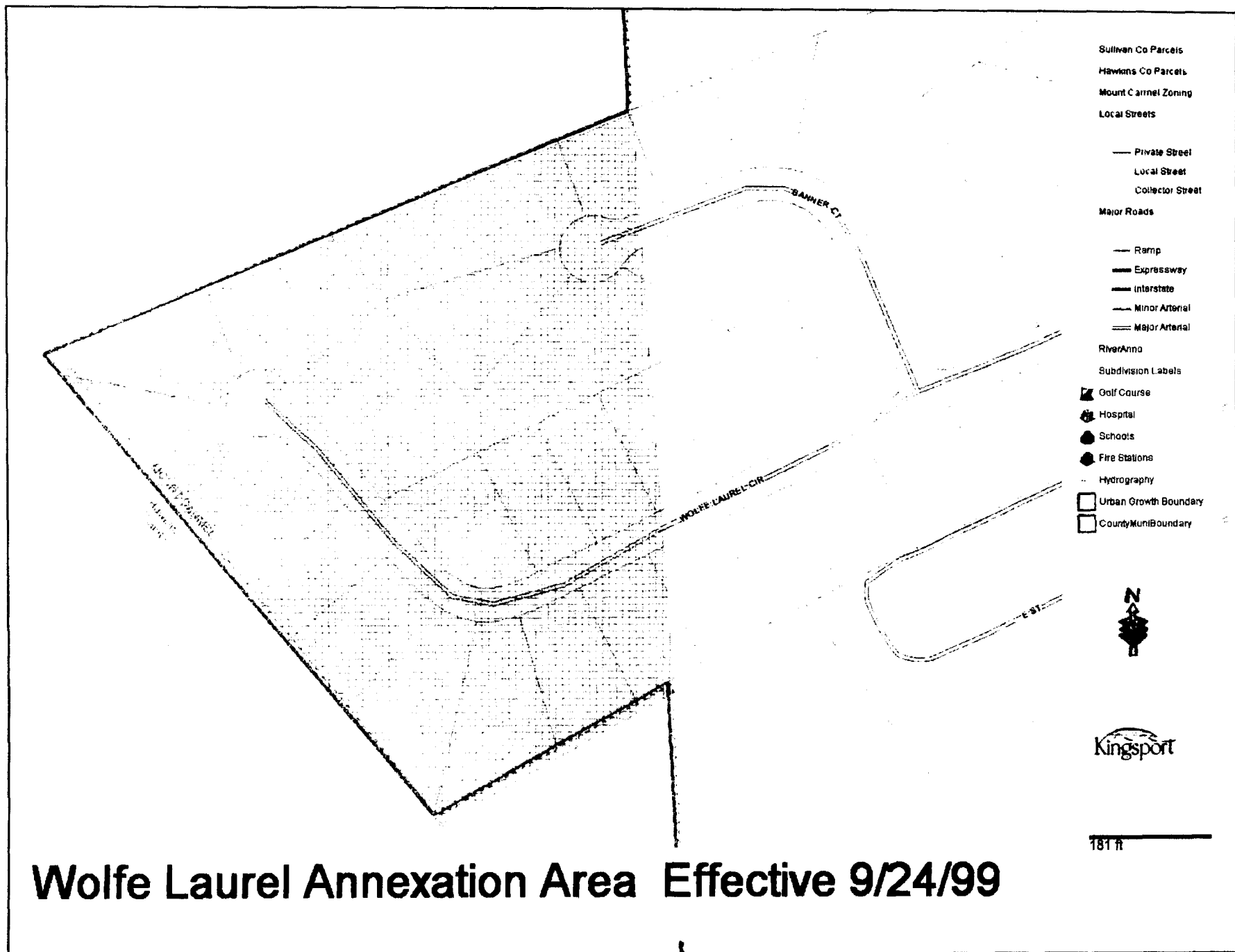
Enclosed for your signature is a form letter indicating your support for the proposed extension on the plan of services for your annexed parcel. Please return the letter in the enclosed self addressed stamped envelope. Once the amended plan of services has been approved, a copy will be forwarded to your address.

Should you have any questions, please do not hesitate to contact my office at 423-224-2482 or the Town of Mount Carmel at 423-357-7311.

Sincerely,

Karen Combs

Principal Planner -Town of Mount Carmel



Board Members:

I, _____ agree to extend the plan of services as presented by the Town of
(Print Name)
Mount Carmel for my property located at _____ which was included the
(address or Tax map /parcel number)
Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

Signature of Property Owner

Date

Elizabeth Bowen
234 Wolfe Laurel Dr
Mount Carmel, TN 37645

Jeanette Porter
428 Banner Ct
Mount Carmel, TN 37645

Mary Carr
242 Wolfe Laurel Dr
Mount Carmel, TN 37645

Debbie Carpenter
255 Wolfe Laurel Dr
Mount Carmel, TN 37645

Lisa Summey
262 Wolfe Laurel Dr
Mount Carmel, TN 37645

Peggy Sue Ellis
270 Wolfe Laurel Dr
Mount Carmel, TN 37645

Dana Caldwell
275 Wolfe Laurel Dr
Mount Carmel, TN 37645

Hugh Johnson
P.O. Box 1406
Mount Carmel, TN 37645

Samuel & Sylvia Lane
432 Banner Ct
Mount Carmel, TN 37645

Floyd N. Garrett
433 Banner Ct
Mount Carmel, TN 37645

Jack Webb
247 Wolfe Laurel Dr
Mount Carmel, TN 37645

Samuel Lane Jr.
254 Wolfe Laurel Dr
Mount Carmel, TN 37645

Chad Ratliff
263 Wolfe Laurel Dr
Mount Carmel, TN 37645

James Higgins
271 Wolfe Laurel Dr
Mount Carmel, TN 37645

Traci Childress
278 Wolfe Laurel Dr
Mount Carmel, TN 37645

Samuel & Sylvia Lane
Vacant lot
Mount Carmel, TN 37645

M & M Builders
905 Calfax Ave
Kingsport, TN 37660

Phyllis Woodard
251 Wolfe Laurel Dr
Mount Carmel, TN 37645

David White
259 Wolfe Laurel Dr
Mount Carmel, TN 37645

Ricky Stone
267 Wolfe Laurel Dr
Mount Carmel, TN 37645

Charles Walp
274 Wolfe Laurel Dr
Mount Carmel, TN 37645

William Cody
282 Wolfe Laurel Dr
Mount Carmel, TN 37645

Name	Address	City	State	Zip	Parcel No.
Elizabeth Bowen	234 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 30.00
Samuel & Sylvia Lane	432 Banner Ct	Mount Carmel	TN	37645	11K A 32.00
Samuel & Sylvia Lane	Vacant lot	Mount Carmel	TN	37645	11K A 33.00
Jeanette Porter	428 Banner Ct	Mount Carmel	TN	37645	11K A 34.00
Floyd N. Garrett	433 Banner Ct	Mount Carmel	TN	37645	11K A 31.00
M & M Builders	905 Calfax Ave	Kingsport	TN	37660	11K A 25.00
Mary Carr	242 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 26.00
Jack Webb	247 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 10.00
Phyllis Woodard	251 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 11.00
Debbie Carpenter	255 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 12.00
Samuel Lane Jr.	254 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 24.00
David White	259 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 13.00
Lisa Summey	262 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 23.00
Chad Ratliff	263 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 14.00
Ricky Stone	267 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 15.00
Peggy Sue Ellis	270 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 22.00
James Higgins	271 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 16.00
Charles Walp	274 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 21.00
Dana Caldwell	275 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 17.00
Traci Childress	278 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 20.00
William Cody	282 Wolfe Laurel Dr	Mount Carmel	TN	37645	11K A 19.00
Hugh Johnson	P.O. Box 1406	Mount Carmel	TN	37645	11K A 18.00



Tennessee Property Viewer



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FEB 23 2013

PAGE... OF ...

Board Members:

Sylvia G. Lane agree to extend the plan of services as presented by the Town of
(Print Name)

Mount Carmel for my property located at 432 Banner Ct which was included the
(address or Tax map /parcel number)

Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

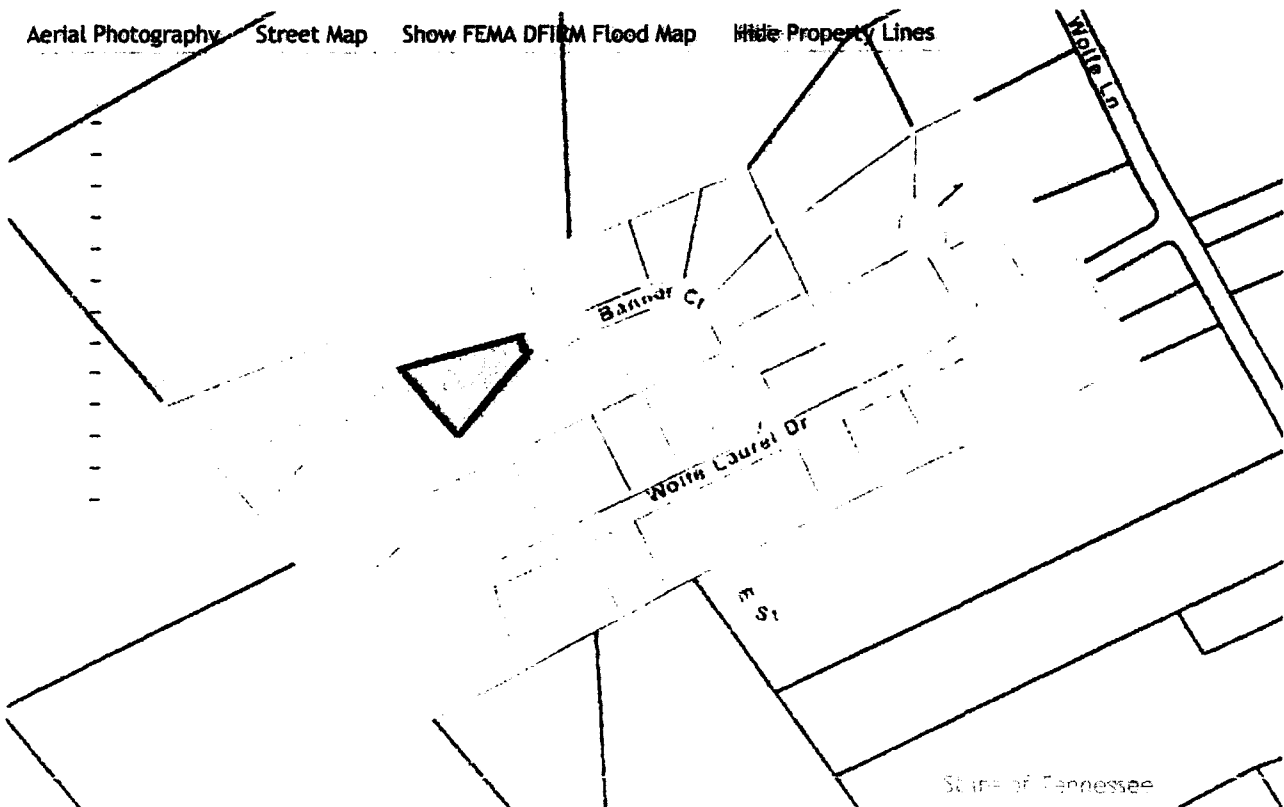
Sylvia G. Lane
Signature of Property Owner

Feb. 22, '13
Date



Tennessee Property Viewer

Aerial Photography Street Map Show FEMA DFIRM Flood Map Hide Property Lines



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FEB 25

PAGE 0

Board Members:

I, SAMUEL LANE
(Print Name)

agree to extend the plan of services as presented by the Town of
Mount Carmel for my property located at 432 Bonner Ct. which was included the
(address or Tax map /parcel number)
Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

2-22-13
Date

Samuel Lane
Signature of Property Owner

Tennessee Property Viewer



Aerial Photography

Street Map

Show FEMA DFIRM Flood Map

Hide Property Lines

State of Tennessee

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FEB 28 2013

CLERK OF...

Board Members:

Samuel E Lane Jr agree to extend the plan of services as presented by the Town of
(Print Name)

Mount Carmel for my property located at _____ which was included the
(address or Tax map /parcel number)

Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

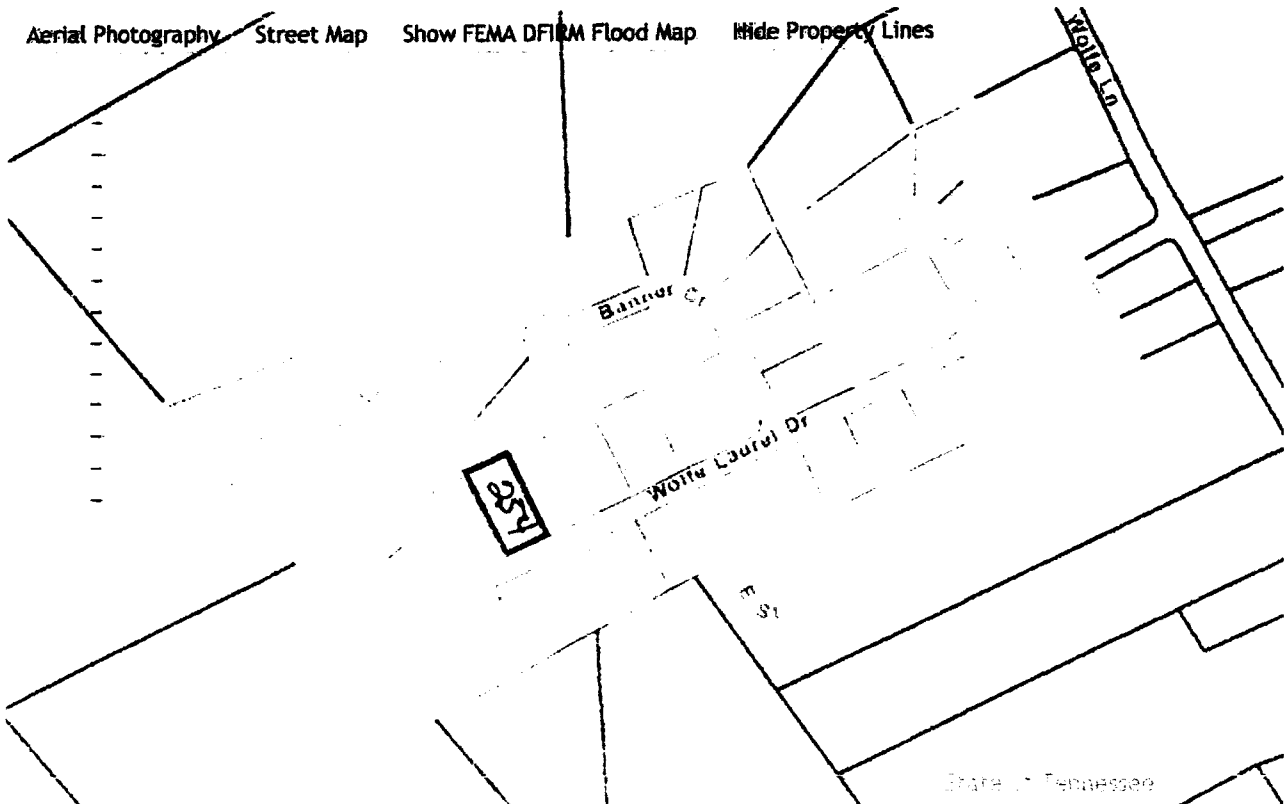
Samuel E Lane Jr
Signature of Property Owner

2-22-13
Date



Tennessee Property Viewer

Aerial Photography Street Map Show FEMA DFIRM Flood Map Hide Property Lines



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FEB 25 2010

PAGE 1 OF 1

Board Members:

I, William Coby agree to extend the plan of services as presented by the Town of
(Print Name)
Mount Carmel for my property located at 282 Wolfe Laurel Dr. which was included the
(address or Tax map /parcel number)
Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

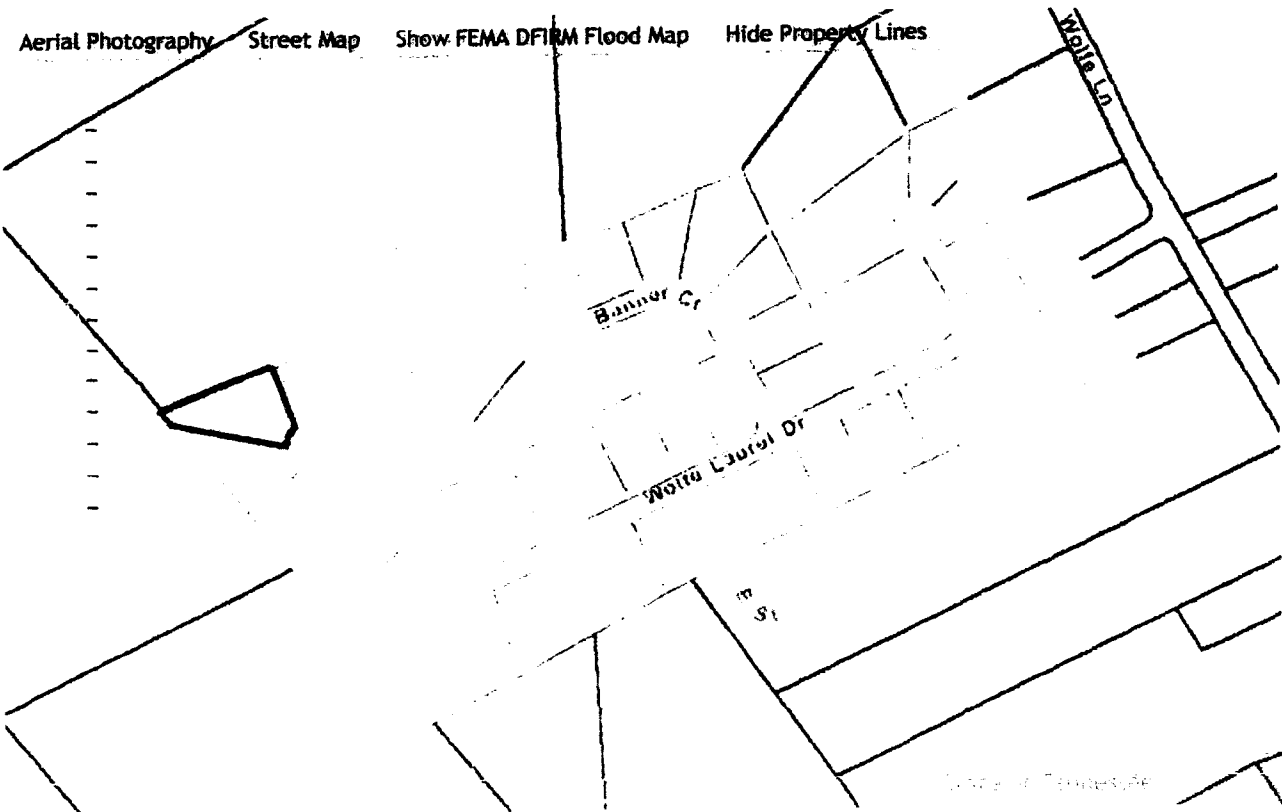
William Coby
Signature of Property Owner

2-22-2013
Date



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FEB 25 2013

PAGE..... OF.....

Board Members:

I, Jeanette L. Porter agree to extend the plan of services as presented by the Town of
(Print Name)

Mount Carmel for my property located at 428 BANNER CT. which was included the
(address or Tax map /parcel number)

Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

Jeanette L. Porter

Signature of Property Owner

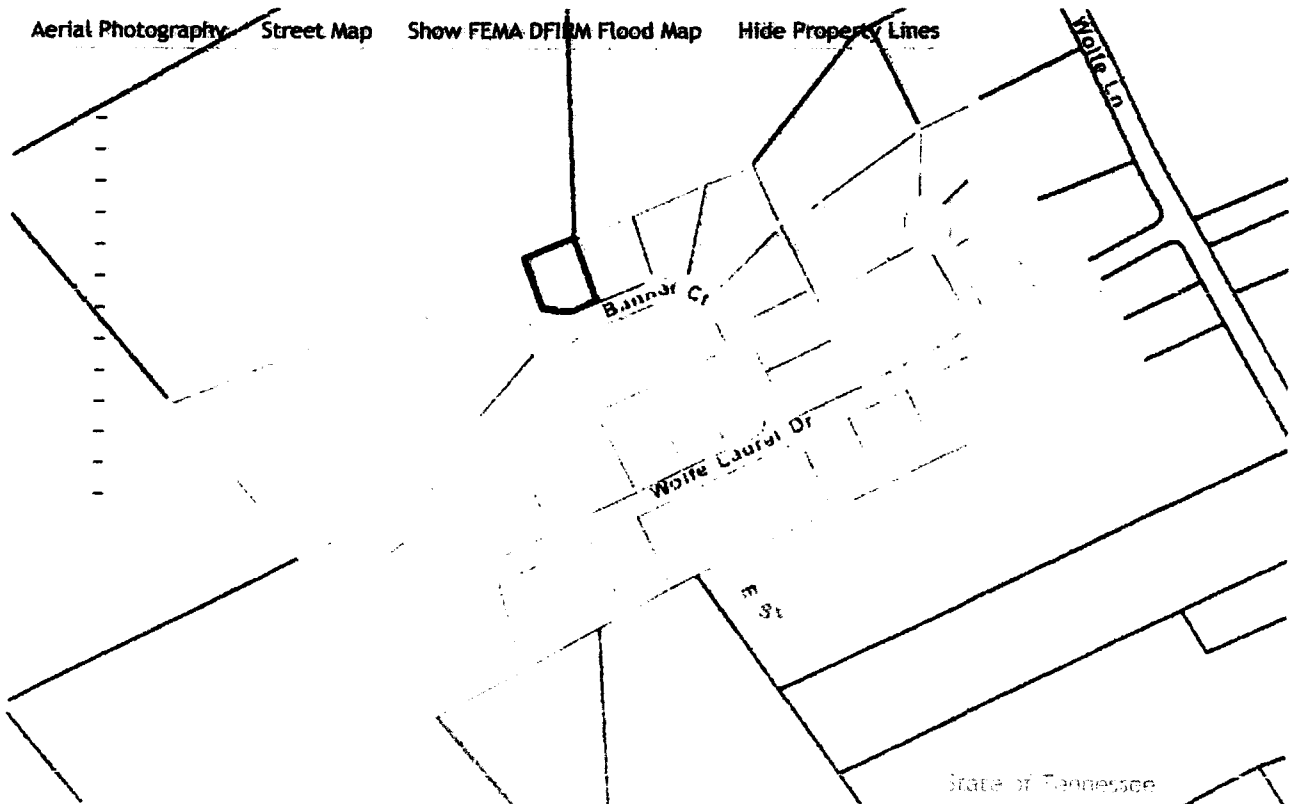
2-22-13

Date



Tennessee Property Viewer

Aerial Photography Street Map Show FEMA DFIRM Flood Map Hide Property Lines



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FEB 25 2013
PAGE..... OF.....

Board Members:

I, DANA W. CALDWELL agree to extend the plan of services as presented by the Town of
(Print Name)
Mount Carmel for my property located at 275 WOLFE LAUREL DR which was included the
(address or Tax map /parcel number)
Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

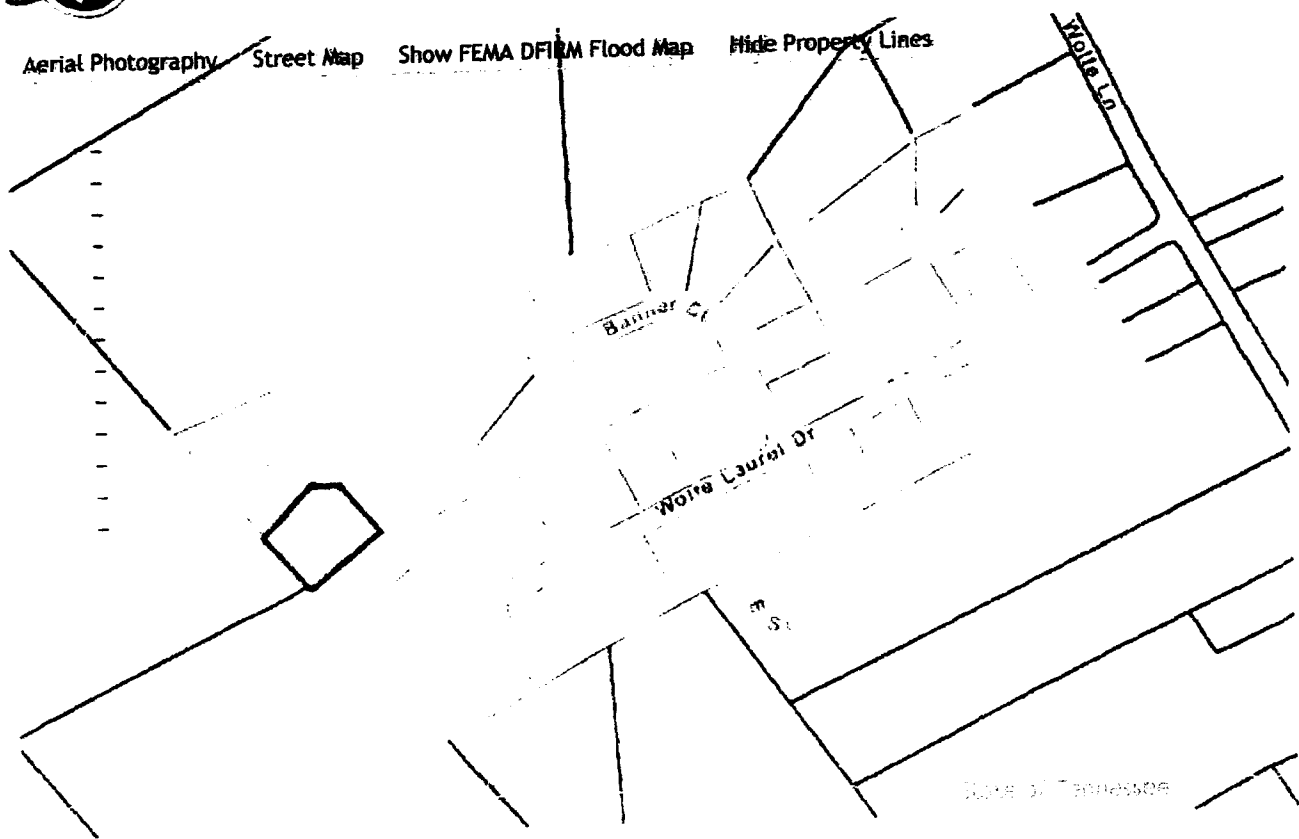
Dana W Caldwell
Signature of Property Owner

2/22/2013
Date



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State of Tennessee

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FEB 28 2013

PAGE..... OF.....

Board Members:

I, James M Higgins agree to extend the plan of services as presented by the Town of
(Print Name)

Mount Carmel for my property located at 271 Wolfe Laurel Dr which was included the
(address or Tax map /parcel number)

Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

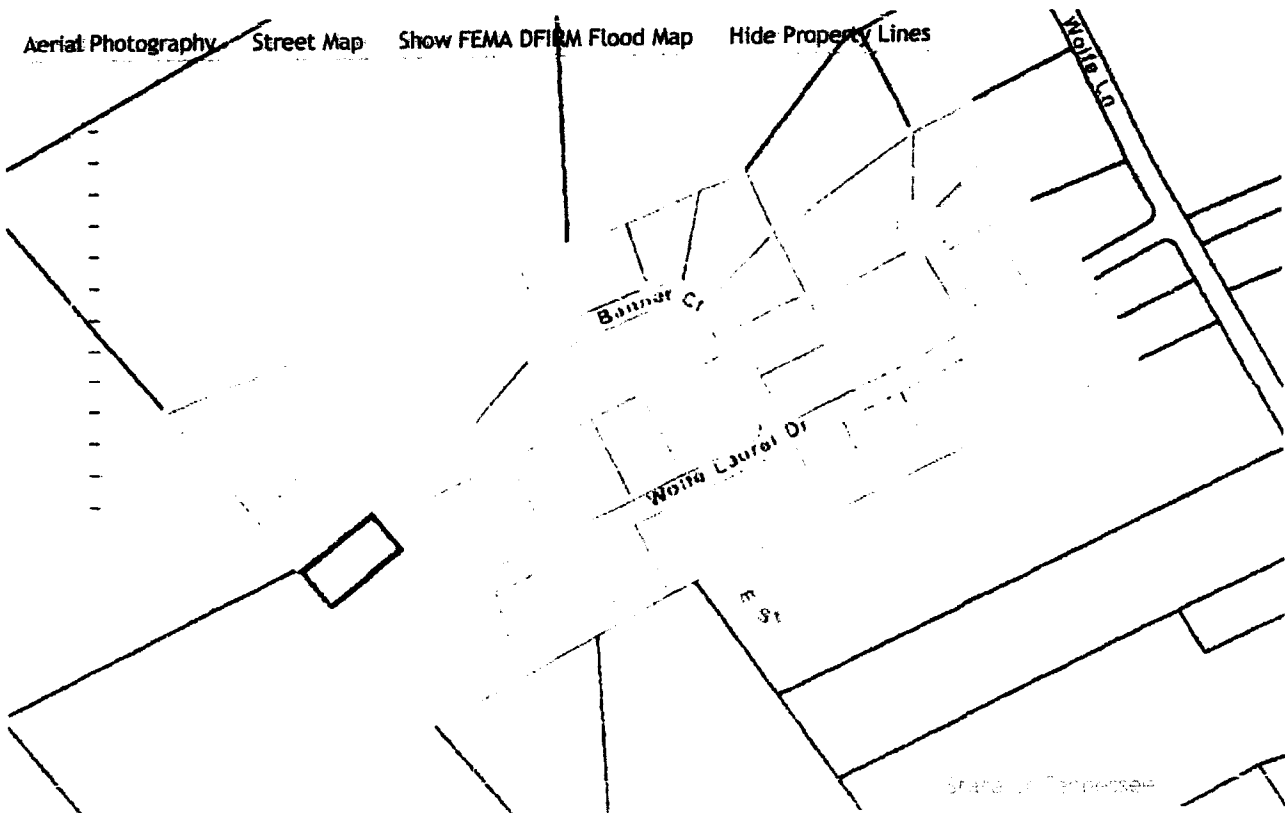
James M Higgins
Signature of Property Owner

2-26-2013
Date



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State of Tennessee

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MAR 01 2013
OFFICE OF...

Board Members:

I, Peggy S. Ellis agree to extend the plan of services as presented by the Town of
(Print Name)
Mount Carmel for my property located at 270 Wolfe Laurel Drive which was included the
(address or Tax map /parcel number)
Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

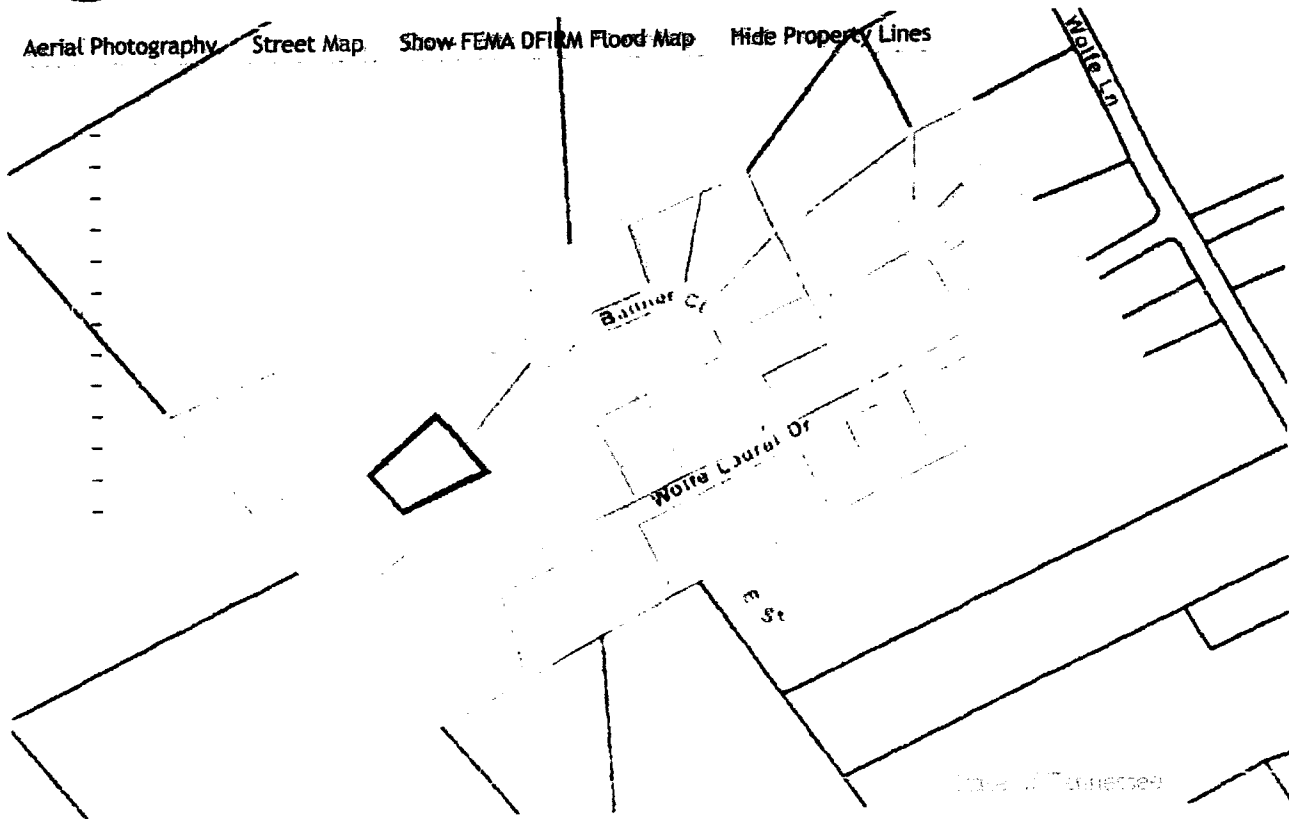
Peggy S. Ellis
Signature of Property Owner

2-25-13
Date



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PAGE..... OF.....

Board Members:

Richard Bobek
I, Elizabeth Brown agree to extend the plan of services as presented by the Town of
(Print Name)

Mount Carmel for my property located at 204 Wolfe Laurel which was included the
(address or Tax map /parcel number)

Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

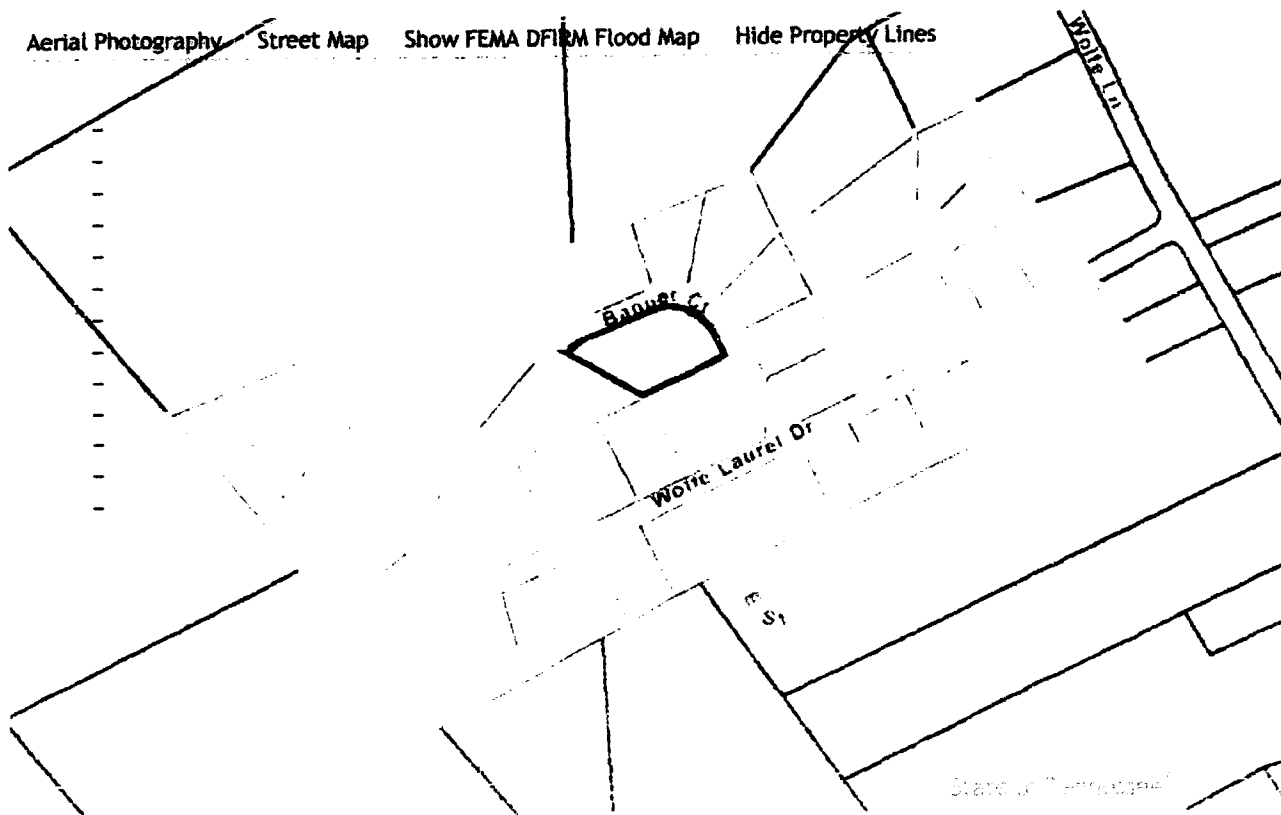
Richard Bobek
Signature of Property Owner

3-7-2013
Date



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MAR 04 2013

PAGE..... OF.....

Board Members:

I, Debbre Carpenter agree to extend the plan of services as presented by the Town of
(Print Name)

Mount Carmel for my property located at 255 Wolfe Laurel Dr which was included the
(address or Tax map /parcel number)

Fox Run Partners Property Annexation (Wolfe Laurel Subdivision); Ordinance Number 203 with an
effective date of 9/24/99.

Debbie Carpenter

Signature of Property Owner

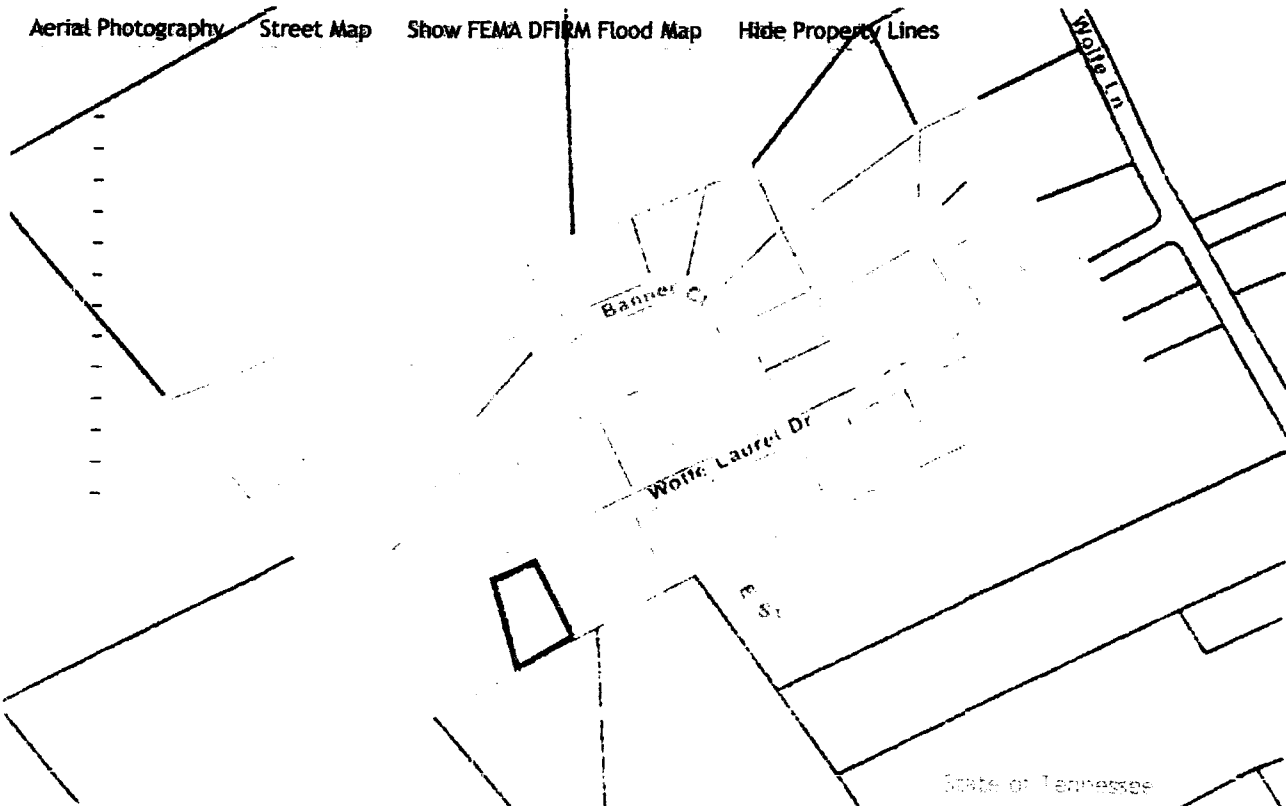
2/27/13

Date



Tennessee Property Viewer

Aerial Photography Street Map Show FEMA DFIRM Flood Map Hide Property Lines



KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN 5/8/13

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of May 8, 2013 and appearing 1 consecutive weeks/(times) as per order of

Town of Mount Carmel

Signed Sheryl Edwards

**MOUNT CARMEL BOARD
OF MAYOR AND
ALDERMEN**

Mount Carmel Board of Mayor and Aldermen will have a public hearing on Plan of Services for Wolfe Laurel Subdivision on May 28, 2013 at 5:25 PM at Town Hall, Mount Carmel, TN. The public is invited to attend.

Mount Carmel Board of Mayor and Aldermen will have a public hearing on Title 9 Chapter 2. Fortunetellers, Clairvoyants and Similar Pursuits on May 28, 2013 at 5:25 PM at Town Hall, Mount Carmel, TN. The public is invited to attend.

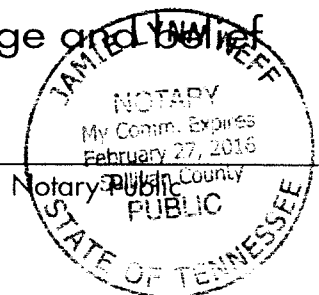
PUB1T; 05/08/13

STATE OF TENNESSEE, SULLIVAN COUNTY, TO WIT:

Personally appeared before me this 8th day of May, 2013, Sheryl Edwards

of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

Jamie L. Neff



My commission expires Feb 27, 2016