

PUBLIC HEARING - COUNTY COMMISSION MEETING

NOVEMBER 6, 1995

1. Rezone -property:
Beals Chapel Rd.
Easter Rd. and Simpson Rd.
Lakewood Drive
Citizens speak on rezoning
2. Call to order (Call to order, Roll Call, Invocation)
3. Approval of Minutes--November 6, 1995
4. Citizens invited to speak
5. No one else wishes to speak.
6. Discussion--Fee officers lawsuits
7. Approval of Resolution Requesting Legislature to Put Fee Officers On Same Basis as Other County Departments
8. Resolution fails: Relocation and reassignment of Annex space.
9. Resolution fails: Authorizing only those expenditures which are absolutely necessary.
10. Additional \$20,000. appropriation to ADESA approved.
11. Commissioner Twiggs--Resolutions approved concerning improvement to Shaw Ferry Road and Highway 11 Intersection.
12. Resolution approved--Mineral Severance Tax.
13. Resolution approved: Request of Private Act limiting Constables to serving civil process.
14. Appropriation to LCUB (repair of signal control box--Highway 321 and 70) deferred.
15. County Attorney granted approval to examine lawsuit (LCHA) and County.
16. Approval to begin drafting changes on Interlocal Codes Enforcement Office dies for lack of second.
17. Resolution fails--Rezone property-Beals Chapel Rd.
18. Resolution passes--Rezone property Easter and Simpson Rd.
19. Resolution fails--Rezone property Lakewood Drive.
20. Doug Lawrence-report
21. Don Palmer-no report
22. Howard Luttrell--Lease of copier and sale of surplus 1986 Plymouth approved.
23. No report--Doug Berry
24. Bond Approvals.
25. Notaries approved.
26. No other action taken--budget items.
26. Adjournment

PUBLIC HEARING - COUNTY COMMISSION MEETING

NOVEMBER 6, 1995

(1)
Public
Hearing
Re-Zoning
Issues

A PUBLIC HEARING was held on November 6, 1995, in the Loudon County Courthouse at 7:00 P.M. for the following:

(1) Amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Beals Chapel Rd., Tax Map 18, Parcel 24.04, from A-2, Rural Residential District, to R-1, Suburban Residential District.

RON COLLINS--Came forward to speak in opposition of re-zoning and urged the Commissioners to vote against it.

PAUL BAIRD--Spoke in opposition of rezoning of Beals Chapel Rd.

(2) Amendment to the Zoning Resolution of Loudon County, Tennessee to rezone property on Easter Road and Simpson Road, Tax Map 83, Parcels 18.06 and 18.07, to A-2, Rural Residential District, to R-1 urban Residential District.

No one wished to speak on this re-zoning.

(3) Amendment to the Zoning Resolution of Loudon County, Tennessee to rezone property on Lakewood Drive, Tax Map 35, Parcel 37, from A-1, Agriculture Forestry District, to R-1, Suburban Residential District.

BRAD ALLEN--Lakewood Drive resident spoke against this re-zoning.
JOHN ATKINS- Does not think it should be re-zoned.

COUNTY COMMISSION MEETING

(2)
Call to
Order

Be it remembered that the Loudon County Legislative Body met in regular session on November 6, 1995, with the Chairman Roy Bledsoe presiding, County Court Clerk, Riley D. Wampler, and County Executive George Miller were present whereupon Sheriff Tim Guider opened Court, and Boy Scout Josh Surry, led the Pledge of Alligiance, and Rev. Gary Amos gave the Invocation.

On Roll Call the following Commissioners were present:

Bivens	Masingo	Park
Randolph	Bledsoe	Duff
Maples	Twiggs	

Commissioner Ledbetter was absent.

(3)
Approval of
Min.

Chairman Bledsoe asked if that minutes of the October 2, 1995, be approved. Commissioner Park made this motion, with Commissioner Masingo seconding the motion. Voice vote indicated all in favor. Chairman Bledsoe announced the Motion carried.

(4)
Visitors
invited to
speak

Visitors were invited to speak on items on agenda and these persons came forward:

JOHN AKINS--Spoke on several issues on the agenda, (in favor of support for Sheriff's Office, concerns for passage of Mineral Sev. Tax, space allocation in courthouse, constable issue.)

PAUL BAIRD--Spoke on lawsuits on fee officers, and also his opposition to new codes enforcement office. He is also opposed to the County furnishing automobiles to County Officers. He is also concerned that County Budget was not published in Newspaper, and other budget concerns.

DAVID WILLIAMS--Shaw Ferry Rd. area resident spoke on needs for improvement to that road.

PAT HUNTER--Spoke on County not informing Citizens when that are meetings of interest to them.

ATTY. SPROUL--Answered Ms. Hunter's questions on Sunshine Law.

AILEEN LONGMIRE--Also spoke on need for County to make known to citizens on meetings notification. She spoke on other matters. She also asked for explanation on Matlock Bend Acct.

ATTY. SPROUL--Gave report on Matlock Bend Ind. Acct. He told Ms. Longmire that he would send her a copy of report.

LARRY STAFFORD--Spoke on concerns of lawsuits by fee officers.

(5)
No one else
speaks

No one else wished to speak.

(6)
Discussion-
Lawsuits-
Fee Officers

County Executive, George Miller, Introduced the subject of the Lawsuits by the fee officers in the County. After an executive session of the Commissioners and the Attorneys representing the County Commission several Commissioners, expressed their displeasure over the lawsuits by fee officers. Commissioner Bivens made the motion to request another meeting between the fee officers and County Commissioners be scheduled. This was seconded by Commissioner Park, and voice vote indicated motion carried. Chairman Bledsoe indicated motion carried.

(7)
App.-Resol.
Fee Offic.
on Same Basis
as Other Co.
Depts.

Mr. Miller then read the "Resolution Requesting Legislature to Put Fee Offices on Same Basis as Other County Departments". Chairman Bledsoe (who stepped down and turned the chair over to Pro-Tempore Commissioner Maples, and she presided over this item) made the motion to approve this resolution, with Commissioner Randolph seconding the motion. Commissioner Bivens asked an amendment be added allowing citizens the right of recall, but this died for lack of a second. The results of a roll call vote on the motion:

Bledsoe	yes	Ledbetter	absent	Duff	yes
Randolph	yes	Masingo	yes	Park	no
Bivens	no	Maples	yes	Twiggs	yes

The vote: 6--yes, 2--no, 1 absent. Chairman Maples announced the motion carried.

Resolution included as # 11695, Exhibit # A.

(8)
Res. Fails-
rel. and Re-as
of Annex
space

The County Executive then discussed this Item "Resolution Requesting Appointment of Committee To Make Recommendation As To Possibility Of Reassignment Of Space For Certain County Offices And Possibility Of Leasing Courthouse Annex", Commissioner Maples made the motion that this resolution be accepted, with Commissioner Randolph seconding this motion. The results of a roll call vote:

Bledsoe	no	Ledbetter	absent	Duff	no
Randolph	yes	Masingo	no	Park	no
Bivens	no	Maples	yes	Twiggs	yes

3--yes, 5--no, 1 absent. Chairman Bledsoe announced the motion failed to pass.

9)
Res. fails-
out. only
those exp.
abs. necess.

The following resolution was then introduced: "Resolution Authorizing Only Those Expenditures Which Are Absolutely Necessary". Commissioner Randolph made the motion that this be approved, with Commissioner Maples seconding this motion:

The results of roll call:

Bledsoe	no	Ledbetter	absent	Duff	no
Randolph	yes	Masingo	no	Park	no
Bivens	no	Maples	yes	Twiggs	yes

The vote: 3--yes, 5--no, 1 absent. Chairman Bledsoe announced the motion failed to pass.

(10)
Additional
\$20,000. appro.
up ADESA

Consideration of funds to ADESA Blvd. project. The extra requested amount was approximately \$20,000.(not to exceed this amount)additional funds. Commissioner Maples made the motion

to approve this additional amount, with Commissioner Duff seconding the motion. The results of roll call:

Bledsoe	no	Ledbetter	absent	Duff	yes
Randolph	no	Masingo	yes	Park	yes
Bivens	no	Maples	yes	Twiggs	yes

The vote: 5--yes, 3--no, 1 absent. Chairman Bledsoe announced the motion carried.

Commissioner Twiggs introduced the subject of the Shaw Ferry Road and Highway 11 intersection, which has been the scene of many accidents. Mr. Bob Bolton showed a video of the intersection after an accident; the heavy traffic and problem with cars entering Highway 11 from Shaw Ferry Rd. Commissioner Twiggs made the motion that the following resolutions be approved:

(1.) "Resolution Requesting Immediate County Highway Department Action In Improving Conditions At The U.S. Highway 11/Shaw Ferry Road Intersection"

(2.) "Resolution Requesting Immediate State Action In Improving Conditions At The U.S. Highway 11/Shaw Ferry Road Intersection."

(3.) "Resolution Establishing A Speed Limit On Portions Of Shaw Ferry Road".

(4.) "A Resolution Requesting Assistance From the Tennessee Department of Transportation on Physical Improvements to Highway 11 (State Route 2) At Shaw Ferry Road In Loudon County.

Commissioner Twiggs made the motion that these four resolutions be approved, with Commissioner Duff seconding the motion. Voice vote indicated the motion carried. These resolutions are hereby included as # 11695, Exhibit# B

(11)
Shaw Ferry
Rd.-Hwy 11
Intersect.
Resolutions
Approved

(12)
Res. App.
Mineral
Sev. Tax

The Mineral Severance Tax was the next issue discussed, and the resolution as follows: "Resolution Enacting A Mineral Severance Tax For Loudon County, Tennessee". Commissioner Randolph made the motion that this be approved, with Commissioner Twiggs seconding the motion. The results of a roll call vote:

Bledsoe	yes	Ledbetter	absent	Duff	yes
Randolph	yes	Masingo	no	Park	yes
Bivens	yes	Maples	yes	Twiggs	yes

The vote: 7--yes, 1--no, 1 absent. Chairman Bledsoe announced the motion carried. Hereby included as Resolution# C, Exhibit# 11695.

(13)
Res. App.
Regit of
Pri. Act to
lim. Constab.
to serving
civil Proc.

Commissioner Randolph introduced the: "Resolution Requesting Adoption Of A Private Act Restricting Loudon County Constables To Serving Civil Process", and made the motion that this resolution be adopted, with Commissioner Park seconding the motion. A roll call vote resulted in:

Bledsoe	yes	Ledbetter	absent	Duff	yes
Randolph	yes	Masingo	yes	Park	yes
Bivens	yes	Maples	yes	Twiggs	yes

The vote: 8--yes, 0--no 1 absent. Chairman Bledsoe announced the motion carried. Hereby included as resolution # 11695, Exhibit # A.

(14)
Appro. defer.
to LCUB

The appropriation of \$10,909.87, to the Lenoir City Utility Board (to reimburse for repair of signal control box for Hwy. 70 and 321). This item is deferred to a later date.

(15)
Co. Atty
granted per.
to exa.
lawsuit (Lo.
CO. vs LCAH)

Attorney H. Sproul asked the Commission to consider a copy of lawsuit against Loudon County by the Loudon County Health Agency Board, which operated the Baptist Health Care Center. This facility has been sold and the present owner has sued the County for in lieu of taxes payments (which have already been paid). They have been granted a hearing for November 30, 1995. He asked the Commission give Mr. Sproul the chance to examine and reply to their proposals and possibly ask for a postponement for the scheduled hearing date. Commissioner Maples made the motion to grant permission to the County Attorney to examine

the motion. Voice vote indicated motion carried.

- (16) App. to beg. draft. chg.- Int. Codes Enf. Office- dies-lack of second
Mr. Miller presented a request from the Office of Planning and Community Development on the discussion and possible action to authorize County Attorney to begin drafting changes to interlocal agreement to provide county wide building codes enforcement. The motion was made by Commissioner Twiggs, but died for lack of a second.
- (17) Sheila Watson, from the Office of Planning and Community Development presented these three resolutions for consideration:
- (1) Amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Beals Chapel Rd., Tax Map 18, Parcel 24.04, from A-2, Rural Residential District, to R-1, Suburban Residential District.
Commissioner Twiggs made the motion that the Loudon County Commission concur with the Loudon County Regional Planning Commission and deny this request. This was seconded by Commissioner Duff. Voice vote indicated motion carried.
- (18) Res. app. rezone prop. Easter Dr- Simpson Rd.
(2) Amendment to the Zoning Resolution of Loudon County, Tennessee to rezone property on Easter Road and Simpson Road, Tax Map 83, Parcels 18.06 and 18.07, to A-2, Rural Residential District, to R-1 urban Residential District.
Commissioner Masingo made the motion that this be approved. Commissioner Twiggs seconded the motion. Voice vote indicated all in favor. Hereby included as Resolution # 11895, Exh. # E.
- (19) Resolution fails-rezone prop.-Lakewood Drive
(3) Amendment to the Zoning Resolution of Loudon County, Tennessee to rezone property on Lakewood Drive, Tax Map 35, Parcel 37, from A-1, Agriculture Forestry District, to R-1, Suburban Residential District.
Commissioner Randolph made the motion to concur with the Loudon County Regional Planning Commission and deny this request. Commissioner Bivens seconded the motion. Voice vote indicated motion carried.
- (20) D. Lawrence re. report
Doug Lawrence, Building Commissioner Presented this report:
October, 1995
Permits issued 52 Est. Value \$2,083,400.
Fees collected \$3,904. Est. Taxes \$13,000.
- (21) D. Palmer on report
Don Palmer, Road Commissioner had no report.
- (22) Approval- Lease-Copier - Sale of surplus Auto
Howard Luttrell, Purchasing agent, had this request: A copier be leased from Xerox (#9345) for 60 months, 359.55. (saving of 49.61 per month). Commissioner Maples made the motion this be accepted, with Commissioner Duff seconding the motion. Voice vote indicated all in favor.
He also asked the permission of the Commission to sell a surplus 1986 Plymouth Reliant. Commisisoner Duff made the motion to allow this to be done, with Commissioner Randolph seconding the motion. Voice vote indicated all in favor.
- (23) D. Berry-no report
No report from Industrial Recruiter, Doug Berry
Commissioner Masingo presented these applications for bond approval, and made the motion that they be approved, with Commissioner Park seconding the motion:
- (24) Bond appro.
Donald R. Roberts
Robert S. McCurry
Voice vote indicated all in favor.

- 25)
Notaries
Approved

Commissioner Masingo also presented these names for notary approval, with Commissioner Park seconding:
Donald R. Roberts
Kay W. Felty
Ramona M. Sutton
Kim S. Evans
Robert S. McCurry
Fayda M. Williams
Donna T. Richesin
Voice vote indicated all in favor.
- 26)
No oth. action
Budget Items

Nancy Richesin asked if the Commission wanted to take action on hiring freeze resolution and also other budget amendments discussed in the Budget Meeting, these items are not on the agenda, and action was deferrred until later date.
- 27)
Adjournment

Meeting adjourned at 11:10 P.M.

Commission Chairman



County Court Clerk

County Executive

LOUDON COUNTY COMMISSION

RESOLUTION NO. _____

RESOLUTION REQUESTING LEGISLATURE TO PUT FEE OFFICES ON SAME
BASIS AS OTHER COUNTY DEPARTMENTS

WHEREAS, in the early years of the history of this state, most of the elected officials in the county courthouses operated on fees, and a method was devised of allowing such elected officials to have adequate personnel to operate their offices, but to limit them in employing clerks that were not actually needed; and

WHEREAS, such officials were required by state law to file employment and salary suits against the County Judge or County Chairman to determine the number of employees and their salaries; and

WHEREAS, in the modern day, almost all fee offices have excess fees, and the question of whether or not the offices are being efficiently operated with a sufficient number of personnel that do not waste the taxpayers' money is a comparable matter as decided annually by the County Commission as to whether the other offices operated by the County are being operated efficiently, and there should be no differences made in the two types of offices; and

WHEREAS, it is the responsibility of the County legislative body to administer the affairs of the County on a wise fiscal basis, and the number of employees in all offices and the amount of their pay in reference to the County's financial position should be the same for all offices and employees in the County.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commisison, in regular session assembled on this 6th day of November, 1995, that the legislature be requested to take immediate action and change the statutes that authorize the various fee offices, as well as the Sheriff, to file suit in court against the County Executive in order to determine the appropriate number of employees and their pay, so as to put such elected officials on the same basis as all other County offices, that is, subject only to the budgetary restrictions and constraints as approved by the County legislative body.

BE IT FURTHER RESOLVED that the County Executive provide a copy of this resolution to all legislators representing Loudon County, in the Tennessee General Assembly, and to any other governmental officials or bodies whom he feels would support this change in Tennessee law.


COUNTY CHAIRMAN

APPROVED:

COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

Ext = A

RESOLUTION

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE PROPERTY ON EASTER ROAD AND SIMPSON ROAD, LOCATED IN THE FOURTH LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 63, PARCELS 18.06 AND 18.07, FROM A-2, RURAL RESIDENTIAL DISTRICT, TO R-1, SUBURBAN RESIDENTIAL DISTRICT

WHEREAS, the Loudon County Commission in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated, 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 Regional Planning Commission has forwarded its recommendations regarding the amendment to 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:

1. That property on Easter Road and Simpson Road, located in the Fourth Legislative District, referenced by Tax Map 63, Parcels 18.06 and 18.07, from A-2, Rural Residential District, to R-1, Suburban Residential District, as represented on the attached map; said map being part of this Resolution.

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

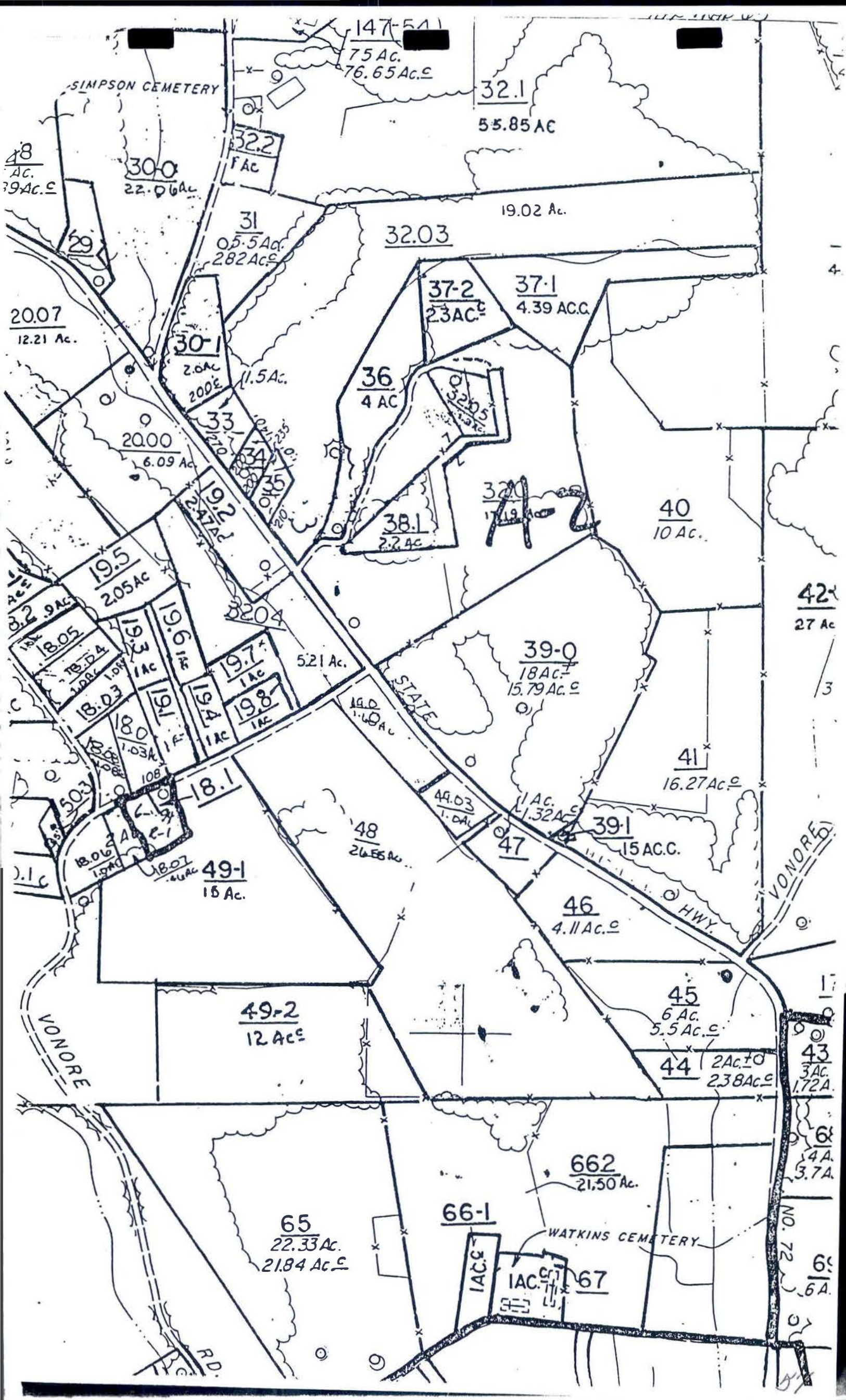
R. J. DWANGL
ATTEST

LOUDON COUNTY EXECUTIVE

DATE

RES15(11/06/95)

Exhibit = E



RESOLUTION
A RESOLUTION REQUESTING ASSISTANCE FROM THE TENNESSEE DEPARTMENT OF
TRANSPORTATION ON PHYSICAL IMPROVEMENTS TO HIGHWAY 11 (STATE ROUTE 2) AT
SHAW FERRY ROAD IN LOUDON COUNTY

Whereas, Highway 11 is a principle arterial in the state which connects Loudon County/ Lenoir City with West Knox County and Farragut, and

Whereas, Shaw Ferry Road is a local collector road which intersects with Highway 11 serves several large residential subdivisions and churches in the eastern portion of the county, and

Whereas, this intersection has contributed to _____ accidents between 19__ and 19__ as a result of inadequate sight distance caused by deficient horizontal alignment on Highway 11, and

Whereas, this intersection was initially identified by State Officials as potentially eligible for High Hazard Funds, however after reviewing accident reports from the Tennessee Highway Patrol and Loudon County Sheriff's Department the intersection did not qualify for eligibility, and

Whereas, the Loudon County has submitted a request for funds on behalf of the County in the amount of \$40,000 for a sensor activated flashing beacon light, warning signs and other physical improvements to help in alleviating future accidents under the Optional Safety Funds, Hazard Elimination Program administered by the Tennessee Department of Transportation, and

Whereas, such funds will be beneficial to the safety of motorists on Highway 11 and Shaw Ferry Road, and

Whereas, a warning system should not be considered as a substitute for sound highway design standards which would dictate improving the horizontal alignment on Hwy. 11.

Now Therefore Be It Resolved that the Loudon County Commission requests that the Tennessee Department of Transportation commence engineering design to improve the safety of Hwy. 11 at Shaw Ferry Road and to budget for FY '96 -'97 program funds for construction of the necessary improvements to insure a functional and safe intersection.

Be It Further Resolved that Loudon County will cooperate in assisting in this effort in a manner which is mutually advantageous to the County and State of Tennessee and that a meeting be scheduled with the Commissioner of Transportation, local representatives of the state legislature, and senate and Loudon County officials for the purpose of accomplishing the intent of this Resolution.

Be It Finally Resolved that this Resolution be adopted immediately the public safety requiring it.

County Executive

Date: Nov 6, 1995

EJP = B

R. D. Wampler
Attest

Date: Nov 6, 1995

E

LOUDON COUNTY COMMISSION

RESOLUTION NO. _____

RESOLUTION ESTABLISHING A SPEED LIMIT
ON PORTIONS OF SHAW FERRY ROAD

WHEREAS, the intersection of U.S. Hwy 11 at Shaw Ferry Road, approximately two (2) miles northeast of the City of Lenoir City, has become one of the most dangerous intersections in Loudon County, arising from the continued burgeoning new residential developments in the northeast end of Loudon County, and the use of Shaw Ferry Road as an alternative route in reaching the shopping areas on Highway 321, and as access to the Interstate intersection of I-75 and Highway 321; and

WHEREAS, the establishment of a speed limit on the Shaw Ferry Road for certain distances back from the U.S. Highway 11 intersection, both approaching from the North and from the South, would help to make the intersection safer and help in avoiding additional serious accidents;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled on the 6th day of November, 1995, that a speed limit of 35 mph is established on Shaw Ferry Road in the following locations:

1. For a distance of 300 feet from the Shaw Ferry Road/U.S. Highway 11 intersection approaching from the South;
2. For a distance of 300 feet from the Shaw Ferry Road/U.S. Highway 11 intersection approaching from the North.

BE IF FURTHER RESOLVED that the County Highway Supervisor be requested to install the proper signage to carry out this Resolution.


This Resolution shall take effect immediately, the public welfare requiring it.



COUNTY CHAIRMAN
APPROVED:

COUNTY EXECUTIVE

ATTEST:



COUNTY CLERK

LOUDON COUNTY COMMISSION

RESOLUTION NO. _____

RESOLUTION REQUESTING IMMEDIATE COUNTY HIGHWAY DEPARTMENT
ACTION IN IMPROVING CONDITIONS AT THE
U.S. HIGHWAY 11/SHAW FERRY ROAD INTERSECTION

WHEREAS, the intersection of U.S. Hwy 11 at Shaw Ferry Road, approximately two (2) miles northeast of the City of Lenoir City, has become one of the most dangerous intersections in Loudon County, arising from the continued burgeoning new residential developments in the northeast end of Loudon County, and the use of Shaw Ferry Road, as an alternative, in reaching the shopping areas on Highway 321, and as access to the Interstate intersection of I-75 and Highway 321; and

WHEREAS, action from the County Highway Supervisor in making improvements to this intersection have been requested some time ago, but nothing has occurred as yet, and accidents continue to occur at this intersection with one example being two accidents on September 22, 1995 within two hours of each other, resulting in serious injuries to persons involved in the accidents;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled on the 6th day of November, 1995, that a letter be sent by the County Executive, to be joined in by the County Commission, to the County Highway Supervisor requesting the following actions, at a minimum:

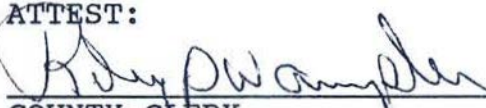
1. Fill in the "dip" on both sides of Shaw Ferry Road where it crosses Highway 11, with coordination with the State Department of Transportation, as necessary.
2. Install raised speed notification strips on Shaw Ferry Road as it approaches the intersection on both sides of Highway 11.
3. Move the "Stop Ahead" signs on Shaw Ferry Road on both sides of Highway 11, back further from the intersection so as to give additional length of notice to approaching traffic unfamiliar with the intersection.
4. Join in changing the speed limit to 35 mph for a reasonable distance on both sides of Shaw Ferry Road approaching the Highway 11 intersection.
5. Join in asking the Sheriff periodically to increase patrols for speeders for a period of time from 7:00 - 8:30 a.m. and from 4:00 - 5:30 p.m. at this intersection as appropriate to slow the traffic as it approaches the intersection.
6. Join in a letter to the State Department of Transportation requesting other appropriate actions to help improve the safety of the intersection.


COUNTY CHAIRMAN

APPROVED:

COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

LOUDON COUNTY COMMISSION

RESOLUTION NO. _____

RESOLUTION REQUESTING IMMEDIATE STATE ACTION IN
IMPROVING CONDITIONS AT THE U.S. HIGHWAY 11/SHAW FERRY ROAD
INTERSECTION

WHEREAS, the intersection of U.S. Hwy 11 at Shaw Ferry Road, approximately two (2) miles northeast of the City of Lenoir City, has become one of the most dangerous intersections in Loudon County, arising from the continued burgeoning new residential developments in the northeast end of Loudon County, and the use of Shaw Ferry Road as an alternative in reaching the shopping areas on Highway 321, and as access to the Interstate intersection of I-75 and Highway 321; and

WHEREAS, action from the State Department of Transportation in making improvements to this intersection have been requested some time ago, and accidents continue to occur at this intersection with one example being two accidents on September 22, 1995 within two hours of each other, resulting in serious injuries to persons involved in the accidents;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled on the 6th day of November, 1995, that a letter be sent by the County Executive, to be joined in by the County Commission, and the County Highway Supervisor if he feels it appropriate, to request consideration of the following actions, by the State Department of Transportation as a part of the improvement to be made to this intersection:

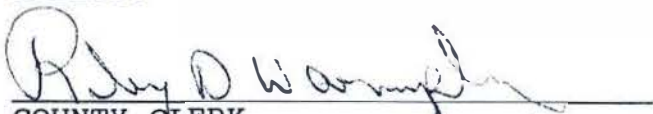
1. Re-engineer and improve the blind curve leading into the Shaw Ferry Road intersection on Highway 11.
2. Install a left-hand turn lane coming southwest on Highway 11 at the Shaw Ferry Road intersection.
3. Change the speed limit in this intersection area to 35 mph.
4. Establish raised speed notification strips on Highway 11 at appropriate distances leading into the intersection on both sides.
5. Cooperate with the Loudon County Highway Department in smoothing the "dip" on both sides of Shaw Ferry Road where it crosses Highway 11.


COUNTY CHAIRMAN

APPROVED:

COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

LOUDON COUNTY COMMISSION

RESOLUTION NO. 110695

RESOLUTION ENACTING A MINERAL SEVERANCE TAX FOR
LOUDON COUNTY, TENNESSEE

WHEREAS, Loudon County has not previously had a mineral severance tax; and

WHEREAS, businesses involved in the severing of minerals from the earth in Loudon County customarily use heavy trucks on County roadways involving much greater wear, tear and damage than ordinary traffic; and

WHEREAS, the Loudon County Highway Department is in need of additional revenue in order to maintain the general County roadways being used by heavier traffic;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled on this 6th day of November, 1995, as follows:

Section 1: Under the authority of Tennessee Code Annotated 67-7-201 et seq. a mineral severance tax is levied on the severance from the earth of sand, gravel, sandstone, chert and limestone within the boundaries of Loudon County, Tennessee. The rate of the tax is set at Fifteen Cents (\$.15) per ton, and all of the revenues collected from said tax, except deductions for administration and collection as provided in T.C.A. 67-7-201 et seq., shall be allocated to the Loudon County Highway Department.

Section 2: The mineral severance tax of Loudon County shall be collected by the State Department of Revenue in accordance with the rules and regulations promulgated by the Department of Revenue, under the authority of T.C.A. 67-7-201 et seq.


Section 3: For purposes of collection, this Resolution shall take effect on the first day of the month occurring at least thirty (30) days after the certified copy is received by the Department of Revenue.

Section 4: Not included under this tax are the following: any lime or limestone used for agricultural purposes; any limestone used for pollution control or abatement purposes; any burnt lime, any hydrated lime or any lime or limestone used for the manufacture of cement, glass, fiberglass, rubber, paper, filler for paint, caulking, putty and roofing; rock dust for the settling of coal dust in underground mines or similar uses regarding chemical purity. Also not covered by the tax is any material severed and used for fill by the contractor, whether from the same construction or job site or any site other than a commercial quarry.

Section 5: This resolution shall be effective upon passage by a two-thirds (2/3) majority vote of the county legislative body of Loudon County, the public welfare requiring it.

Approved the 6th day of November, 1995, by a two-thirds
(2/3) majority vote of the Loudon County Board of Commissioners,

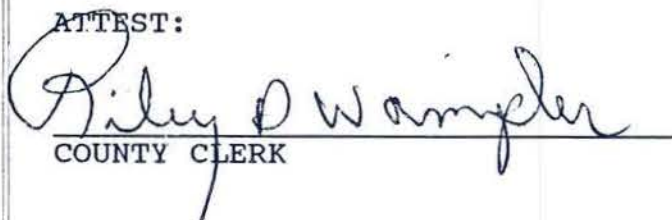
Ayes 7
Nays 1
Absent 1


COUNTY CHAIRMAN

APPROVED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

Expt = C

LOUDON COUNTY COMMISSION

RESOLUTION NO. 110695

RESOLUTION REQUESTING ADOPTION OF A PRIVATE ACT RESTRICTING
LOUDON COUNTY CONSTABLES TO SERVING CIVIL PROCESS

WHEREAS, presently Loudon County falls under the authority of T.C.A. 8-10-108(b), which authorizes Constables to be conservators of the peace, to make arrests and perform law enforcement functions, etc.; and

WHEREAS, many progressive counties in Tennessee have taken the prerogative to abolish the office of Constable because of the increased exposure of liability to Counties, and because of the obvious negative aspect of having Constables performing law enforcement functions on a part-time basis, without supervision, and without the same caliber of training that is required of sheriff's deputies as full-time law enforcement officers, and accordingly, the Loudon County Commission feels the Tennessee legislature should be asked to abolish the office of Constable in Loudon County, effective for the 1998 election; and

WHEREAS, the Loudon County Commission feels, because of the aforesaid reasons, including the increased liability to Loudon County involved with Constables utilizing law enforcement authority without the intense training and supervision a full-time officer would have, that it is preferable to restrict the duties and authority of Constables in Loudon County so that they would no longer perform law enforcement functions, but would still be allowed to serve civil process to the extent the law allows;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 6th day of November, 1995, that the members of the Tennessee legislature representing Loudon County in the Senate and the House of Representatives be requested to prepare and adopt special legislation which would remove Loudon County from the provisions of T.C.A. 8-10-108(b) and bring Loudon County under the provisions of T.C.A. 8-10-108(a), and amend any other pertinent sections of the Code, so that the Loudon County Constables would be subject to the provisions of that section of the law which allows the Constables to perform only the function of serving civil process under certain circumstances, but they would not retain law enforcement powers.

BE IT FURTHER RESOLVED that the General Assembly be requested to abolish the office of Constable in Loudon County, effective August 31, 1998; and that all of the applicable sections of the Tennessee Code Annotated be amended as necessary to accomplish this.

Motion By: Randolph

Second By: Park

Vote:

8 Ayes

0 Nays

ATTEST:

[Signature]
COUNTY CLERK

Exhibit = D

[Signature]
COUNTY CHAIRMAN

APPROVED

COUNTY EXECUTIVE