

Be it remembered that the County Legislative Body of Loudon County met in regular session on Monday, September 14, 1981, at 9:00 a.m. with the Honorable William H. Russell, County Judge, presiding, and Rile Wampler, Clerk of said Court was present; Whereupon Sheriff Joe Sims opened Court, led the Pledge of Allegiance, and introduced Roy Bledsoe who gave the invocation.

The following commissioners were present:

J. J. Blair
John Newman
Roy Bledsoe
J. G. Hudson
Richard Hawk

Jim Hartsook
Glenn Luttrell
Bart Eldridge
J. Will Jones

APPROVAL OF MINUTES

It was moved by Commissioner Hudson and seconded by Commissioner Luttrell that the minutes of August 3 and August 17 be approved as presented. The vote was unanimous.

REAPPORTIONMENT PLAN
APPROVED FOR COUNTY

Mr. Pat Phillips of the Loudon County Planning Commission presented the proposed plan for reapportionment to the Loudon County Commission. After much discussion, upon roll-call vote, the vote was unanimous to accept the plan. It being attached hereto as Exhibit H.

REZONING REQUEST
APPROVED--
Hotchkiss Valley Road

It was moved by Commissioner Eldridge and seconded by Commissioner Jones that the rezoning request from A-1, Agriculture to C-2, General Commercial on Hotchkiss Valley Road, Map 28, Parcel 42-3 be approved. The vote was eight for and Commissioner Luttrell voting no. Being attached hereto as Resolution No. 15-81, Exhibit B.

RESOLUTION ESTABLISHING
EROSION AND SEDIMENTATION
ORDINANCE APPROVED

It was moved by Commissioner Luttrell and seconded by Commissioner Hawk that an amendment to the zoning resolution establishing an erosion and sedimentation ordinance be approved. Upon roll-call vote, the vote was as follows:

YES
Newman
Hartsook
Luttrell
Hawk

NO
Blair
Bledsoe
Hudson
Eldridge

September 14, 1981

Commissioner Jones abstained his vote at first but than voted in favor the motion to break the tie. The resolution is attached hereto as Resolution No. 16-86, Exhibit C.

RESOLUTION AMENDING
ZONING RESOLUTION
FAILED

It was moved by Commissioner Luttrell and seconded by Commissioner Hartsook that amendment to zoning resolution amending section 4.090 (Standards for signs, billboards, and other advertising structures) be approved. Commissioner Newman said he would support the ordinance if amended to grant more than a five year amortization period during which all signs in the county would be made to conform. He stated that those with large capital investments in signs would need more than five years to comply. The amendment passed with all voting for it except Commissioner Blair and Eldridge. The amendment ordinance failed for lack of a second.

BUILDING PERMIT FEE
SET WHEN DWELLING BURNS

It was moved by Commissioner Hudson and seconded by Commissioner Blair that when a dwelling is destroyed by fire or wind, a person may build back in the same place without paying for a building permit. The vote was unanimous.

PLANNING COMMISSION
REPORT

Mr. Pat Phillips presented the planning commission report which is attached hereto as Exhibit D.

RIVER DRIVE AND THURMER
CIRCLE ACCEPTED AS PUBLIC
ROADS

It was moved by Commissioner Hartsook and seconded by Commissioner Luttrell that River Drive and Thurmer Circle be accepted as public roads in River Chase Subdivision. The vote was unanimous. The resolution being attached hereto as Resolution No. 17-81, Exhibit E.

BUDGET AMENDMENTS APPROVED

Commissioner Jones gave the budget committee report and upon motion by Commissioner Jones and seconded by Commissioner Hartsook and Blair the budget amendments were approved as presented. The vote was unanimous. They are attached hereto as Exhibit F.

LOT NEAR HOSPITAL
TO BE MOWED BY COUNTY

It was moved by Commissioner Hartsook and seconded by Commissioner Hudson that a lot near the hospital be mowed by the County since it was a hazzard to the hospital, the amount not to exceed \$25.00. The vote was unanimous.

DISCUSSION OF ANTIOCH
CHURCH ROAD

Mrs. Gossage spoke to the Commissioners concerning the condition of the Antioch Church Road and Kyser Road. Judge Russell told Mrs. Gossage they would look into the matter.

ELECTION OF MEMBERS
TO COUNTY BOND BOARD

It was moved by Commissioner Hartsook and seconded by Commissioner Eldridge that Harry Wampler, J. Y. McNabb, and Ross Wilkerson be reappointed to the County Bond Board. The vote was unanimous.

APPOINTMENT OF COMMITTEE
TO WORK WITH PINEY RURITAN
CLUB

Judge Russell appointed J. J. Blair and Roy Bledsoe as a committee to check with Piney Ruritan Club concerning a new lease on tearing down Davis School and building a new building. Also to check on a lease for some land near Luttrell Church and report back to the commission at the next meeting.

DISCUSSION OF BUILDING
NEW SCHOOL

It was moved by Commissioner Hudson and seconded by Commissioner Jones that if the School Board wanted to build a new school with the One Million Two Hundred Thousand Dollars (\$1,200,000) that was appropriated, they could do so under certain guidelines and approval of the commission. The vote was unanimous.

APPROVAL OF OPTION ON LAND
IN FORT LOUDON INDUSTRIAL
PARK-LENOIR CITY

It was moved by Commissioner Jones and seconded by Commissioner Luttrell that the consideration of the sale or option for land in the Fort Loudon Industrial Park-Lenoir City be approved. The vote was unanimous.

ELECTION OF NOTARY
PUBLICS

It was moved by Commissioner Luttrell and seconded by Commissioner Blair that the following Notary Publics be elected. The vote was unanimous.

Garrell E. Foshee, Ann Vann, Martha C. Fox, M.G. Goodwin, Jerry W. Park, Pamela E. Hodge, J. Y. McNabb, and Jack H. Lefler, II.

ADJOURNMENT

There being no further business Court adjourned.

William H. Russell
COUNTY JUDGE

Riley Wampler
COUNTY CLERK

September 14, 1981

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PROPOSED PLAN FOR REAPPORTIONMENT
LOUDON COUNTY, TENNESSEE

SUBMITTED TO THE LOUDON COUNTY
COMMISSION SEPTEMBER 14, 1981

CONTENTS

- I. LEGAL ISSUES CONCERNING COUNTY REAPPORTIONMENT
- II. EXISTING LEGISLATIVE DIVISIONS AND REPRESENTATION
- III. PROPOSED REAPPORTIONMENT PLAN AS ADOPTED BY THE REAPPORTIONMENT COMMITTEE
- IV. DESIGNATION OF LEGISLATIVE SEATS WITHIN DISTRICTS

Exhibit A

LEGAL ISSUES

The 1978 Constitutional Convention undertook the amending of Article 7, Section 1 of the Tennessee Constitution in an effort to provide an uniform system of local government reapportionment. This action was taken as a result of federal and state court cases dealing with the "one man , one vote rule", and rulings that "all duly elected governing bodies of a political unit must be chosen according to the same 'one man, one vote rule'". The constitutional amendment states:

The legislative body shall be composed of representatives from districts in the county as drawn by the county legislative body pursuant to statutes enacted by the General Assembly. Districts shall be reapportioned at least every ten years based upon the most recent federal census. The legislative body shall not exceed twenty-five members, and no more than three representatives shall be elected from a district.

The statutes implementing this amendment are Tennessee Code Annotated, Sections 5-1-110 and 5-1-112. The primary sections of the code are summarized below:

1. Prior to January 1, 1982 and at least every 10 years the legislative body is to meet for the purpose of adopting a plan of reapportionment.
2. Districts under the reapportionment plan must represent substantially equal populations.
3. Reapportionment must be based on the most recent federal census information.
4. Reapportioned districts must be reasonably compact and contiguous and not overlap.
5. No county voting precinct can be split by a district boundary, however precincts may be shifted.
6. The Civil Districts of the county are to be left undisturbed and preserved as they exist.

Tennessee Code further provides a procedure for judicial challenge of a county's reapportionment plan. Most plans have been upheld if they have followed the law as closely as possible and have stayed within a ten (10) percent deviation. The ten (10) percent deviation is not written into the law, but represents a figure which the courts have ruled as acceptable.

EXISTING LEGISLATIVE DISTRICTS

SECOND LEGISLATIVE DISTRICT (Two commissioners)

<u>PRECINCT</u>	<u>POPULATION</u>	<u>DEVIATION</u>
Lenoir City	5,446	+14.1%

FIFTH LEGISLATIVE DISTRICT (Two commissioners)

<u>PRECINCT</u>		
Eaton	4,570	
Browder	2,373	
Total	6,943	-9.4%

THIRD LEGISLATIVE DISTRICT (Two commissioners)

<u>PRECINCT</u>		
Greenback	1,835	
Glendale	1,324	
Highland Park	3,506	
Total	6,665	-5.0%

FIRST & FOURTH LEGISLATIVE DISTRICT (Three commissioners)

<u>PRECINCT</u>		
Luttrell	540	
Loudon (Out)	2,175	
Loudon	3,940	
Philadelhia	1,513	
Davis	1,331	
Total	9,499	-.1%

total	23.5%
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REAPPORTIONMENT PLAN
LOUDON COUNTY, TENNESSEE
LEGISLATIVE DISTRICTS
SEPTEMBER 14, 1981

First & Fourth Legislative District (Three commissioners)

<u>Precinct</u>	<u>Population</u>
Luttrell	540
Loudon Outside	2,175
Loudon	3,940
Philadelphia	1,513
Davis	<u>1,331</u>
TOTAL	9,499

.1% DEVIATION

Third Legislative District (One commissioner)

<u>Precinct</u>	<u>Population</u>
Greenback	1,835
Greendale	<u>1,324</u>
TOTAL	3,159

.4% DEVIATION

Second Legislative District (Two commissioners)

<u>Precinct</u>	<u>Population</u>
Lenoir City	5,447
Lenoir City Extension	<u>1,056</u>
TOTAL	6,503

-2.5% DEVIATION

Fourth Legislative District

(Two commissioners)

<u>Precinct</u>	<u>Population</u>
Eatons	3,872
Browder	<u>2,225</u>
TOTAL	6,097

+3.8% DEVIATION

Sixth Legislative District

(One commissioner)

<u>Precinct</u>	<u>Population</u>
Highland Park	<u>3,296</u>
TOTAL	3,296

-3.9% DEVIATION

TOTAL DEVIATION 7.7%

COMMENTS

Second District

The Second Legislative Districts population is based on Lenoir City and an area to the east of the corporate limits. This area was originally part of the Third District and is within the present Highland Park Precinct. The population of this area was obtained using census information - ED 227.

Fifth & Sixth Districts

In an effort to comply with the 10% deviation for the county, the area between Highway 70 and Highway 11 was divided according to the number of households times the average household size of 2.6 for the enumeration district.

DESIGNATION OF LEGISLATIVE SEATS

It is recommended that legislative seats be established in those districts with two or more commissioners. This procedure will preserve the equal representation of those districts and eliminate the single selection of one commissioner at the expense of another. Each seat within a legislative district should be designated as seat "A", seat "B", and seat "C". In submission of petitions for qualifications, the individual aspiring elections would designate the commission seat in which he was seeking election.

RESOLUTION NO. 15-81

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE PURSUANT TO CHAPTER FOUR, SECTION 13-405, OF THE TENNESSEE CODE ANNOTATED, TO REZONE PARCEL 42.3 MAP 28 FROM A-2, RURAL RESIDENTIAL, TO C-2, GENERAL COMMERCIAL

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-405 of the Tennessee Code Annotated 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 of the Zoning Map of Loudon County, Tennessee, and the necessary public hearing called for and held;

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

I. That Parcel 42.3, Map 28 said property being located in the 5th Civil District on Hotchkiss Valley Road, be rezoned from A-2, Rural Residential to C-2, General Commercial.

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

DATE: SEPTEMBER 14, 1981

LOUDON COUNTY JUDGE

ATTEST: _____

E. L. L. B.

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RESOLUTION NO. 16-81

A RESOLUTION AMENDING THE ZONING
RESOLUTION OF LOUDON COUNTY, TENNESSEE
PURSUANT TO CHAPTER FOUR SECTION 13-7-105
OF THE TENNESSEE CODE ANNOTATED ESTABLISH-
ING AN EROSION AND SEDIMENTATION CONTROL
ORDINANCE

WHEREAS, the Loudon County Regional Planning Commission
in accordance with Chapter Four, Section 13-7-1 0 of the Tennessee
Code Annotated may, from time to time, amend the zoning Resolution
and related maps.

WHEREAS, such a Resolution is necessary to preserve the
health, safety, welfare of the citizens of Loudon County and to
preserve the aesthetic quality of the areas natural resources;

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

Section 1. That Article Four - Supplementary Provisions
Applying to Specific Districts be amended to include Section 4.130
Erosion and Sedimentation Control Standards.

Section 2. 4.130. Erosion and Sedimentation Control
Standards. The purpose of these regulations is to empower the
appropriate officials of Loudon County to control any land-dis-
turbing activity that is determined by such officials to cause
contamination of water supplies and water resources, the clogging
of water-courses, and ditches, sinkholes or natural drainageways;
or erosion of land which may jeopardize existing structures,
roadway, or adjacent property. This section shall apply to all
districts within Loudon County, Tennessee.

(1) Permits. Any site of one acre or more which may
be exposed or disturbed of earth shall have a
valid grading permit issued by the building
commissioner for that particular site before
commencement of any grading/excavation work.
Any site with less than one acre shall not be
required to obtain a permit, however, such
tracts are not excluded from the general re-
quirements of this ordinance.

(a) Permit Requirements. The developer shall
submit the following information for the
entire tract of land to be graded/excavated
before a permit is to be released:

Exhibit C

1. A boundary line survey of the site on which the work is to be performed.
2. Plans and specifications of soil erosion and sedimentation control measures conforming to the requirements as outlined in this ordinance.
3. The development sequence of construction events as related to the control of soil erosion and sedimentation.

(2) Exclusions. No grading/excavation permit shall be required for:

- (a) Nursery operations, such as the removal and/or transplanting of cultivated soil shrubs and trees;
- (b) Garden plots; lawn preparation or landscaping activities or existing lots or parcels unless the possibility for erosion and sedimentation or alteration of drainage is such to necessitate a grading permit as determined by the administrator;
- (c) Agricultural land management practices such as plowing or cultivation;
- (d) Projects owned by a government agency.
- (e) Strip and surface mining regulated by State and Federal statutes.
- (f) Sanitary landfills operated and conducted in accordance with the requirements and rules adopted by Loudon County or municipalities and State of Tennessee.

(3) Maintenance. Any person, firm or entity engaged in or conducting any land disturbing activity shall be responsible for maintaining all temporary and permanent erosion and sedimentation measures and facilities during development of the site and for a period of one (1) year thereafter. If during the one (1) year period, repairs or maintenance are required to said measures and facilities, then there shall be a further period of responsibility of one (1) additional year. Thereafter such responsibility shall be with the landowner except for those improvements which have been accpeted by the commissioner/inspector.

Maximum Slope Permissible.

- (a) The finished slope of any excavation must not exceed 2:1. The slope is calculated as the slope or degree of inclination from the horizontal.
- (b) Slopes left exposed will, within thirty (30) working days of completion of any phase of grading, be planted or otherwise provided with a ground cover, devices or structures sufficient to restrain erosion.

(5) Ground Cover.

- (a) Whenever land disturbing activity is undertaken on a tract, a vegetative ground cover sufficient to restrain erosion must be planted or otherwise provided within thirty working days on that portion of the tract upon which further active construction is not being undertaken. Periodic or intermittent land disturbing activity does not preclude the intent of this section. Activity must be of a weekly nature.
- (b) On angled or graded slopes constant efforts must be undertaken to restrain erosion during and after excavation.

(6) Drainage/Runoff.

- (a) No land disturbing activity shall be permitted in proximity to a lake or any water course or drainageway unless:
 - 1. A buffer zone is provided along the margin of the water-course of sufficient width to confine visible siltation or sediment deposits;

A sufficient drainage and/or a runoff plan has been submitted to the building commissioner and approval received. This approval is contingent on the plans intent on preserving the character of the land, and preserving the drainage course.
- (b) Any land disturbing activity shall be so conducted to eliminate unnecessary runoff and/or drainage into properties or public rights-of-ways.

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

Passed _____
Date

Public Hearing 8-3-81
Date

COUNTY JUDGE

ATTEST



Local Planning Division

Tennessee State Planning Office

East Tennessee Region
P.O. Box 1069
1114 West Clinch Ave.
Knoxville, Tennessee 37901

615-522-2185

MEMORANDUM

TO: Judge William H. Russell and members of the Loudon County commission

From: Patrick Phillips, Staff Planner

Date: September 14, 1981

Subject: General Report, Loudon County Regional Planning Commission

At the August 20, 1981 meeting, the planning commission discussed and considered the following:

1. Recommended that property owned by Troy Aaron on Ford Road, Map 12-G, Parcel 1&2 "Section B" and Map 12, Parcel 71, not be rezoned from R-1, suburban residential, to A-2, rural residential.
2. Recommended that property owned by E.L. Hubbs on Watt Road, Map 8, Parcel 14 be rezoned from R-1, suburban residential, to C-2, general commercial.
3. Recommended that property owned by Earl Thomas, Map 11, Parcel 104 on Highway 70 be rezoned from R-1, suburban residential, to C-2, general commercial
4. Reviewed applications for the third year of the Huntsville revitalization project and the Loudon County Hospital construction for the critical care unit.
5. Heard reports from the Building Commissioner and Staff Planner

Est. Hubbs D.

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LOUDON COUNTY HIGHWAY DEPARTMENT

BOX 323

PHONE 458-2617

LOUDON, TENNESSEE 37774

August 10, 1981

		<u>Dr.</u>	<u>Cr.</u>
142 17100	Estimated Revenues	2,179.80	
	142 30910 Refunds		
142 24100	Appropriations		2,179.80
	142 43120 799 Pipe		

Transfer \$200.00 from Account No. 142-43120-709 (Other Operating Supplies & Maint.) to Account No. 142-43110-641 (Office Supplies)

Transfer \$500.00 from Account No. 142-43120-709 (Other Operating Supplies & Maint.) to Account No. 142-43120-799 (Pipe)

Eugene Crawley

Est. Release 7

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LOUDON COUNTY
GENERAL PURPOSE SCHOOL
Budget Amendments

ACCT. NO.		DR.	CR.
161 97.1	Fund Balance	49,900.87	
161 81	Appropriations		49,900.87
161 2210.31	Teachers	15,373.00	
161 2230.1	Instruction Supplies	1,500.00	
161 2244	Other Printed/ Published Suppl.	9,416.06	
161 2630.9	Custodial Suppl.	1,800.00	
161 3272.4	Renovation of Bldgs.	3,950.00	
161 3273.2	Equip for Adm.	220.00	
161 3361.2	Principal on Notes	9,572.47	
161 3362.2	Interst on Notes	2,119.34	
161 3940	Resale of Material	5,950.00	

Budget Amendments Requested
By A. Edward Headlee, Supt. of
Schools 8/17/81

LOUDON COUNTY
TITLE I 82-01

ACCT.
NO.

DR.

CR.

181 41 Estimated Revenue
181 131.11 Title I 82-01
Revenue

35,874.20

35,874.20

181 61 Appropriations

35,874.20

181 2110.4 Director (28.00)

181 2210.31 Reg. Teachers (8,685.68)

181 2210.51 Teacher's
Aides 31,188.50

181 2290.9 Other (Sub.
Aides) 1,260.00

181 2851.1 Contributions
Local Ret. 5,227.00

181 2851.21 Contributions
Social Sec. 1,300.00

181 2851.22 Soc. Sec.
Handling 11.00

181 2851.5 Contributions
Health Ins. 6,975.50

181 3920 Indirect Cost 421.88

181 2851.4 Contributions
St. Teacher's
Retirement (1,796.00)

Budget Amendment #1
Title I 82-01

LOUDON COUNTY
TITLE IV C LEAP
Budget 1981-82

ACCT.
NO.

DR.

CR.

186 41	Estimated Revenue	4023.21	
186 133.12	Title IV C 81-11-4023.21		
186 81	Appropriations		4023.21
186 2210.1	Principal's		
	Stipend Pay	240.00	
186 2210.31	Teacher's		
	Stipend Pay	864.00	
186 2210.32	Substitute		
	Teachers	675.00	
186 2220.11	Travel	800.00	
186 2230.1	Instructional		
	Supplies & Mat.	1200.00	
186 2851.21	Social Security	73.42	
186 2851.1	Retirement	170.79	
To set up budget for Title IV C LEAP 81-11 Program			

LONDON [REDACTED]
GENERAL FUND
BUDGET AMENDMENTS
9/15/81

ACCT. NO.	ITEM	INCR.	DECR.
110 48700 617	Insurance - Senior Citizens Budget	100.00	
110 48700 641	Office Supplies-Senior Citizen's Budget		200.00
110 42561 465	Repairs & Maintenance on cars 600.00 Reappraised Prog.	600.00	
110 42561 901	Equipment-Reappraised Prog.		600.00
110 42563 901	Equipment-Co. Court Clerk	25.00	
110 42563 641	Office Supplies -Co.Court Clerk		25.00
110 27111	Fund Balance	700.00	
110 24101	Appropriations		700.00
	110 42563 899 Auxiliary Police Equip.		

Approved by Budget Committee 9/30/81

GENERAL PURPOSE SCHOOL FUND

BUDGET AMENDMENTS

<u>ACCT. NO.</u>	<u>ITEM</u>	<u>INCREASE</u>	<u>DECREASE</u>
2120.9	Other Contracted Services	1,000.00	
2210.1	Principals	400.00	
2210.31	Teachers	11,689.85	
2210.51	School Secretary	600.00	
2220.2	Consultant	100.00	
2220.11	Travel	600.00	
2620.9	Other Contracted Services	500.00	
2910.1	Supervisor		1,200.00
97.1	Fund Balance		13,285.85
3710.31	Teachers		5,525.00
3710.32	Substitute Teachers	1,000.00	
3720.1	Travel	3,021.00	
3720.5	Equipment Maintenance	5,100.00	
3720.8	Communication		1,800.00
3730.1	Instructional Supplies		2,200.00
TOTALS		24,010.85	24,010.85