COUNTY LEGISLATIVE BODY

November 3, 1980

Be it remembered that the County Legislative Body met in regular session on November 3, 1980 at 9:00 A.M. with the Honorable William H.Russell, County Judge presiding and Addie Ruth Clarke, Deputy Clerk of said county was present: Whereupon Sheriff Joe Sims opened Court, led the Pledge of Allegiance to the Flag and introduced Edward Headlee, who gave the Invocation.

The following Commissioners were present:

James Hartsook
Bart Eldridge
J.Will Jones
Glenn Luttrell

*Note: A vacancy exists on the Commission due to the resignation of Doyle Arp.

It was moved by Commissioner Hudson and seconded by Comm. Minutes Approved Luttrell that the minutes of the October meeting be approved as presented. The vote was unanimous.

Mr.Pat Phillips, Staff Representative of the Planning Planning Commission gave the Commission's report, which is attached Report hereto as Exhibit No.

It was moved by Commissioner Bledsoe and seconded by Comm. Zoning Resolution Jones that the proposed resolution be approved amending the Zoning Resolutions of Loudon County to define the term "tenant house" and to permit special exceptions as sot forth in Resolution $\frac{103-80}{2}$ and is attached hereto as Exhibit B The vote was unanimous on Roll Call vote.

Amendment Passed to Next Court The proposed amendment to the Building Permit System regarding the determination of the cost of improvements was deferred.

It was moved by Commissioner Hudson and seconded by Comm. Hawk Road Names that the six proposed names (Gwendolyn Road, Disney Road, Baxter Bright Road, Coytee Springs Road, Cruze Road and Axley Chapel Road) for previously unnamed roads be approved. The vote was unanimous and is attached hereto as Exhibit

The request for rezoning of property owned by Leon Richardson Rezoning from C-2,General Commercial to R-1, Suburban Residential- Parcel 13, Map 17-0, 5th District, was passed until next Court meeting.

After Judge Russell spoke to the Commission concerning Amendment One to the Loudon County Hospital Management Agreement, it was moved by Commissioner Jones and seconded by Commissioner Luttrell that the amendment be approved. The vote was unanimous and is attached hereto as Exhibit _____.

Budget Amendment Approved It was moved by Commissioner Blair and seconded by Comm. Jones that the Budget Amendments be approved. The vote was unanimous.

Capital Outlay Notes	It was moved by Commissione Blair and upon Roll Call vote, a in Capital Outlay Notes for impro approved. The Resolution being a 104-80 and Exhibit No.	ovements to the schools, were ttached hereto as Resolution No.	
Lease Agreement (Ruritan)	The consideration of a Leas and the Piney Ruritan Club was a made by Commissioner Bledsoe and The vote was unanimous and the Lu Exhibit	seconded by Commissioner Blair.	
Resolution Gladys Hine	Hartsook that a Resolution be dr who is retiring as Head Nurse at	r Jones and seconded by Comm. awn commending Gladys Hines, Loudon County Memorial Hospital he vote was unanimous. Erkert #	
Glenn Road Check	It was moved by Commissione Eldridge that the Highway Depart make it passable before the wint will be able to travel it. The v	er months, so the School Bus	
Land Committee	Eldridge, and Luttrell to check	ommittee of Commissioners Hartsook, a small piece of property near the would like to buy back and to make ttee.	
Notary Publics	It was moved by Commissioner Eldridge and seconded by Comm. Blair that the following Notary Publics be elected. The vote was unanimous.		
		Patricia P.Keener Eleanor M.Campbell	
Adjournment	There being no further bus	iness, Court was adjourned.	
		William H.Russell COUNTY JUDGE	

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Riley Wampler COUNTY COURT CLERK



REPORT ON THE MEETING OF THE LOUDON COUNTY BOARD OF ZONING APPEALS

October 16, 1980

Members Present

Ross Wilkerson Henry Mitchell Charles Harrison Others Present

Doug Lawrence Tom Davis Ben Galyon Ms. Breaseale Jim Eblen Mr. Rogers David Folz Mr. Newbolt Peter Moske Wayne Lequire Mr. Johnson Ed Collis Joe Thomas

Staff Representative: Patrick Phillips

READING OF THE MINUTES

Chairman Harrison called the meeting to order at 7:10 p.m. The minutes were read and approved.

ROAD FRONTAGE AND LOT SIZE VARIANCE REQUESTS - PARCEL 78, MAP 16-HOTCHKISS VALLEY ROAD - MARVIN ROGERS (R-1)

Mr. Rogers failed to attend the meeting. This is the third time he has been absent. Mr. Rogers has created two illegal lots on Hotchkiss Valley Road and is now requesting two variances. The Board of Zoning Appeals has decided to give Mr. Rogers one more opportunity to appear or be issued a warrant. No further action was taken.

ROAD FRONTAGE VARIANCE OF 25 ft. - OFF SPERES ROAD - VIVIAN LANDRUN PARCEL 42-3, MAP 24 (A-Z)

Ms. Landrun was not present; however, Tom Davis presented the matter to the board. Mr. Davis told the board that Ms. Landrun was moving out of her home in a subdivision and anticipated living in the trailer on the above mentioned property with her children and husband who was handicapped. Staff told the board that the hardship was self-imposed and not a lot hardship; and that granting a variance for this property would not be desirable or in the best interests of Ms. Landrun and her family since the roadway leading to the lot was steep and inadequate. Mr. Mitchell made a motion to deny the variance, seconded by Mr. Wilkerson. Upon a vote, the motion to deny a variance was unanimous.

Ex Julit



Mr. Moske was present to request a lot size variance on Angle Road. Mr. Moske presently owns a single wide trailer on the lot and anticipates placing a double wide on the same lot. Since the lot is a lot of record and all setbacks could be met, staff recommended granting the variance. Mr. Mitchell made a motion to grant the variance, seconded by Mr. Wilkerson. Upon a vote, the motion passed unanimously.

LOT SIZE VARIANCE REQUEST - WAYNE LEQUIRE PARCEL 18 - MAP 40-H-FISHING ROAD

Mr. Lequire was present along with his builder to request a lot size variance on Fishing Road for a house being constructed. Since the lot is a lot of record and all setbacks can be met, staff recommended granting the variance. Mr. Mitchell made a motion to grant the variance, seconded by Mr. Wilkerson. Upon a vote, the motion passed unanimously.

REAR YARD VARIANCE REQUEST - HOMER JOHNSON - WILLIAMS FERRY ROAD

Mr. Johnson was present to request a rear yard setback for a utility building on his lot. A 1.5 ft. variance was requested. Mr. Mitchell made a motion to grant the variance, seconded by Mr. Wilkerson. Upon a vote, the motion passed unanimously.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:05.

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PP/nm

RESOLUTION NO. 103-80

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A RESOLUTION AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE PURSUANT TO CHAPTER FOUR, SECTION 13-405, OF THE TENNESSEE CODE ANNOTATED TO INCLUDE UNDER SECTION 2,20V OF THE RESOLUTION J. TENANT HOUSE, AND TO INCLUDE UNDER THE A-1 AGRI. FORESTRY DISTRICT SECTION 5.041 C. USES PERMITTED AS SPECIAL EXCEPTION 12 ON-SITE TENANT HOUSES.

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-4045 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 zoning resolution; and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendations regarding the amendment to the Zoning Resolution of Loudon County, and the necessary public hearing called for and held.

NOW, THEREFORE, be it resolved by the Loudon County Commission that the Zoning Resolution of Loudon County, Tennessee, be amended as follows:

- Section 2.020 definition of general terms to include (J)
 <u>Tenant House</u> meaning a residential structure and accessories
 thereto principally used, designed, or adopted to provide
 living accomodations for not more than two families who
 work on the operating farm on which the structure is
 located.
- II. Section 5.041.C, uses permitted as special exceptions(12) on-site tenant houses for farm workers who are of a seasonal or permanent nature provided the applicant produces a written statement by the Loudon County Sanitarian (environmentalist) approving the sewage disposal system of the structure(s) and provided the applicant establishes sufficient evidence as to the need for such tenant house(s).

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

DATE:

LOUDON COUNTY JUDGE

ATTEST:

LOUDON COUNTY COURT CLERK

AMENDMENT ONE

LOUDON COUNTY MEMORIAL HOSPITAL

MANAGEMENT AGREEMENT

WHEREAS, a Management Agreement ("Agreement") was entered into on December 4, 1979 between Hospital Affiliates Management Corporation of Loudon, Tennessee, Inc. ("HAMC") and Loudon County Memorial Hospital ("LCMH"); and

WHEREAS, Section 4.7 <u>Modification and Changes</u>. provides that the Agreement can be changed or modified by both parties executing a written amendment; and

WHEREAS, HAMC and LCMH want to amend said Agreement dated December 4, 1979;

NOW, THEREFORE, HAMC and LCMH do hereby agree through this Amendment One to amend the Agreement between the parties thereto as follows:

Section 2.14 <u>Government Regulations</u>. shall be stricken in its entirety and the following shall be inserted:

2.14 <u>Government Regulations</u>. HAMC shall use its best efforts to assure that the Hospital complies with all applicable State and Federal rules and regulations in present form governing the same and will operate the Hospital so that it will be in compliance and agreement with the assurances given by LCMH in its application for Federal assistance under the Hill-Burton program. These assurances include, but are not limited to, provision of community service by LCMH as defined in the appropriate Federal regulations pertaining to the provision of a reasonable volume of uncompensated care. In the event of any change in laws, rules and/or regulations governing the operation of the Hospital to the detriment of either HAMC or LCMH, HAMC shall make a presentation to LCMH explaining the costs of compliance for such change.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment One as of the day of _____, 1980.

> HOSPITAL AFFILIATES MANAGEMENT COMPANY OF LOUDON, TENNESSEE, INC.

By Title

LOUDON-COUNTY MEMORIAL HOSPITAL By Chairman County Judge Loudon County

Explant D

General Purpose School Fund

Budget Amendments

November 3, 1980

Acct. #				Dr.	Cr.
161 27100	Fund Bala	ance		\$42,891.02	2
161 17100	Estimated 121.91 203 141 121.1	d Revenue St. Income Tax Refund- Ins. 874 Funds Current Prop.Tax	18,176.0 3,628.1 19,000.00 (4,637.3	6 0	ŧ
161 24100	Appropria 3710.31 3751.3 2210.1 2210.52 2610.2 2910.1	ations Voc. Tchrs. Sal. Unemploy. Comp. Principal Sal. Aides Custodial Serv. Super. Sal.	(12,099.0) (2,350.0) (1,255.0) (7,776.0) (968.0) (5,285.2)	0) 0) 0)	5
161 24100	Appropria 2210.31 2210.51 2520.1 2550.2 2630.1 2630.2 2630.4 2630.5 2630.9 2730 2851.3 2851.3 2851.3 2851.5 2857 2951.5 2990.91	ations TchrsSal. School Sec. Contracts/Bus Dr. Ins. on Vehicles Electricity Gas Fuel Oil Water & Sewerage Other Mat. & Supp Material & Supply Unemploy. Comp. Workmen's Comp. Employ. Ins. Trustee's Comm. Employ. Ins Fd. Pay. for Lunch	1,310.0 18,000.0 2,000.0 2,000.0 2,000.0 1,000.0 1,245.0 3,000.0 11,375.6 5,500.0 Sv. 877.9 6,700.0	0 7 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	\$108,791.
2	3273.31 3273.6 3651.5 3751.5 3951.21 3951.4 3951.5	Equip. for Inst. EquipPlant/Oper Employ.Ins839 Employ. Ins Voc Soc. SecFd. Ser RetFood Serv. Emp. InsFd. Ser	5,000.0 2,000.0 970.8 1,083.5 v. 715.0 2,176.2	0 0 5 0 0 4	

These amendments were approved by Loudon County Board of Education and Supt. of Schools, Edward Headlee. Also approved by Budget Committee on Oct. 21, 1980.

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Page 2

General Purpose School Fund Budget Amendments (Continued) November 3, 1980

Acct. #		Dr.	<u>Cr.</u>
161 17100		28,717.40	
	161 Cap. Outlay Notes \$28,717.40		
161 24100	Appropriations		\$28,717.40
	3272.3 Remodeling of Bldgs \$14,	146.00	
	3272.4 Renovation of Bldgs. 11,	671.40	
	3273.6 EquipOperation of		
	Plant 2,	900.00	

This budget amendment was approved by the Loudon County Board of Education, Supt. of Schools Edward A. Headlee and the budget committee.

> Loudon County Highway Department Budget Amendments November 3, 1980

Acct. #

Dr. Cr.

142 17100 Estima

Estimated Revenue \$1,118.21 36930- Refunds- \$1,118.21

142 24100

Appropriations

\$1,118.21

142 43104 798 Tile- \$634.00
142 43104 744 Repairs & Maint. \$484.21

To record refunds into appropriate accounts.

County General Fund Budget Amendments November 3, 1980

Acct. #

Dr. Cr.

\$3,500.00

Fund Balance 110 27100

110 24100

Appropriations \$3,500.00 Legal Fees (Loudon Co.vs. Thurman Stamps)

This amendment was approved by the Budget Committee on Oct. 21, 1980.

110	17100	Estimated Revenue 36930- Refunds	\$442.64	\$442.62

110 24100 Appropriations \$442.62

\$3,500.00

110 42611 479- Repair/Pat.Car-\$144.33 110 41830 479- Repair/ Bacon Bldg.- \$149.09 110 42520 591- Civil Def.-Travel- \$149.20

To record refund to appropriate accounts.

Transfer \$100.00 from Acct. 110 41520 639 (Other Contracted Serv. - Purchasing) to Acct. 110 41520 641 (Office Supplies-Purch æsing).

Transfer \$86.00 from Acct. 110 41520 901 (Equipment- Purchasing) to Acct. 110 41520 641 (Office Suplies- Purchasing).

Transfer \$72.00 from Acct. 110 41563 641 (Office Supplies-County Court Clerk) to Acct. 110 41563 639 (Other Contracted Serviles- County Court Clerk).

Title I 81-01 Budget Amendments November 3, 1980

Acct #

Cr.

\$5,122.83

\$167.00

Dr.

\$5,122.83

183 17100 Estimated Revenue (Title I 81-01 Funds)

183 24100 Appropriations

2110.4Director's Salary (33.00)2110.7Secretary's Salary (236.00)2210.2Superv. Salary 2,245.002210.31Reg. Tchrs. Sal. (3,001.00)2210.52Aides (1,489.60)2851.1Cont.- Ret. (280.00)2851.21Cont.- Soc.Sec. (210.00)2851.3Cont.-Unemploy. (1,950.00)2851.4Cont.- St. Tea. Ret(115.00)3920Indirect Cost (53.23)

Amendment no. 1- Title I 81-01

Title IV B 79-80

17100	Estimated Revenue
	Title IV B 79-80

\$167.00

24100

Appropriations 2243 Library Books \$167.00

Amendment to Title IV B 79-80 budget.

General Purpose School Fund

Budget Amendments

November 3, 1980

Acct. #

Dr. Cr.

\$3,731.99

\$3,731.99

161	17100	Estimated Revnue
		36930- Refunds

\$3,731.99

161 24100 Appropriations

Tchrs. Sal. \$1	L,125.00
Travel-Adm.	
Office SuppAdm.	
Other- Adm.	162.60
Inst. Supplies	823.67
Ed.\$628.00 Ins.19	95.67)
Textbooks	269.01
School Sec.	174.92
Electricity	607.00
Communications	14.93
Oth.PersFd.Serv	7.197.08
	Travel-Adm. Office SuppAdm. Other- Adm. Inst. Supplies Ed.\$628.00 Ins.19 Textbooks School Sec. Electricity Communications

To record refunds into appropriate accounts.

LOUDON COUNTY HIGHWAY DEPARTMENT BOX 323 PHONE 458-2617 LOUDON, TENNESSEE 37774

October 30, 1980

Transfer \$5,000.00 from Account No. 142-43104-798 (Tile) to Account No. 142-43104-459 (Other Contractual Services)

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LEASE

This Lease Agreement made and entered into on this the ______ day of September, 1980, by and between Loudon County, hereinafter called Lessor, and the Piney Ruritan Club, hereinafter called Lessee, both parties being either governmental agencies or corporations, and both parties of Loudon County, Tennessee.

WITNESSETH

That for and in consideration of the mutual covenants and agreements hereinafter expressed, and pursuant to Resolution of the County Quarterly Court of Loudon County, and the request made by the Lessee, Lessor does hereby lease to the Lessee, and Lessee does hereby lease from the Lessor, the following described premises, to-wit:

Located in the First Civil District of Loudon County, Tennessee, and being known and designated as the Davis School property, which includes the school building and the school grounds, and bounded on all sides by either public or private roadways.

In consideration hereof, the Lessee convenants with the Lessor as follows:

1. To keep the building in a good state of repairs

2. To surrender back to the Lessor this property in the event of an emergency and upon the receipt of 60 days written notice of the intention to re-claim the property. The Lessor to make payment to the Lessee for any improvements placed on the property during the term of this lease in the event of the surrender of the property by Lessee to Lessor.

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3. To allow Loudon County, through its Loudon County Election Commission, the right to use said building for the storage of election machines, and for the use of said building on the days of any county or state election.

It is mutually agreed that the term of this lease shall be for a period of twenty-nine (29) years.

The Lessee may make improvements and alterations on said property for their particular use; however, any fixtures or improvements placed on said property shall become the property of Lessor after the termination of this lease.

It is mutually agreed that this property cannot be sub-let and that upon Piney Ruritan Club's becoming an inactive organization, that this lease shall automatically expire.

In the event of a fire or other casualty destroying the building and rendering it untenantable, neither the Lessor nor the Lessee shall be required to replace the building and this lease shall automatically terminate.

Lessor covenants and agrees that it will keep the Lessee in quiet and peaceful possession of said property.

IN WITNESS WHEREOF the parties have executed this Agreement in duplicate, each copy being an original, on the day and date first above written.

LOUDON GOUNTY County Judge

PINEY RURITAN CLUB

BY____

President

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Attested:

Secretary

RESOLUTION OF THE LEGISLATIVE BODY OF 104-80LOUDON COUNTY, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST BEARING CONSTRUCTION CAPITAL OUTLAY NOTES NOT TO EXCEED \$28,717.40, AND PROVIDING FOR THE PAYMENT OF SAID NOTES.

WHEREAS, it has been determined by this Legislative Body that it is necessary and desirable to issue Ompital Outlay Notes in and for said County; and

WHEREAS, sufficient funds are not now available for this purpose and it will be necessary for the Legislative Body to authorize the issuance of notes to finance this transaction; and

WHEREAS, under the provisions of Sections 5-10-501 through 5-10-509, inclusive, Tennessee Code Annotated, counties in Tennessee are authorized through their respective Legislative Bodies, upon approval by the State Director of Local Finance, to issue interest bearing capital outlay notes to finance the cost thereof; and

WHEREAS, it appears advantageous to said County at this particular time to issue capital outlay notes to finance the cost thereof:

NOW, THEREFORE, BE IT RESOLVED, by the Legislative Body of Loudon County, Tennessee, as follows:

SECTION 1. That, for the purpose of providing funds to finance the cost of construction in and for said County, there shall be issued its negotiable interest bearing capital outlay notes in a principal amount not to exceed \$ 28,717.40. That, said notes shall be designated "Construction Capital Outlay Notes" and shall be numbered serially beginning with the number 1. Each of said notes shall be dated as of the date of issuance thereof, shall mature not later than three (3) years thereafter and shall be of such denomination as may be agreed upon by the County Judge and the purchaser of said notes.

SECTION 2. That, said notes shall bear interest at a rate not to exceed seven percent (7%) per annum, payable in such manner as shall be determined by the County Judge and the purchaser of said notes. Both principal and interest on said notes shall be payable in lawful money of the United State of

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America at the office of the County Trustee of Loudon County, Tennessee.

SECTION 3. That, said notes shall be subject to redemption at the option of the County, in whole or in part, at any time at the principal amount thereof and accrued interest to the date of redemption.

SECTION 4. That, said notes shall be executed in the name of Loudon County, Tennessee, signed by the County Judge and attested by the County Clerk with the seal of the County attached thereto.

SECTION 5. That, said notes shall be in substantially the form attached hereto.

SECTION 6. That, for the purposes of providing funds with which to pay the principal and interest accruing on said notes at maturity, there shall be levied upon all taxable property in Loudon County, in addition to all other taxes, a direct annual tax for each of the years while said notes, or any of them, are outstanding, in amounts sufficient for that purpose.

SECTION7. That, the Capital Outlay Notes herein described shall not be issued until approval by the State Director of Local Finance shall have been obtained as required by Section 5-10-501, Tennessee Code Annotated.

SECTION 8. That, the Capital Outlay Notes herein described shall not be sold for less than par and accrued interest.

SECTION 9. That, if any of said Capital Outlay Notes shall remain unpaid at the end of three (3) years from the date of issuance of same, the balance of said note or notes shall be converted to bonds as provided by Sections 9-11-101 to 9-11-119, inclusive, Tennessee Code Annotated, or otherwise liquidated in such manner as approved by the State Director of Local Finance in compliance with statutes relating to the issuance and redemption of bonds and notes.

SECTION 10. That, the proceeds of said notes shall be turned over to the County Trustee of said County and shall be paid out for the purposes and in the manner required by law and this Resolution.

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SECTION 11. That, all orders or resolutions in conflict herewith be and the same are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 3 day of November, 1980.

County Judge

369

Attested:

County Clerk

RESOLUTION

WHEREAS, Gladys T. Hines has dedicated a major portion of her life working for the Loudon County Memorial Hospital, and

WHEREAS, Mrs. Hines has demonstrated initiative, enthusiasm, professional ability, and keen forsight in performing her duties as Director of Nursing, and

WHEREAS, during this time Loudon County Memorial Hospital has made major improvements to better serve the citizens of Loudon County, and Mrs. Hines' contributions in this respect will benefit the citizens of Loudon County for years to come.

BE IT THEREFORE RESOLVED by the Loudon County Commission setting in regular session on this the first day of December, 1980, that the said Gladys T. Hines be commended for her dedicated service and performance and this resolution be spread upon the official minutes of the meeting with a copy being sent to Gladys T. Hines.

This the _____ day of December, 1980.

Exhibit . y

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COUNTY JUDGE

y Dwa Riley Wampler COUNTY CLERK

RESOLUTION

WHEREAS: GLADYS T.HINES has dedicated a major portion of her working life to the Loudon County Memorial Hospital, and

i.

WHEREAS; Mrs.Hines exemplify attitudes and professionism have set an example for others to follow; and,

WHEREAS; her contributions have helped make the life of countless hundreds fuller spiritually enlightened,

Ey hill H.

BE IT THEREFORE RESOLVED by the Loudon County Commission sitting in regular session on the first day of December, 1980, that the said GLADYS HINES be commended for her work and dedication and that be it known that all wish her well for the rest of her life and that this resolution be spread upon the official minutes of the Commission with a copy to said Gladys Hines.

This First day of December, 1980

COUNTY CLERK