LOUDON COUNTY COMMISSION WORKSHOP

Loudon, Tennessee Monday March 18, 2019 County Office Building 6 P.M.

AGENDA

1.	Comments	bν	Members of the	General	Public

2. Loudon County Mayor – Buddy Bradshaw

- A. Surplus Property Authority Term Update
- B. Discussion on a Resolution encouraging the State of Tennessee to remedy online sales tax collections with an equitable distribution of revenues collected based upon a pro-rated percentage of the population of the unincorporated versus incorporated population of the county
- C. Discussion on a Resolution urging the General Assembly to adopt an equitable distribution of local sales tax revenue from out-of-state sellers

3. EDA Director – Jack Qualls

- A. Discussion about School Board Property on Hwy 321
- 4. Purchasing Director Susan Huskey
 - A. Multi-Year Mailing Machine Agreements

5. Commissioner Van Shaver

- A. Loudon County 150th Anniversary
- B. Flooding in Huntsville Hollow
- C. Streets in Harrison Hills
- D. Allenbrook Street Paving

Loudon County Commission Workshop Agenda, March 18, 2019, Page 2

6. Planning & Codes – Laura Smith

- A. Resolution closing Notch-In-Hill Road as a Public Road
- B. Resolution closing a certain portion of Buster Blvd. located near Martel Road
- C. A Resolution amending the Zoning Map of Loudon County, Tennessee, pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to rezone approximately 3.18 acres from C-2 (General Commercial District) to R-1 (Suburban Residential District) 1350 Old Midway Road, Tax Map 016, Parcel 332.00, Lenoir City, TN, situated in the 2nd Legislative District
- D. A Resolution amending the Zoning Map of Loudon County, Tennessee, pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to rezone approximately 28.0 acres from R-1 (Suburban Residential District) to A-2 (Rural Residential District) 101 Wilkerson Lane, Lenoir City, TN, situated in the 5th Legislative District

7. Director of Accounts & Budgets – Tracy Blair

A. Budget Committee Recommendations

LOUDON COUNTY COMMISSION

LOUDON COUNTY, TENNESSEE Monday March 04, 2019 Courthouse Annex Building 6 P.M.



REGULAR COMMISSION MEETING

(1) Opening of Meeting BE IT REMEMBERED that the Board of Commissioners of Loudon County convened in regular session in Loudon, TN on the 4th day of March, 2019.

Commission Chairman Henry Cullen called the meeting to order at 6:01 P.M.

Commissioner Gary Whitfield opened the County Commission Meeting, led the Pledge of the Allegiance to the Flag of the United States of America, and gave the Invocation.

(2) Roll Call Upon Roll Call, the following Commissioners were present: Kelly Brewster, David Meers, Bill Satterfield, Gary Whitfield, Henry Cullen, Harold Duff, Van Shaver, and Adam Waller (8)

The following Commissioners were absent: Julia Hurley and Matthew Tinker (2)

Thereupon Chairman Cullen announced the presence of a quorum.

Also present was Director of Accounts and Budgets, Tracy Blair. The Honorable Mayor Buddy Bradshaw was absent.

(3) Adoption of Agenda Chairman Cullen requested that the March 04, 2019 Agenda be adopted.

Commissioner Meers ask that it be noted that he distributed copies of the Loudon
County Emergency Communications District 2018 Annual Report to all Commissioners
prior to the start of the meeting (EXHIBIT 030419-M). Commissioner Shaver made a
motion to adopt the March 04, 2019 Commission Agenda. The motion was seconded
by Commissioner Brewster.

Upon Voice Vote, the motion PASSED unanimously.

(4) 02-04-19 Minutes & 02-19-19 SCM Minutes Approved Chairman Cullen requested that the February 04, 2019 Commission Meeting Minutes and the February 19, 2019 Special Called Commission Meeting Minutes be accepted and approved. Commissioner Shaver made a motion to accept and approve the January 07, 2019 minutes as they were written. The motion was seconded by Commissioner Waller.

Upon Voice Vote, the motion PASSED unanimously.



(5) General Public Comments Chairman Cullen opened the floor for comments by the General Public. Pat Hunter spoke. No other members of the general public came forward to speak.

Commissioner Meers asked that it be noted in the minutes that on November 15, 2018, Commissioner Meers made a request to the Board of Education, that they go back and give the Commission a three year summation of their budget. Commission could use that summation as a baseline to look at the Board of Education's requests; increases, decreases and what the requests may be for now and in the future. To date, that summation has not been provided to the Commission. Therefore, Commissioner Meers requested that the County Mayor draft a letter to Mr. Jason Vance to find out the status of Commissioner Meers' request.

(6) Board & Committee Term Updates Approved In the absence of Mayor Buddy Bradshaw, Chairman Cullen presented Commission with Mayor Bradshaw's recommendations to Board and Committee Term Updates for the Solid Waste Commission, the Surplus Property Authority, and the Adult Oriented Business Board. Commissioner Shaver made a motion to approve all three Resolutions and Commissioner Brewster seconded the motion.

Upon Voice Vote, the motion PASSED unanimously.

RESOLUTION 030419-A, RESOLUTION 030419-B, & RESOLUTION 030419-C

(7) STC Audit Agreement In the absence of Mayor Bradshaw, Director of Accounts and Budgets, Tracy Blair presented Commission with an Audit Agreement between Loudon County and Randy Sanders DBA Situs Tax Consultants (STC). Mrs. Blair stated that the purpose of the audit is to identify any monies recorded incorrectly, recapture those funds and bring them back to Loudon County. Commissioner Shaver made a motion to approve the Audit Agreement and Commissioner Whitfield seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted AYE: Meers, Satterfield, Whitfield, Cullen, Duff, Shaver, Waller, and Brewster (8)

The following Commissioners voted NAY: (0)

The following Commissioners were ABSENT: Hurley & Tinker (2)

The motion PASSED (8/0/2) EXHIBIT 020419-D

(8) TAEP GRANTS In the absence of Mayor Bradshaw, Chairman Cullen presented Commission with Mayor Bradshaw's recommendation to approve applying for TAEP Grants.

Commissioner Shaver made a motion to approve application of TAEP Grants and Commissioner Waller seconded the motion.

Upon Voice Vote, the motion PASSED unanimously. EXHIBIT 030419-E



(9) EDA Review Committee Established Commissioner Kelly Brewster made a motion for Commission to approve the establishment of an EDA Review Committee, containing three to four commissioners to be appointed by Mayor Bradshaw; the purpose of the committee being to review the 2008 Inter-Local Governmental Agreement (Exhibit 020408-F) and work to update it. Commissioner Shaver seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted AYE: Satterfield, Whitfield, Cullen, Shaver, Waller, Brewster, and Meers (7)

The following Commissioners voted NAY: Duff (1)

The following Commissioners were ABSENT: Hurley & Tinker (2)

The motion PASSED (7/1/2)

(10) \$17,211.76 Monetary Bequest to Animal Shelter Director of Accounts and Budgets, Tracy Blair requested consideration of a recommendation to approve a resolution accepting a \$17,211.76 monetary bequest for the benefit of the Loudon County Animal Shelter and authorizing the Loudon County Mayor to execute the necessary documents for its' receipt. Commissioner Shaver made a motion to approve the resolution and Commissioner Waller seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted AYE: Whitfield, Cullen, Duff, Shaver, Waller, Brewster, Meers and Satterfield (8)

The following Commissioners voted NAY: (0)

The following Commissioners were ABSENT: Hurley & Tinker (2)

The motion PASSED (8/0/2) RESOLUTION 030419-F

(11) Pettway Grant for Libraries Director of Accounts and Budgets, Tracy Blair requested consideration of a recommendation to approve the application/acceptance of the Pettway Grant for Loudon County Libraries, with no matching funds required, as follows:

Loudon - \$5,500 Lenoir City - \$3,000 Greenback - \$3,000 Phíladelphia - \$2,200

Commissioner Satterfield made a motion to approve the application/acceptance of the Pettway Grant. The motion was seconded by Commissioner Brewster.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted AYE: Cullen, Duff, Shaver, Waller, Brewster, Meers, Satterfield, and Whitfield (8)

The following Commissioners voted NAY: (0)



The following Commissioners were ABSENT: Hurley & Tinker (2)

The motion PASSED (8/0/2)

(12) Budget Amendments Fund 101 & 131 Director of Accounts and Budgets, Tracy Blair requested consideration of a recommendation to approve amendments in the County General Fund 101 and in the Highway Department Fund 131. Commissioner Satterfield made a motion to approve the amendments and a second was made by Commissioner Shaver.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted AYE: Duff, Shaver, Waller, Brewster, Meers, Satterfield, Whitfield, and Cullen (8)

The following Commissioners voted NAY: (0)

The following Commissioners were ABSENT: Hurley & Tinker (2)

The motion PASSED (8/0/2) EXHIBIT 030419-G & EXHIBIT 030419-H

(13) Distribution of Monthly Reports Director of Accounts and Budgets, Tracy Blair requested that the record reflect the distribution of the following reports:

- A. Budget Committee Meeting Minutes for January 22, 2019 EXHIBIT 030419-i
- B. Summary Financial Statement February 2019 EXHIBIT 030419-J
- C. Monthly Cash Flow Analysis: General Purpose School Fund 141 <u>EXHIBIT 030419-K</u>

(14) Bonds & Notaries Commissioner Meers made a motion that was seconded by Commissioner Waller to approve the following bonds & notaries:

Francie L. Bacon, Ashlyn Callhan, Melissa L. Fugate, Kimberlee Fuller, Jarvis Dolar Johnson, Amy Jones, Nancy Kelley, Mary K. Longworth, Jamie Markowicz, Barbara Middlebrooks, Ricardo Olvera, Linda Lucille Parton, Roger Sierra, Kristopher H. Tindell, and Mac Tobler

Upon Voice Vote, the motion PASSED unanimously. $EXHIBIT\ 030419-L$

(15) Adjournment There being no further business, a motion being duly made by Commissioner Waller and seconded by Chairman Shaver, the March 04, 2019 Loudon County Commission Meeting stood adjourned at 6:30 P.M.



Attest:	Loudon County Commission Chairman
Loudon County Clerk	>1
	loudon County Mayor

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR COMMITTEE APPOINTMENT BY COUNTY MAYOR

WHEREAS, by statute, and/or Intergovernmental Agreement and/or County Procedural Regulations, the County Mayor has the authority to make certain committee and board appointments; and

WHEREAS, appointments are necessary and/or desirable at this time with a 1 year rotation term; and

WHEREAS, the County Mayor appoints the following members of the:

SURPLUS PROPERTY AUTHORITY

Appointee		Term Expiration
Van Shaver	Commissioner	April 2020
Kelly Brewster	Commissioner	April 2020
Adam Waller	Commissioner	April 2020
Matthew Tinker	Commissioner	April 2020
Buddy Bradshaw	County Mayor	April 2020
Susan Huskey	Purchasing Director	April 2020

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 1st day of April, 2019 hereby approves and/or acknowledges (as appropriate) the said appointments.

Attest:	Loudon County Commission Chairman
Loudon County Clerk	
	Loudon County Mayor

A RESOLUTION ENCOURAGING THE STATE OF TENNESSEE TO REMEDY
ONLINE SALES TAX COLLECTIONS WITH AN EQUITABLE DISTRIBUTION OF REVENUES
COLLECTED BASED UPON A PRO-RATED PERCENTAGE OF THE POPULATION OF THE
UNINCORPORATED VERSUS INCORPORATED POPULATION OF THE COUNTY

WHEREAS, online sales continue to grow and with these increases, sales tax collections have greatly expanded; however, under present legislation, these taxes are attributed to the location of a store, not to the point of sale of the purchaser; and

WHEREAS, revenues are being withheld from the county and our public school systems because the collection rules were written when online sales did not exist; and

WHEREAS, these outdated collection procedures have resulted in an unfair and inequitable result and should be remedied to better address point of sale collections by considering the percentage of the population of the unincorporated areas as it relates to the total county population.

THEREFORE, BE IT RESOLVED by the Loudon County Board of County Commissioners, meeting in regular session on this 1st day of April, 2019 that this body does hereby strongly encourage the state of Tennessee to remedy online sales tax collections and create a more equitable distribution of states tax revenues collected; and

BE IT FURTHER RESOLVED that in order to more fairly distribute collections that sales tax revenues would be distributed based upon a pro-rated share of incorporated versus unincorporated collections in the county.

		-
	Loudon County Commission Chairman	
ATTEST:		
ATTEST.		
Loudon County Clerk		
		-
	Loudon County Mayor	

TO URGE THE GENERAL ASSEMBLY TO ADOPT AN EQUITABLE DISTRIBUTION OF LOCAL SALES TAX REVENUE FROM OUT-OF-STATE SELLERS

WHEREAS, county governments in Tennessee are the primary providers of numerous essential government services including, but not limited to , public K – 12 education, jails and law enforcement, road building and maintenance, election administration, property assessment, solid waste disposal, and record keeping and administration for the various state courts; and

WHEREAS, county governments are limited by law regarding the forms of taxation and revenue generation which they are authorized to use, making the local sales tax an important source of revenue for counties; and

WHEREAS, the House Finance, Ways, and Means Committee asked the TACIR to study revenue sources of cities and counties in Tennessee and the services each provide; and

WHEREAS, representatives of counties and cities on the TACIR working group agree that the current distribution of the uniform local sales tax rate for out-of-state sellers is inequitable and should be eliminates; and

WHEREAS, the TACIR working group recommends that local sales tax revenue from out-of-state sellers be distributed based on the destination of the purchaser.

NOW, THEREFORE BE IT RESOLVED by the Loudon County Legislative Body meeting in Regular Session at Loudon, Tennessee on this 1st day of April, 2019, that the members of the General Assembly representing the people of Loudon County are strongly urged to work for the passage of Legislation to provide for an equitable distribution of local sales tax revenue from out-of-state sellers by distributing the tax based on the destination of the purchase; and

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

Adopted this 1st day of April, 2019.

Attest:

Loudon County Clerk

Approved:

Loudon County Mayor

Attachment For:

Agenda Item 3A School Board Property on Hwy 321

Loudon County - Parcel: 005 077.02



Date: March 8, 2019 County: Loudon

Owner: LOUDON COUNTY BOARD OF

Address: HWY 321 N Parcel Number: 005 077.02 Deeded Acreage: 80.03 Calculated Acreage: 0 Date of Imagery: 2015

TN Comptroller - OLG Esri, HERE, Garmin, © OpenStreetMap contributors TDOT State of Tennessee, Comptroller of the Treasury, Office of Local Government (OLG)

Attachment For:

Agenda Item 4A Multi-Year Mailing Machine Agreements



Government Product Lease Agreement with Meter Rental Agreement

						Section (A) (Offic	e Information		- Andrews Constitution of the Constitution of			
	Number			Name				The same of the sa	Phon	e#		Date	
962			Adva	nced Mailing Systen	ıs, Inc			and the second s	(800)	903-4858		03/06/201	19
		Se	ction	(B) Billing Information	on			Section (C) insta	allation information	(if different	from billing	information)
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DBA						7 a 7 a 7 a 7 a 7 a 7 a 7 a 7 a 7 a 7 a	7	Installation Ad	ddress	601 Grove St			
Billing A	Address	601 Gro	ve St				7	City State Zip	+4	Loudon		TN	37774
City Star	te Zip+4	Loudon			TN	37774	7	Contact Name	е	Lisa Niles		Phone	(865) 458-2630
Contact	Name	Matt Kle	Insch	midt	Phone	(865) 458-4663		Contact Title		Clerk and Master		Fax	
Contact	Title	Purchas	sing		Fax		1	Email Address	s	klelnschmidtm@	loudoncounty	/-tn.gov	
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						Section	(D) I	Products					
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1	NWP30			IN Series 30 lb Weig	hing Platfo	orm							
1 V	VP3070ST	NC		Scale Stand for ISW	230/70 &	NWP30/70							
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Arrears	S	r					L	Online Postal	Expen	se Manager iMeter ^T	[™] App (SP20/	NeoStat)	
				CH (Customer to subr	nit author	ization form)		Online E-Ser	vices iN	leter™ App (SP30)			
					35		6	NeoShip PLU	S - Re	quires NeoFunds/To	otalFunds (EF	70PLUS)	
								NeoShip Insta	all & Us	er Guide (EP70GUI	DES)		
								RunMyMail		3G/4G Cell Serv	ice		
								Maintenance					
								Installation/Tra	aining				
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cepted by	Neopost US	SA and its	Affilia	ites								Date Acc	cepted

Customer

Organization	Loudon County Clerk	& Master			
Address	601 Grove St				
City State Zip	Loudon		TN	37774	
Phone	(865) 458-4663	Fax			

Example Purchase Order - Lease

NASPO/ValuePoint Contract #: ADSPO 16-169901 and / or State Participating Addendum (PA) #: 57416 (TN)

Vendor

Company Name	MailFinance, Inc. FEDERAL ID# 94-2984524			¥ 94-2984524	
Attention	Government Sales DUNS# 150836872				
Address	478 Wheelers Farms Rd				
City State Zip	Milford		CT	06461	
Phone	(866) 448-0045	Fax	(203)	301-2600	

Suib 10				
Organization	Loudon County C	lerk & Mast	ter	
Attention	Lisa Niles			
Address	601 Grove St			
City State Zip	Loudon		TN	37774
Phone	(865) 458-2630	Email	kleinschmidt	m@loudoncounty-t

O. Number	P.O. Date	Requisitioner	Shipped Via	F.O.B. Point	Terms
			Ground	Destination	Quarterly Invoicing
QTY	Unit	Description	1	Unit Price	Total

Lease payment specified above for products listed below includes, as applicable, reduced price equipment maintenance to reflect first year free, meter rental, meter resets, postal rate changes, software license/support/subscription fees, delivery, installation, and operator training.

Products

QTY	Product ID	Description
1	IN600AFSH	IN Series 600 Base w/ Autofeeder, Sealer & Catch Tray
1	INWP30	IN Series 30 lb Weighing Platform
1	WP3070STDN	Scale Stand for ISWP30/70 & INWP30/70

- 1) Order is governed under the terms and conditions of the NASPO/ValuePoint Master Price Agreement Contract Number ADSPO16-169901. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
- 2) Payments will be sent to: MaliFinance Inc. Dept 3682 PO Box 123682 Dallas TX 75312-3682
- 3) Send all correspondence to; MailFinance Inc. 478 Wheelers Farms Rd Milford CT 06461

Authorized by	Date
Print Name	Title

This is NOT an actual purchase order. This document is intended to serve as an example for requisitioners to reference when preparing purchase orders to lease Neopost solutions available on the current NASPO//ValuePoint contract.



Government Product Lease Agreement with Meter Rental Agreement

Section (A) Office Information

Office Number		Office Name				Phon	ne# 🦸		Date	
962		Advanced Mailing Systems, Inc (800) 903-4858				03/06/2019				
The same and the s	s	ection (B) Billing Inform	ation		Section (0	C) Insta	allation Information	ı (if different	from billing	information)
Company Name	-	n County Department of			Company Nar	_	Loudon County (•		
DBA					Installation Ad	dress	600 Rayder Aven	ue		
Billing Address	100 Riv	ver Rd, Ste 110			City State Zip	+4	Loudon		TN	37774
City State Zip+4	Loudo	n	TN	37774	Contact Name	:	Debbie Lorenz		Phone	(865) 458-26
Contact Name	Susan	Huskey	Phone	(865) 458-4665	Contact Title		Manager		Fax	
Contact Title	Senior	Buyer	Fax		Email Address	5	debra.j.lorenz@tr	ı.gov		
Email Address	susan.l	huskey@loudoncounty-t	n.gov PO	#	Main Post Offi	ce		P	O 5-Digit Zip	Code
				Section	(D) Products			AND AND ASSESSMENT OF A PARTY.		
Qty Model / Pari	Numbe	r Description (inclu	de Serial No							
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1 INWP5		IN Series 5 lb Weig	hing Platfor	m						
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Annually	- 1				Agono Code					
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pted by Neopost US	A and its	Ammates							Date Acce	pied

Customer

Organization	Loudon County Department of Health					
Address	100 River Rd, Ste 11	100 River Rd, Ste 110				
City State Zip	Loudon		TN	37774		
Phone	(865) 458-4665	Fax				

Example Purchase Order - Lease

NASPO/ValuePoint Contract #: ADSPO 16-169901 and / or

State Participating Addendum (PA) #: 57416 (TN)

Vendor

Company Name	MailFinance, Inc.	FED	ERAL ID	# 94-2984524
Attention	Government Sales	DUN	IS# 1508:	36872
Address	478 Wheelers Farms R	ld .	_	
City State Zip	Milford		CT	06461
Phone	(866) 448-0045	Fax	(203)	301-2600

Shin To

only 10							
Organization	Loudon County De	Loudon County Department of Health					
Attention	Debbie Lorenz	Debbie Lorenz					
Address	600 Rayder Avenu	ie					
City State ZIP	Loudon		TN	37774			
Phone	(865) 458-2662	Email	debra.j.loren	z@tn.gov			

P.O. Number	P.O. Date	Requisitioner	Shipped Via	F.O.B. Point	Terms
			Ground	Destination	Quarterly Invoicing
QTY	Unit	Description		Unit Price	Total
WI I					

Lease payment specified above for products listed below includes, as applicable, reduced price equipment maintenance to reflect first year free, meter rental, meter resets, postal rate changes, software license/support/subscription fees, delivery, installation, and operator training.

Products

QTY	Product ID	Description	
1	IN600AFSH	IN Series 600 Base w/ Autofeeder, Sealer & Catch Tray	
1	INWP5	IN Series 5 lb Weighing Platform	

- Order is governed under the terms and conditions of the NASPO/ValuePoint Master Price Agreement Contract Number ADSPO16-169901. Enter this order in accordance with the prices, terms, delivery method, and specifications listed above.
- 2) Payments will be sent to: MaliFinance Inc. Dept 3682 PO Box 123682 Dallas TX 76312-3682

3)	Send all correspondence	to;
-,	MallFinance Inc.	
	478 Wheelers Farms Rd	
	Milford CT 06461	

Authorized by	Date
Print Name	Title

This is NOT an actual purchase order. This document is intended to serve as an example for requisitioners to reference when preparing purchase orders to lease Neopost solutions available on the current NASPO//ValuePoint contract.

LOUDON COUNTY BOARD OF COMMISSIONERS RESOLUTION _____

RESOLUTION CLOSING NOTCH-IN-HILL ROAD AS A PUBLIC ROAD PURSUANT TO TENNESSEE CODE ANNOTATED § 54-10-216

WHEREAS, Loudon County Board of Commissioners on December 3, 2018, adopted the provisions of Tenn. Code Ann. § 54-10-216 as a procedure for closing public roads in Loudon County as found in the public record as Resolution No. 120318-0; and

WHEREAS, a citizen of Loudon County filed an Application for Closure with the Loudon County Highway Superintendent requesting the County Highway Department and appropriate Planning Commissions to make recommendations to the Loudon County Board of Commissioners regarding whether or not Notch-in-Hill Road should be closed as a public road (see Exhibit 1); and

WHEREAS, the City of Loudon Regional Planning Commission recommended closure of Notch-in-Hill Road on February 6, 2019 (see Exhibit 2), and the Loudon County Regional Planning Commission recommended closure of Notch-in-Hill Road on February 19, 2019 (see Exhibit 3); and

WHEREAS, the Loudon County Highway Department, through its Chief Administrative Officer, recommends that Notch-in-Hill Road (as identified in **Exhibit 4**) be closed as a public road.

of Commissioners, in regular session a	
that Notch-in-Hill Road (as identified in County, Tennessee.	n Exhibit 4) is hereby closed as a public road in Loudon
ATTEST:	APPROVED:
Carrie McKelvey, County Clerk	Rollen (Buddy) Bradshaw, Mayor
	Henry Cullen, Chairman of the Loudon County Board of Commissioners



APPLICATION FOR CLOSURE

Pursuant to Tenn. Code Ann. §54-10-216, I hereby submit this application to the Loudon County Highway Superintendent and request that the County Highway Department initiate the procedure for the Loudon County Regional Planning Commission to make recommendation to the Loudon County Board of Commissioners regarding whether or not Notch-in-Hill Road should be closed as a public road.

Respectfully submitted this I day of I day

ON MORTON

Date:

Charles of

approved 2/5/19

Eddie Simpson

EXHIBIT 1

DRAFT



Loudon County Planning Department

101 Mulberry Street, Suite 101 Loudon, Tennessee 37774 Office: 865-458-2055 Fax: 865-458-3598

www.loudoncounty-tn.gov

MINUTES
MEETING REPORT
LOUDON REGIONAL PLANNING COMMISSION
FEBRUARY 6, 2019

Members Present	Members Absent	Others Present
LeeAnn Chihasz		Mayor Jeff Harris
Gene Gammons		Grazyna Gammons
Ham Carey, Chairman	10 00 00 00 00 00 00 00	Laura Smith, Planning
Debbie Hines		Travis Gray, Codes Enforcement
Salvador Mejia		Ron Hutson, Planning
Jim Greenway		Nate Moore, Atty.
Dennis Brennan		Eddie Simpson
Carlie McEachern		Billy Pickel
Tim Dixon		Jim Watson
		Israel Jimenez
		Tim Brewster
		Angelia Almaza

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman, Ham Carey called the meeting to order at 12:30 p.m., the Pledge of Allegiance was recited and roll called. The December 5, 2018 minutes were unanimously approved on a motion by Carlie McEachern seconded by Debbie Hines.

REQUEST TO CLOSE RIGHT-OF-WAY, NOTCH-IN-HILL ROAD, TAX MAP 041, AND TAX MAP 033

Nate Moore with County Attorney, Bob Bowman's office, was present and stated that a request to close the road known as Notch-In-Hill was made to the County Road Superintendent by one of the property owners. Mr. Moore stated that although some of the property owners would be landlocked, they would have an easement to access their property per state statute. Audience member, Jim Watson stated that he farmed property out there and questioned how they would access the property. Loudon County Road Superintendent, Eddie Simpson stated that they had checked with all property owners previously, but only regarding closing of the road. Mr. Watson also stated that people had been dumping out there and he wanted the County to take care of the road. He noted that when the gas company went through, they had brought dozers out and the road became passable. Mr. Moore said that gates could be placed by the land owners but they would have to give access to property owners.

Mr. Simpson recommended closing the road. He stated that the County does not maintain the road and although it is a public road, it is not a County road. Mr. Simpson stated that existing access easements would remain and he recommended closing it. Mr. Watson and applicant, Mr. Morton, had a disagreement regarding activities occurring on the properties. Ms. Watson stated that they lease property from Ms. Hackney for cattle and if there are gates up and she can't

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Loudon Regional Planning Commission Meeting February 6, 2019 Page 2



access the property, then there is a problem. Mr. Watson stated that he was present to speak for Ms. Karen Hackney and that she had not been contacted. Mr. Moore stated the owners would have easements and that Mr. Watson could use it with approval from the property owner. Mr. McEachern noted that it is the oldest road in the County. Mr. Moore read from an email from Mr. Bowman, which stated the property owners except for Mr. Bright had all been contacted and all agreed to the closure.

Mr. Moore further explained that the Planning Commission makes a recommendation that then goes to the Loudon County Planning Commission for recommendation then goes to Loudon County Commission for final approval and if approved, the road would be closed and would no longer be public.

ACTION

Tim Dixon moved to close the road from Vonore Road to Popular Springs Road as recommended by Mr. Simpson. The motion was seconded by Ms. Hines and approved with Ms. Chihasz, Mr. Carey, Ms. Hines, Mr. Dixon, and Mr. Greenway voting yes, Mr. Gammons, Mr. Mejia, Mr. McEachern and Mr. Brennan abstaining.

ANNUAL MEETING-ELECTION OF OFFICERS

The January meeting is typically the annual meeting when officers are elected for another term. Chairman Carey stated that it was time for someone else to be chairman. Debbie Hines moved to elect Mr. McEachern as chairman which was seconded by Mr. Gammons and approved unanimously. Mr. McEachern then nominated Ms. Hines as Vice Chairman which was seconded by Mr. Gammons and approved unanimously. Mr. McEachern then nominated Mr. Greenway to be Secretary which was seconded by Ms. Hines and approved unanimously.

2019 ANNUAL MEETING CALENDAR

Mr. McEachern moved to approve the meeting calendar for 2019 as presented which was seconded by Ms. Hines and approved unanimously.

REVIEW AND DISCUSSION, RV AND TRAVEL TRAILER PARKS AND PLANNED UNIT DEVELOPMENTS

RV and Travel Trailer Park were discussed and an example was handed out for review. The consensus was to take the discussion back up again after the BZA meeting adjourned.

ANNOUNCEMENTS AND/OR COMMENTS FROM THE BOARD/COMMISSION None

ADJOURN

The meeting adjourned at 1:30 p.m. and will reconvene after the Board of Zoning Appeals meeting.

The Planning Commission meeting was reconvened at 1:47 p.m. and there was a discussion regarding the RV and Travel Trailer Park standards that were recently approved by the County. The commission requested reviewing those regulations and comparing them with previous

Loudon Regional Planning Commission Meeting February 6, 2019 Page 3



handouts. Ms. Smith will email copies of the resolution to the Planning Commission and will include it on the next meeting agenda.

PUBLIC COMMENTS

As this was Ham Carey's last day as chairman, Mr. Brennan took the opportunity to recognize him and everyone thanked him for his many years of service, work and dedication.

Councilman, Tim Brewster discussed the road frontage requirement in the subdivision regulations and a proposal to reduce it from 75' to 50'. Ms. Smith will look at other areas for example such as Maryville, Lenoir City, Alcoa, as well as several existing subdivisions in Lenoir City and report back to the commission.

ADJORN		
The meeting adjourned at 2:30 p.m.		
	5	
· <u></u>		
Chairman	Date	

DRAFT



Loudon County Planning Department

101 Mulberry Street, Suite 101 Loudon, Tennessee 37774 Office: 865-458-2055 Fax: 865-458-3598 www.loudoncounty-tn.gov

WORKSHOP LOUDON COUNTY REGIONAL PLANNING COMMISSION FEBRUARY 19, 2019 4:30 p.m.

The Loudon County Regional Planning Commission held a continuing education/training workshop at 4:30 p.m. on the topic of the powers and procedure of the Board of Zoning Appeals.

MINUTES LOUDON COUNTY REGIONAL PLANNING COMMISSION February 19, 2019 5:30 p.m.

Members Present	Members Absent	Others Present
John Napier, Chairman		Nate Moore, Attorney
Carlie McEachern		Ron Hutson
Leon Shields		Laura Smith, Planning
Pat Couk		Jim Jenkins, Codes Enforcement
Pam McNew, Secretary		Eddie Simpson, Road Superintendent
Ryan Bright		Jonathan Lyons
Mark White		Mike Turner
Ed Lee		Michael Ayres
Jim Brooks	,	Audience Members
Andy Hamilton		
Jimmy Williams		

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND APPROVAL OF MINUTES

Chairman, John Napier called the meeting to order at 5:30 p.m., the pledge of allegiance was given and roll called. Chairman Napier noted that the agenda had been amended to include "Item i" and that Item C. showed a final plat approval request and it is for preliminary approval, and the minutes to be approved are from the January 15, 2019 meeting, not November and December. Pam McNew then moved to approve the minutes which was seconded by Carlie McEachern and approved unanimously.

REZONING REQUEST FROM C-2. GENERAL COMMERCIAL DISTRICT TO R-1, SUBURBAN RESIDENTIAL DISTRICT, PROPERTY OWNER, THOMAS FELICE, APPLICANT, DAVID HENDERSON, PROPERTY ADDRESS, 1350 OLD MIDWAY RD, LENOIR CITY, TAX MAP 016, PARCEL 332.00. APPROXIMATELY 3.18 ACRES.

Mr. Henderson was present to request property he proposes buying be rezoned from C-2, General Commercial District to R-1, Suburban Residential District, in order to build a home.

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Loudon County Regional Planning Commission Meeting February 19, 2019 Page 2



Property owner, Thomas Felice, had provided written approval to the applicant for the request. Ms. Smith stated that adjacent properties to the east and south of this property are zoned R-1, Suburban Residential and recommended approval.

ACTION

Ed Lee moved to recommend approval which was seconded by Mr. McEachern and approved unanimously.

REQUEST TO CLOSE RIGHT-OF-WAY, NOTCH-IN-HILL ROAD, TAX MAP 042, TAX MAP 041, AND TAX MAP 033

Loudon County Road Superintendent, Eddie Simpson was present with Nate Moore, from County Attorney, Bob Bowman's office. Mr. Simpson summarized some history of Notch-In-Hill Road. He stated that approximately nine years ago the City of Loudon annexed the territory with the road, but then about five years ago, they deannexed the territory. At that time, Mr. Simpson did not recommend accepting the road back into the County system. It was a dirt road and public. It was brought to the attention of the Loudon County Attorney, Bob Bowman, at the request from property owner, Ron Morton to close the road, and have barriers placed at both ends because of the tires, trash, refrigerators, and other items that are dumped out there. He said that gates and barriers could go up, but only property owners would get through. Mr. Simpson stated that he had sent out notices to all the property owners and he recommended closure of the road. At the City of Loudon Regional Planning Commission meeting, there had been one lease holder who opposed the closure of the road. Mr. Moore stated that one property owner would be landlocked but that property owners would have easements and that all the property owners were in favor of the closing. Mr. Moore discussed the process for road closings. Mr. Simpson also stated that only property owners would have access through gates. He stated that the road has not been maintained by the City in five years and there are rough areas. Ms. Smith stated that the City of Loudon Regional Planning Commission recommended the closing of the road as recommended by Mr. Simpson.

ACTION

Leon Shields moved to recommend approval and there was a question regarding ownership of the right-of-way, but no one was determined as being the property owner. The motion was then seconded by Jim Brooks and approved unanimously.

REQUEST TO CLOSE PORTION OF RIGHT-OF-WAY, BUSTER BLVD. APPROXIMATE 200 LINEAR FEET BY 20' WIDTH, AREA ADJACENT TO PARCELS 20.00, 21.00, 22.00 AND 35.00 ON TAX MAP 21A, GROUP B, PROPERTY OWNER, LONNIE JONES, 6115 MARTEL RD. APPLICANT, PAULA MILLER, R-1, SUBURBAN RESIDENTIAL DISTRICT

Ms. Smith summarized that Mr. Jones had requested resubdivision of 5-lots he owned off Martel Road a few months ago. There is a portion of Buster Blvd. that runs through Mr. Jones property. At that time, approval for resubdividing three of the lots was approved with Mr. Jones to get more information regarding the alley. With the request to close the portion of Buster Blvd. adjacent to Mr. Jones property, the remaining lots could be resubdivided. Ms. Smith recommended the portion be closed stating that it is unimproved, closing it would not land lock anyone, and Mr. Simpson forwarded his recommendation to close it.

Loudon County Regional Planning Commission Meeting February 19, 2019 Page 3



ACTION

Mr. McEachern moved to recommend closing the portion of the right of way which was seconded by Mr. Lee and approved unanimously.

SUBDIVISION PLAT, REQUEST FOR EXTENSION OF PRELIMINARY, STAMFORD BRIDGE SUBDIVISION, HWY. 11E., TAX MAP 011, PARCEL 137.00, APPLICANT JONATHAN LYONS FOR PROPERTY OWNER, MIKE TURNER AND DEVELOPER, STEVE BETHEL, R-1, SUBURBAN RESIDENTIAL DISTRICT WITH PUD, PLANNED UNIT DEVELOPMENT, APPROXIMATELY 7.6 ACRES

Surveyor, Jonathan Lyons was present with Stephan Turner of Turner Homes to request extension of the preliminary plat approval of the Stamford Bridge Subdivision. Mr. Turner stated that because of rains, progress has been delayed. He stated that he thought they would be closer to complete by July. Bad dirt had cost about of month of delays but the detention pond had been completed.

ACTION

Mark White moved to approve the extension of the preliminary plat which was seconded by Ryan Bright and approved unanimously.

REZONING REQUEST FROM R-1, SUBURBAN RESIDENTIAL DISTRICT TO A-2, RURAL RESIDENTIAL DISTRICT FOR PROPOSED HORSE RIDING FACILITY, PROPERTY OWNER, JULIANNE HAMILTON, APPLICANT, MICHAEL AYRES, PROPERTY ADDRESS, 101 WILKERSON LANE, TAX MAP 007, PARCEL 114.00, APPROXIMATELY 28 ACRES;

Mr. Ayres was present and stated that he has two daughters who have trained and ridden horses. They want to have a horse farm and riding stables. He stated that it would be similar to what is seen in Kentucky and he would be investing a lot of money. The horses are "warmblood" horses and hunter jumpers.

ACTION

Mr. Brooks moved to approve the recommendation to rezone the property which was seconded by Mr. McEachern and approved unanimously.

SUBDIVISION PLAT, COMBINING 4-LOTS INTO 1-LOT, APPLICANT, BETHANY ROONEY, BDG ARCHITECTS, FOR REGIONS BANK, PROPERTY OWNER, UNION PLANTERS BANK, 6105 MORGANTON RD., GREENBACK, TAX MAP 70L, GROUP D, PARCELS 009.00, 010.00, 011.00 AND 012.00, C-2, HIGHWAY COMMERCIAL DISTRICT, CITY OF GREENBACK, APPROXIMATELY 0.63 ACRES;

Michael Foster, Architect for Regions Bank was present to request subdivision plat approval to combine the lots for an ATM that the bank proposes building. The bank is on two of the four lots. He stated that a lot of banks are now doing stand-alone ATM's. The bank will also be on the BZA agenda.

ACTION

Mr. McEachern moved to approve the plat which was seconded by Mr. Brooks and approved unanimously.

Loudon County Regional Planning Commission Meeting February 19, 2019 Page 4



COUNTY COMMISSION ACTION ON PLANNING COMMISSION RECOMMENDATIONS None

CODES DEPARTMENT BUILDING ACTIVITY SUMMARY

The January 2019 Building Activity Summary was attached.

ADDITIONAL PUBLIC COMMENTS

None

UPDATE FROM PLANNING DEEPARTMENT

There was a reminder of the upcoming symposium and conference in March. East Tennessee Development Symposium, March 12-13, 2019, Crown Plaza. Knoxville, TN. Tennessee American Planning Association (TAPA) Spring Conference, March 21-22, 2019, Black Forest Lodge by Hilton, Pigeon Forge, TN.

ADJOURN

The meeting adjourned at 6:00 p.m.

6			
nairman		Date	

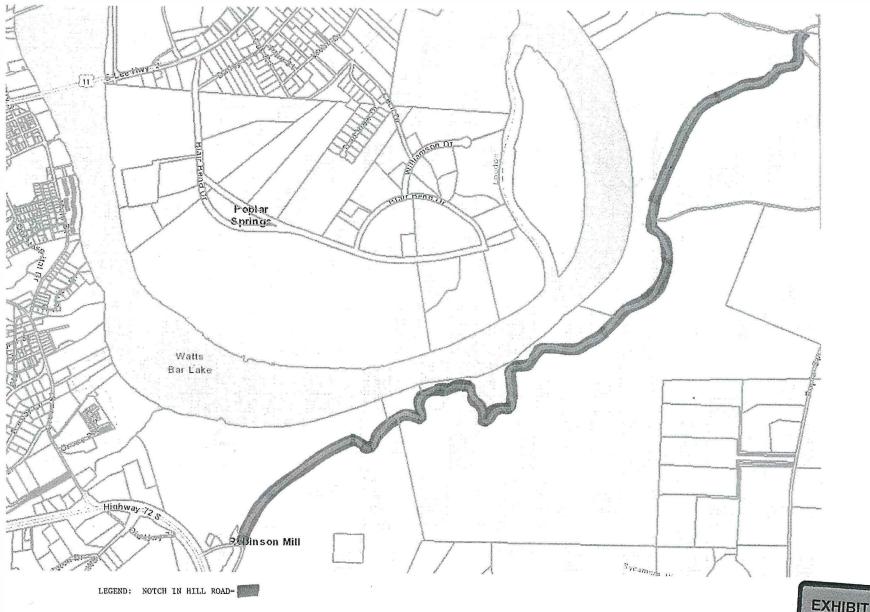


EXHIBIT 4

RESOLUTION ADOPTED BY THE LOUDON COUNTY COMMISSION CLOSING A CERTAIN PORTION OF BUSTER BLVD. LOCATED AT OR NEAR MARTEL ROAD

WHEREAS, the chief legislative body of the county has the authority, under <u>Tennessee Code</u> <u>Annotated</u>, (TCA) §13-3-406 to accept the dedication of roads, close existing roads, adopt standards for the acceptance of new roads and reopen previously closed or abandoned roads; and

WHEREAS, the Loudon County Regional Planning Commission has received for review a request from owners (or their representatives) of property located adjacent to an abandoned road, requesting the closing of that roadway or segment known as Buster Blvd; and

WHEREAS, applicant feels the described abandoned roadway has no present nor future public use, and desires that any county encumbrance caused by the presence of the road bed be removed; and

WHEREAS, identified affected property owners were notified and a public notice and description of the request appeared in the Loudon County News Herald on February 27, 2019, consistent with the provisions of Loudon County's Procedure for Closing a Public Road; and

WHEREAS, the Loudon County Regional Planning Commission has reviewed this matter, including the recommendation of the County Highway Superintendent, and based on its investigation has determined that, in its opinion, the closing of said road will not adversely affect any property owners or the present or future function of the County's roadway system, and recommends the closure of said road, described as follows:

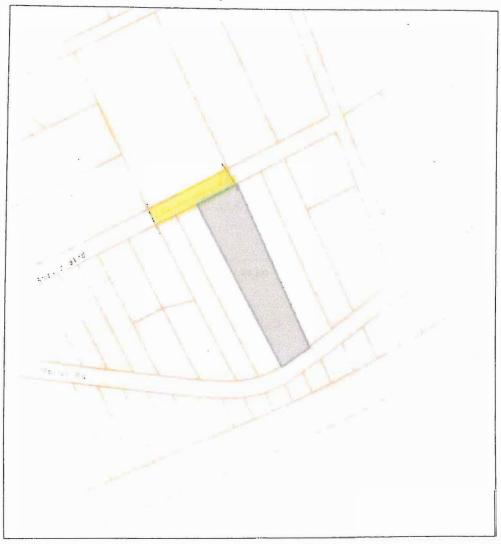
Buster Blvd. being more specifically shown on the attached illustration, incorporated herein.

NOW, THEREFORE, BE IT RESOLVED session assembled on this day of, 20 roadway is hereby closed, with any interest the Count provided by law.	by the Loudon County Commission, in regular 119, that the afore described section of the abandoned by has in the roadway being hereby relinquished as
BE IT FURTHER RESOLVED that this Rewelfare requiring it.	solution shall take effect immediately, the public
This Resolution adopted this day of	, 2019
Attest:	
Loudon County Court Clerk	Loudon County Chairman
	Approved:
	Loudo'n County Mayor
The vote on the question of approval of this Resolu	tion by the Planning Commission is as follows:
APPROVED: 11	
DISAPPROVED: 0	
ATTEST: SECRETARY, LOUDON COUNTY	_

REGIONAL PLANNING COMMISSION DATE: February 19, 2019

LOUDON COUNTY COMMISSION Resolution 040119Attachment A

Loudon County - Parcel: 021A B 020.00



Date: February 4, 2019
County: Loudon
Owner: JONES LONINIE H
Address: MARTEL RD 61 15
Parcel Number: 021A B 020.00
Deeded Acreage: 0
Calculated Acreage: 0
Date of Imagery: 2015

TN Complitation - OLG State of Tenasury, Olfice wilload Government (OLG) Sources: Evi, HERE, Garmin, USGS, Intermop.INCREMENTP.NRGan, Estr. Japan, METI, Esti Chira, Bridging (Kong), Esti Kona, Esti (Thatlond).

The preparity lines are compiled from information maintained by your local county Asses sor's office but are not conclusive evidence of property owner ship in any court of law.

LOUDON COUNTY COMMISSION Resolution 040119Attachment B



Loudon County Highway Department Eddie Simpson

Road Superintendent

292 Blair Bend Drive, Loudon, TN 37774
PHONE: 865.458.6940 FAX: 865.458.9379 EMAIL: simpsone @loudoncounty-tn.gov

January 14. 2019

Director Smith,

It has been brought to the attention of the Superintendent of the Loudon County Highway Department that there is an unfinished portion of road platted on property that is assumed as private property.

The property in question is located at the end of Buster Boulevard, in Lenoir City. Buster Boulevard is on the County Road List as 0.1 of a mile. This road has an alleged unfinished portion that splits the property owned by, Mr. Jones. It is customary for the road bed and right of way in these instances be surrendered to the adjoining property owners fifty—fifty. In this situation Mr. Jones owns all of the property effected.

The County has incurred no expenses and has no future need for the unfinished portion of Buster . Boulevard. Therefore the Loudon County Road Superintendent would like to surrender the above mentioned portion to the current property owner.

Sincerely,

Eddie Simpson, Road Superintendent

A RESOLUTION AMENDING THE <u>ZONING MAP OF LOUDON COUNTY</u>, <u>TENNESSEE</u>, PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE <u>TENNESSEE CODE ANNOTATED</u>, TO REZONE APPROXIMATELY 3.18 ACRES FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO R-1 (SUBURBAN RESIDENTIAL DISTRICT) 1350 OLD MIDWAY ROAD, TAX MAP 016, PARCEL 332.00, LENOIR CITY, TN, SITUATED IN THE 2ND LEGISLATIVE DISTRICT

WHEREAS, the Loudon County Commission, in accordance with Chapter Seven, §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 a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on February 27, 2019 consistent with the provisions of Tennessee Code Annotated, §13-7-105, and

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

Located at 1350 Old Midway Road, Lenoir City, TN situated in the 2nd Legislative District, referenced by Tax Map 016, Parcel 332.00, be rezoned from C-2 (General Commercial District) to R-1 (Suburban Residential District), being specifically shown on the attached illustration.

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

ATTEST:
LOUDON COUNTY CHAIRMAN
DATE:
April 1, 2019
APPROVED: LOUDON COUNTY MAYOR
The votes on the question of approval of this Resolution by the Planning Commission are as follows:
APPROVED: 11
DISAPPROVED: 0

ATTEST: SECRETARY LOUDON COUNTY

LOUDON COUNTY COMMISSION Resolution 040319Attachment A

REGIONAL PLANNING COMMISSION

Dated:

2019



County: Loudon Owner: FELICE THOMAS Address: OLD MIDWAY RD 1350 Parcel Number: 016 332.00 Deeded Acreage: 3.18 Calculated Acreage: 0 Date of Imagery: 2015

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE APPROXIMATELY 28.0 ACRES FROM R-1 (SUBURBAN RESIDENTIAL DISTRICT) TO A-2 (RURAL RESIDENTIAL DISTRICT) 101 WILKERSON LANE, LENOIR CITY, TN, SITUATED IN THE 5^{TII} LEGISLATIVE DISTRICT

WHEREAS, the Loudon County Commission, in accordance with Chapter Seven, §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 a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on February 27, 2019 consistent with the provisions of Tennessee Code Annotated, §13-7-105, and

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

Located at 101 Wilkerson Lane, Lenoir City, TN situated in the 2^{5h} Legislative District, referenced by Tax Map 007, Parcel 114.00, be rezoned from R-1 (Suburban Residential District) to A-2 (Rural Residential District), as shown on illustration, incorporated herein.

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

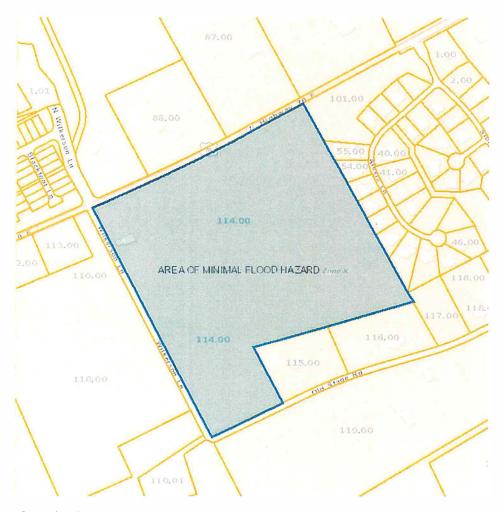
ATTEST:
LOUDON COUNTY CHAIRMAN
DATE: <u>April 1, 2019</u>
APPROVED: LOUDON COUNTY MAYOR
The votes on the question of approval of this Resolution by the Loudon County Planning Commission are as follows:
APPROVED: 11
DISAPPROVED: 0

ATTEST: SECRETARY LOUDON COUNTY REGIONAL PLANNING COMMISSION

Dated:

LOUDON COUNTY COMMISSION Resolution 040319Attachment A

Loudon County - Parcel: 007 114.00



County: Lo udo n Owner: HAMILTON JU LIANNE S Address: WILKERSON LN 101 Parcel Number: 007 114.00 Deeded Acreage: 0 Calculated Acreage: 0 Date of Imagery: 2015