A Public Hearing was held at 7:00 P.M. May 5th, 1986 to consider the rezoning of Property on East Coast Tellico Parkway, Maps 65 and 75, Parcel 1.0, from A-1, Agriculture Forestry to C-1 Rural Center. There being no comment the hearing closed.

Be it remembered that the Loudon County Legislative Body met in regular session on Monday May 5th, 1986 at 7:10 P.M. with the Chairman, J. J. Blair, presiding and Riley D. Wampler, County Clerk was present, whereupon Sheriff Joe Sims opened Court, led the Pledge of Allegiance to the Flag and presented Commissioner Masingo who gave the Invocation.

The following Commissioners were present:

J. J. Blair Roy Bledsoe Bill Webb Jerry Masingo

Absent was Glenn Luttrell

Al Bryant Jim Price Bart Eldridge Avery Petty

MINUTES APPROVED It was moved by Commissioner Price and seconded by Commissioner Petty that the minutes be approved as presented. The Vote was unanimous.

LIBRARY BOARD MEMBERS APPOINTED It was moved by Commissioner Petty and seconded by Commissioner Bledsoe and Price that the following names, Una Maddox of Philadelphia, Charlotte Brandon of Greenback, and Dorothy Pace of Lenoir City presented by County Executive, Ross Wilkerson be appointed to the Library Board. The Vote was unanimous.

NATIONAL GUARD ARMORY COMMITTEE REPORT County Executive, Ross Wilkerson presented a Progess Report on the National Guard Armory Committee, stating all contracts had been signed and the buliding had been rented for \$750.00 per month-due the 15th of each month beginning April 15th, 1986.

BUDGET AMENDMENTS APPROVED June Custead presented the Budget Amendments. It was moved by Commissioner Petty and seconded by Commissioner Price that \$675.00 be paid to Jackson and Nolan Attorneys for the Linda and Larry Russell Vs. Loudon Conty Sheriff's Department Suit. The Vote was unanimous. It was moved by Commissioner Eldridge and seconded by Commissioner Petty that Ron Parris be reimbursed in the amount of \$1,000.00 for services rendered in the sale of Old Eaton School. The Vote was unanimous. Mrs. Custead presented the Tentative School Budget for the Year 1986-1987 in the amount of \$7,646,059.00. There are attached hereto as Exhibit H.

It was moved by Commissioner Petty and seconded by Commissioner

It was moved by Commissioner Petty and seconded by Commissioner Luttrell that the General Fund, Highway Fund and the Budget Amendments be approved. The Vote Was unamious.

FAIR LABOR It was moved by Commissioner Price and seconded by Commissioner POLICY Petty that the Fair Labor Policy Resolution be approved. The Vote **RESOLUTION APPROVED** LINDA RUSSELL County Attorney, Harvey Sproul presented the current status of VS. SHERIFF Linda Russell etyir VS. Sheriff's Department, also the current status of Jenkins VS. Voyd Curruth. DEPARTMENT VOCATION Attorney Sproul stated he was still working on the Vocation School **SCHOOL** Property Title and Property exchange with Chestnut Ridge Hills. He **PROPERTY** also discussed the Fair Labor Standards Act Resolution recommended for FAIR LABOR all County Governments. STANDARD ACT RESOLUTION After much discussion concerning a Resolution request by Lenoir FOUR City Committee of 100, it was moved by Commissioner Petty and seconded LANING OF by Commissioner Price that the Resolution for Four Laning of U.S. Highway 321 from the Intersection of U.S. 11 (Broadway) to the existing Four Lane portion at the Blount County Line, also that an Over Pass be constructed over Broadway (U.S. 11) in Lenoir City be ap-U.S. HIGHWAY 321 proved. The Vote was unanimous and it is attached hereto as Resolution No 27-86 Exhibit C . Also that accessibility to Broadway off and on Highway 95-321 is crucial to the Lenoir City Downtown Development. LANDFILL Concerning the Status of the Sanitary Landfill Condemnation Lawsuit CONDEMNATION Loudon County VS. Hersch and Powell. There has bee two property Values LAW SUIT per acre totaling. 1. \$147,000.00 \$150,000.00 2. **PLANNING** Mr. Doug Lawrence presented the Planning Commission Report which COMMISSION REPORT It was moved by Commissioner Masingo and seconded by Commissioner Price that the rezoning request for Property on East Coast Tellico Parkway, Map 65 and 75, Parcel 1.0, from A-1 Agriculture Forestry to C-1 Rural Center in the third Legislative District be approved. The MAP 65-75 PARCEL 1.0 **APPROVED** Vote was unanimous and it is attached hereto as Resolution NO 28-Exhibit

BUILDING INSPECTOR REPORT Mr. Doug Lawrence presented the Building Inspector's Report:
Permits----41 Value \$1,035,700.00
Fees \$2,041.00 Taxes 7,250.00

COURT HOUSE ACCESSIBILITY FOR THE DISABLED Commissioner Price presented Dr. Mary Lynn Fletcher who discussed the Court House accessibility for the Disabled. She in turn introduced Mr. Ed. Helton of TVA who presented a Film on "The Guide to Disabilities and Barriers". It was moved by Commissioner Petty and seconded by Commissioner Webb that Barbara Harper work with the Architect on the renevation of the Court House for the Disabled. The Vote was unanimous.

NOTARY PUBLICS APPOINTED It was moved by Commissioner Eldridge and seconded by Commissioner Petty that the following Notary Publics be approved. The Vote was unanimous.

Elizabeth A. Bollom, Suzy Crabtree, Suzanne Lynn Young, J. Claude Maples, James H. Harris, Joyce V. Sherrill, Barbara J. Malone and William T. Custead.

PURCHASING DEPARTMENT

Mr. Phil Reed of the Purchasing Department stated that the Signal Light at Eatons Cross Roads was now complete and in good working order.

There being no further business Court adjourned at 8:05 P.M.

ROSS WILKERSON COUNTY EXECUTIVE

RILEY D. WAMPLER COUNTY CLERK

LOUDON COUNTY HIGHWAY DEPARTMENT

BUDGET AMENDMENTS

April 29, 1986

ACC'T NO. 1	31	Dr.	Cr.
68000 714 68000 705	Highway Equipment Bridge Construction	32,364.73	32,364.73
62000 403 62000 405 68000 714	Liquid Asphalt 2	.50,000.00 .00,000.00 .00,000.00	5 A
 62000 404	Hot Mix	30,000.00	380,000.00
44170 62000 438	Misc. Refunds Pipe	3,500.00	3,500.00
62000 149 61000 101	Laborer County Official (Mileage)	1,000.00	1,000.00
62000 149 62000 141	Laborer Foreman	2,600.00	2,600.00
62000 149 65000 307	Laborer Communication	800.00	800.00
62000 149 65000 399	Laborer Other Contracted Services(Gar.)	2,800.00	2,800.00
62000 351 65000 399	Rental Other Contracted Services(Gar.)	2,000.00	2,000.00
68000 714 63100 499	Highway Equipment Other Operating Supplies & Materials	7,000.00	7,000.00

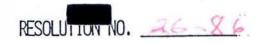
Don Palmer / buch

Road Superintendent

GENERAL FUND BUDGET AMENDMENTS 5/3/86

ACCT. NO.		DR.	CR
101 52500 355 52500 320 52500 719 52500 399 52500 435 52500 307	County Court Clerk Travel County Court Clerk Dues County Court Clerk Office Equip. County Court Clerk Other Cont. Serv. """" "Office Supplies """ "Communication	549.45 120.00 50.00 44.00	549.45 214.00
This	amendment was requested by the Count	ty Court Clerk	
53300~505 53300 188	Judgements Parttime judges	200.00	200.00
This	amendment was requested by the Gene	ral Sessions Cle	ık
51600 435 51600 307	Reg. of Deeds Office Supplies Reg. of Deeds Communication	240.00	240.00
This	amendment was requested by the Reg.	of Deeds	
51800 149 51800 717	Maintenance Salaries Maintenance equipment	4,000.00	4,000.00
This	amendment was requested by Glen Pre	sley	gl en
51700 719 51700 399	Office equipment-Planning Comm. Other Cont. ServPlanning Comm.	250.00	250.00
This	amendment was requested by Pat Phil	lips	
55120 452 55120 425 55120 399	Utilities - Animal Shelter Gasoline Other Contracted Serv.	400.00	300.00 100.00
This	amendment was requested by Joe Sims	, Sheriff	-
46110 53500 590	Juvenile Funds	638.40	638.40
	amendment was requested by Juvenile r voulunteer worker	Director for fu	nds
52200 399 52200 355 52200 719	Purchasing Other contracted Serv. Purchasing travel Purchasing Office Equip.	300.00	500.00
This	amendment was requested by Purchasi	ng Agent	

Acct.	No.	.*	Or.	_Cr
101				
49200 55720-		Proceeds Contracts w/private agencies	128,000.00	
55720- 55720 55720 55720 55720	724 331 321	Land Site Development Legal Fees Engineering Services Legal Notices and Court Costs		181,000.00 135,000.00 5,000.00 5,000.00 2,000.00
	This	amendment to set up accounts	for the landfill	
39100 57720 57720	312	Fund Balance Laborers salaries-landfill Contracts w/other private Age. amendment necessary to finish		1,172.00 35,000.00
39100 56100		Fund Balance Other Contracted Serv. (Browd amendment was requested by Ph		50.00



TO IMPLEMENT FAIR LABOR STANDARDS ACT POLICIES FOR LOUDON COUNTY

WHEREAS, THE GARCIA V. SAN ANTONIO METROPOLITAN TRANSIT AUTHORITY CASE, AS AMENDED BY THE "FAIR LABOR STANDARDS ACT AMENDMENTS OF 1985", APPLIES THE PROVISIONS OF THE FAIR LABOR STANDARDS ACT TO GOVERNMENTAL ENTITIES; AND

WHEREAS, IT IS IMPORTANT AND IN THE BEST INTEREST OF THE CITIZENS OF LOUDON COUNTY THAT CERTAIN PERSONNEL POLICIES BE ADOPTED.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUDON COUNTY LEGISLATIVE BODY MEETING IN REGULAR SESSION ON THIS THE 5TH DAY OF MAY, 1986, THAT:

SECTION 1. (A) It is the policy of Loudon County to abide by all applicable sections of the Fair Labor Standards Act along with the Fair Labor Standards Amendments of 1985. Under such implementation, Loudon County will properly record all applicable overtime accrued for each covered employee (Non-exempt employee) effective April 15, 1986 and such overtime payments shall be made no later than August 1, 1986.

(B) THIS POLICY SHALL BE APPLICABLE TO ALL EMPLOYEES OF LOUDON

COUNTY WHO ARE COVERED UNDER THE PROVISIONS OF THE FAIR LABOR STANDARDS

ACT. ITS INTENTION IS TO ASSURE GOOD FAITH COMPLIANCE WITH SUCH ACT TO THE EXTENT APPLICABLE TO LOUDON COUNTY.

SECTION 2. (A) EMPLOYEES OF LOUDON COUNTY ARE EXPECTED TO WORK DURING ALL ASSIGNED PERIODS EXCLUSIVE OF BONA FIDE BREAKS, MEAL TIMES OR UNSCHEDULED HOURS, ETC. EMPLOYEES ARE NOT TO PERFORM WORK DURING SUCH NON-WORK BREAKS, MEAL TIMES, OR UNSCHEDULED HOURS, UNLESS THEY RECEIVE APPROVAL FROM THEIR IMMEDIATE SUPERVISOR EXCEPT IN CASES OF EXTREME EMERGENCY.

(B) AN EXTREME EMERGENCY EXISTS WHEN AN EMPLOYEE IS CALLED UPON TO PERFORM WORK FOR LOUDON COUNTY THAT COULD RESULT IN DAMAGE TO PROPERTY OR PERSONS OR WHICH REQUIRE IMMEDIATE ATTENTION OF THE EMPLOYEE WHICH CANNOT POSSIBLY BE POSTPONED. EMPLOYEES WHO WORK EXCESS HOURS DUE TO AN EMERGENCY SHALL PROPERLY ADVISE THEIR IMMEDIATE SUPERVISOR OF THE OVERTIME WORKED AS SOON AS PRACTICAL FOR FINAL APPROVAL OR DISAPPROVAL.

SECTION 3. (A) It is the policy of Loudon County, that EMPLOYEES MAY RECEIVE COMPENSATORY TIME OFF AT A RATE OF NOT LESS THAN ONE

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AND ONE-HALF HOURS FOR EACH HOUR OF EMPLOYMENT FOR WHICH OVERTIME COMPEN-SATION IS REQUIRED UNDER THE FAIR LABOR STANDARDS ACT.

- (B) COVERED EMPLOYEES WHO WORK IN PUBLIC SAFETY ACTIVITIES, EMERGENCY RESPONSE ACTIVITIES, OR SEASONAL ACTIVITIES, MAY ACCRUE NOT MORE THAN 480 HOURS OF COMPENSATORY TIME FOR OVERTIME HOURS WORKED AFTER APRIL 15, 1986. OTHER COVERED EMPLOYEES MAY ACCRUE NOT MORE THAN 240 HOURS OF COMPENSATORY TIME FOR OVERTIME HOURS WORKED AFTER APRIL 15, 1986.
- (c) EMPLOYEES REQUESTING TO USE ACCRUED COMPENSATORY TIME MUST MAKE A SPECIFIC REQUEST IN WRITING TO THEIR IMMEDIATE SUPERVISOR. USE OF SUCH TIME WILL BE ALLOWED WITHIN A REASONALBLE PERIOD FOLLOWING THE REQUEST AS LONG AS THE USE DOES NOT UNDULY DISRUPT THE OPERATIONS OF LOUDON COUNTY.

SECTION 4. Under limited circumstances, employees of Loudon County who work in the same capacity, may, at their option, substitute work hours (swap time) as long as such substitute has prior approval by the immediate supervisor(s) of each employee involved. It is understood that overtime hours generated as a result of such substitutions shall be exclided from the calculation of hours worked for overtime purposes.

SECTION 5. POLICY REGARDING COMPLIANCE WITH FEDERAL FAIR LABOR
STANDARDS ACT FOR (SHERIFF'S/FIRE) DEPARTMENT EMPLOYEES. INTRODUCTION UNDER THE FEDERAL LAW, AFTER APRIL 15, 1986 EMPLOYEES OF THE LOUDON
COUNTY ARE GUARANTEED PAYMENT AT THE TIME AND ONE-HALF RATE FOR HOURS
WORKED IN EXCESS OF 40 HOURS IN ANY WORK WEEK. SHERIFF'S DEPARTMENT OR
FIRE PROTECTION EMPLOYEES ARE SUBJECT TO SPECIAL EXCEPTIONS FROM THE 40
HOUR REQURIEMENT OF THE FAIR LABOR STANDARDS ACT UNDER SECTION 7(K) OF THE
ACT. THIS POLICY IS ADOPTED FOR PURPOSES OF IMPLEMENTING THE PROVISIONS OF
THE SECTION 7(K) EXCEPTION TO THE FEDERAL FAIR LABOR STANDARDS ACT AND
ENSURE COMPLIANCE WITH THE FAIR LABOR STANDARDS ACT.

POLICY PROVISIONS

A. WORK PERIOD

LOUDON COUNTY HAS DECLARED A (7) DAY TOUR OF DUTY FOR (SHERIFF'S/FIRE) DEPARTMENT EMPLOYEES. UNDER THIS (7) DAY TOUR OF DUTY, EMPLOYEES WHO WORK IN EXCESS OF (43) WORK HOURS ARE ENTITLED TO TIME AND ONE-HALF PAY AT THE EMPLOYEE'S REGULAR RATE OR COMPENSATORY TIME FOR THOSE HOURS WORKED.

B. ELIGIBILITY FOR OVERTIME PAYMENTS

UNDER THE CURRENT WORK SCHEDULE FOR EMPLOYEES OF THE (SHERIFF'S/

FIRE) DEPARTMENT, EMPLOYEES WORK (50) HOURS IN A (7) DAY

REGUALRLY SCHEDULE TOUR OF DUTY. As a result of the applicability of the

FLSA EMPLOYEES WHO WORK (50) HOURS DURING A (7) DAY WORK PERIOD

ARE ENTITLED TO HALF TIME PAY FOR (7) HOURS OF WORK DURING

THAT TOUR OF DUTY.

THIS POLICY IS ADOPTED BY LOLDON COUNTY IN ORDER TO PROVIDE PROCEDURES FOR THE PAYMENT OF ADDITIONAL COMPENSATION TO EMPLOYEES WHEN DEEMED ELIGIBLE UNDER THE PROVISIONS OF THE FEDERAL FAIR LABOR STANDARDS ACTS.

- THE (7) DAY TOUR OF DUTY SHALL HAVE ALL HOURS ACTUALLY WORKED USED TO DETERMINE ELIGIBILITY FOR ADDITIONAL PAYMENTS UNDER THE FAIR LABOR STANDARDS ACT. LOUDON COUNTY DOES NOT INCLUDE IN THE COMPUTATION OF HOURS WORKED, THOSE HOURS WHEN AN EMPLOYEE IS OFF WORK ON SICK LEAVE, VACATION, HOLIDAY, OR COMPENSATORY TIME OFF AS ALLOWED UNDER THE PROVISIONS OF THIS POLICY. SUCH TIME SHALL NOT BE COUNTED AS TIME WORKED FOR PURPOSES OF FAIR LABOR STANDARDS ACT COMPUTATION AND SHALL NOT BE COUNTED TOWARDS THE (43) HOUR MINIMUM FOR FLSA COMPLIANCE.
- 2. ALL EMPLOYEES WORKING IN EXCESS OF THE (43) ALLOWABLE HOURS MAY BE GRANTED COMPENSATORY TIME OFF UP TO AMOUNT ALLOWABLE UNDER THE FSLA, TO BE SCHEDULED AS TIME OFF BY THE SHERIFF. ANY DISPUTE REGARDING THE NUMBER OF HOURS THAT AN EMPLOYEE IS ELIGIBLE FOR UNDER THE PROVISIONS OF THE POLICY SHALL BE REVIEWED WITH THE SHERIFF/FIRE CHIEF. SECTION 6. ALL COVERED EMPLOYEES SHALL BE PAID AT LEAST THE FEDERAL MINIMUM WAGE FOR ALL HOURS WORKED.

SECTION 7. This Policy is adopted by Loudon County for purposes of ensuring compliance with the Federal Fair Labor Standards Act as it relates to work schedules and overtime payments for county employees. In the event the provisions of the Fair Labor Standards Act or regulations thereunder are modified or are not longer made applicable to Loudon County, the provisions of this Policy are not longer made applicable to Loudon County. The provisions of this Policy may be reviewed and modified as deemed warranted by Loudon County.

SECTION 8. Upon passage, This Resolution shall be presented to DEPARTMENT HEADS AND COUNTY ELECTED OFFICIALS FOR APPROVAL AND SHALL BE DISTRIBUTED TO EACH COUNTY EMPLOYEE. SECTION 9. THIS RESOLUTION SHALL TAKE EFFECT UPON PASSAGE, THE PUBLIC WELFARE REQUIRING IT, ENTER THIS 5TH DAY OF MAY 1986. APPROVED: ATTEST: FURTHER APPROVED BY: ______ Assessor of Property TRUSTEE _____ SCHOOL SUPERINTENDENT REGISTER OF DEEDS REGISTRAR AT LARGE HIGHWAY SUPERINTENDENT _____ CIRCUIT COURT CLERK

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____ CLERK AND MASTER

RESOLUTION NO. 27-86

RESOLUTION FOR FOUR-LANING OF U.S. HIGHWAY 321

WHEREAS, the redesignation of State Highway 95 as U.S. Highway 321, and further its designation as a Tennessee Scenic Highway, has greatly increased the traffic flow on this highway, this also being true because of its use as an access across Fort Loudoun Lake to the Knoxville Municipal Airport, Alcoa, Blount County, Gatlinburg, Pigeon Forge, Dollywood, and the Smoky Mountains, as well as its having become a primary commercial street in the City of Lenoir City; and

WHEREAS, the Cooper Communities development in Loudon County, together with the development of the Tellico Reservoir Development Agency Industrial Park and the Monroe County Niles Ferry Industrial Park, will result in a heavily increased use of U.S. Highway 321 between Broadway (U.S. Highway 11) in Lenoir City across the Tennessee River as well as toward Maryville and the Knoxville Municipal Airport; and

WHEREAS, it would be mutually beneficial to residents in these two urban areas as well as to visitors, tourists, and residents in surrounding areas, that U.S. State Highway 321 be widened to four (4) lanes from the intersection of U.S. 11 (Broadway) in Lenoir City to the existing four lane portion of U.S. Highway 321 at the Blount County boundary line; and

WHEREAS, as part of the requested project it is vital that an overpass be constructed over Broadway (U.S. 11) in Lenoir City, but that accessibility to Broadway off and on Highway 95-321 is crucial to the Lenoir City downtown development;

NOW, THEREFORE, BE IT RESOLVED on this the <u>5th</u> day of May, 1986, that the Loudon County Commission formally endorses the widening by the State of Tennessee of U.S. Highway 321 to a four-lane thoroughfare through Loudon County as herein described to accommodate the present and future volume of traffic, and to

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increase the potential for economic growth for this area;

BE IT FURTHER RESOLVED that an overpass-interchange at the Broadway intersection be requested to be included in the improvement project as being vital to downtown Lenoir City; and

BE IT FURTHER RESOLVED that the Tennessee Department of Transportation and the Governor of the Great State of Tennessee are hereby requested to begin the immediate planning and scheduling for construction of this project.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the above-named State officials as well as to members of Congress whose constituents are residents of the Counties that would be affected by the completion of this project for the purpose of receiving whatever assistance members of Congress can give through the Federal Highway Administration.

This the 5th day of May, 1986.

Selettorso County Executive

ATTEST:

County Clerk

RESOLUTION NO. 28-86

RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE PARCEL 1.0, MAPS 65 AND 75, FROM A-1, AGRICULTURE FORESTRY TO C-1, RURAL CENTER

WHEREAS, the Loudon County Commisison, in accordance with Chapter Four, Section 13-7-105 of the <u>Tennessee Code Annotated</u>, may from time to time, amend the number, shape, boundary, area, or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendations regarding the amendment of the Zoning Map of Loudon County, Tennessee, and the necessary public hearing called for and held;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee, be amended as follows:

I. That Parcel 1.0, Maps 65 and 75, said property located on East Coast Tellico Parkway in the 3rd Legislative District be rezoned from A-1, Agriculture Forestry to C-1, Rural Center.

BE IT FINALLY RESOLVED, that this resolution shall take effect immediately, the public welfare requiring it.

Date:	May 5, 1986	Loudon County Executive
_		(Loudon County Executive
Attest:		

Exhibit E

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