

Be it remembered that the County Legislative Body of Loudon County met in regular session on Monday, February 1st, 1982 at 7:00 p.m. with the Honorable William H. Russell, presiding, and Riley D. Wampler, County Clerk of said Court was present; whereupon, Sheriff Joe Sims, opened Court led the Pledge of Allegiance to the Flag and introduced Edward Headlee, Superintendent of Schools, who gave the invocation.

The following commissioners were present:

J. J. Blair	James Hartsook
Roy Bledsoe	Richard Hawk
John Newman	Bart Eldridge
J. G. Hudson	J. Will Jones

MINUTES APPROVED

It was moved by Commissioner Blair and seconded by Commissioner Eldridge that the December minutes be approved as presented. The Vote was unanimous.

PROPERTY OWNED BY
CALVARY BAPTIST CHURCH
REZONED

It was moved by Commissioner Hudson and seconded by Commissioner Blair that the property owned by the Calvary Baptist Church on Leeper Parkway and Avery Road in Highland Hills Subdivision, Parcel 1 and 2, Map 23-C "F", be rezoned from R-1, Suburban Residential to C-2, General Commercial. The Vote unanimous and it attached hereto as Resolution No 1-82 Exhibit A.

LEASE CONTRACT FOR
DR. ELROD APPROVED

Upon motion by Commissioner Hudson and seconded by Commissioner Hawk a lease contract with Dr. Elrod in Greenback was approved with the Vote being unanimous.

SCHOOL BOARD TO APPOINT
SUPERINTENDENT OF SCHOOLS
FAILED

Mr. John Roberts, a member of the Loudon County Board of Education, addressed the County Commissioners requesting them to submit a private act to legislature providing for the appointment of the Superintendent of Schools by the Loudon County Board of Education effective September 1986. It was moved by Commissioner Hawk that this be done but for a lack of a second the motion died.

EXTRA HELP FOR PROPERTY
TAX OFFICE

It was moved by Commissioner Jones and seconded by Commissioner Hartsook that extra help be placed in the Property Assessor Office during the reappraisal program in order to give the Property Assessor more time to handle the personal property tax for the business places. All Voted Yes except Hudson voting No.

PLANNING COMMISSION
REPORT

Mr. Pat Phillips, of the Loudon
County Planning Commission gave the Planning
Commission report which is attached hereto
as Exhibit B.

ARTHUR TEETERS
PROPERTY REZONED

It was moved by Commissioner Hudso
and seconded by Commissioner Hawk that the
Rezoning request for property owned by
Arthur Teeters on Baker Creek Road, Map 74,
Parcel 10-2 from A-1 agriculture-Forestry, to
C-1 Rural Center be approved. The Vote was
unanimous and is attached hereto as
Resolution NO 2-82 Exhibit C.

AMENDMENT TO ZONING
RESOLUTION

It was moved by Commissioner
Hartsook and seconded by Commissioner Newman
that an amendment to the Zoning Resolution
Article 5, Section 5.057 to amend the re-
quirement from the regional flood level to
the 100 year flood level. All Voted Yes
except with Blair Voting No. It being
attached hereto as Resolution No 3-82
Exhibit 10.

CLOSURE OF A SECTION
OF PINECREST DRIVE IN
LAKELAND HILLS SUB-
DIVISION

After some discussion it was
moved by Commissioner Hawk and seconded by
Commissioner Hudson that the Closure and
reverting of ownership to adjacent property
owner of a section of Pinecrest Drive in
Lakeland Hills Subdivision adjoining Parcel 9
for a distance of 50' X 40.11 be approved.
The Vote was unanimous and it is attached
hereto as Resolution No _____ Exhibit DA

POPLAR SPRINGS ROAD
TO LEAD TO TELLICO
PARKWAY

It was moved by Commission Blair
and seconded by Commissioner Bledsoe that
Judge Russell write the State concerning
fixing Poplar Springs road to lead in to
Tellico Parkway. The Motion was unanimous.
Said road to be included in the Rural Road
System.

ROAD TO BE FIXED
GOING INTO BLAIR
BEND INDUSTRIAL PARK

Upon motion by Commissioner Eldridge
and seconded by Commissioner Jones. The
Commissioners voted to fix the road leading
in to Blair Bend Industrial Park, if the City
did not. It would be done as soon the
weather would permit.

After much discussion concerning
the School Building Program, Commissioner
Blair made a motion to reaffirm the Com-
missions intention to provide \$1.4 Million
for renovation and additions of the Old
Loudon Junior High and for additions at

SCHOOL BUILDING
PROGRAM APPROVED

Grack. It was seconded by Commissioner Hudson. Commissioner Jones then amended that motion to provide for Building the Schools as recommended by a joint committee of the School Board and County Commission. The estimated cost being \$5.4 Million. It was seconded by Commissioner Hartsook. The Roll Call Vote on the Amendment was.

Aye

Nay

Jones
Hartsook
Eldridge
Newman

Blair
Bledsoe
Hawk
Hudson

Judge Russell broke the tie by voting ya making it five to four in favor of the Amendment.

The Roll Call Vote on Commissioner Blair motion was.

Aye

Nay

Jones
Hartsook
Eldridge
Newman

Blair
Bledsoe
Hawk
Hudson

Judge Russell broke the tie by voting ya, making it five to four in favor of the motion.

BUDGET AMENDMENTS
APPROVED

It was moved by Commissioner Jones and seconded by Commissioner Hartsook that the Budget Amendments be approved as presented. The Vote was unanimous and is attached hereto as Exhibit 5.

TAX REFUNDS

It was moved by Commissioner Hudson and seconded by Commissioner Hartsook that a tax refund be made to the following. George M. Leak, Jr.-1980-amount \$51.67, First Heritage Bank-1978-\$448.67, 1979--\$548.38, and 1980 in the amount of \$548.80. Enos Johnson 1981-\$107.35. The Vote was unanimous.

APPOINTMENT OF
HIGHWAY SUPERINTENDENT
FAILED

Mr. Bob Freeman spoke to the Commissioners regarding reorganization of the County Highway Department. It was moved by Commissioner Hawk and seconded by Commissioner Hartsook that a private act be put through whereby the County Executive could appoint a Highway Superintendent. Upon Roll Call Vote it failed 5 to 3.

It was moved by Commissioner Jones and seconded by Commissioner Blair that the County Private Acts 1972, Chapter 232,

TAX ON COMMERCIAL
TRAILER PARKS APPROVED

Taxation Hotel and Motel Tax be amended
to include Commercial Trailer Parks and
Camping Facilities. Upon Roll Call Vote
the Vote was unanimous.

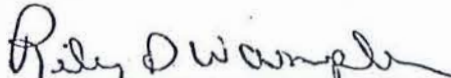
NOTARY PUBLIC
APPROVED

Upon motion by Commissioner
Hartsook and seconded by Commissioner
Eldridge the following Notary Publics
were elected. The Vote was unanimous.

John O. Gibson, Shirley R. Pangle,
M. Glen Hill, Karen P. Grindstaff, Jo Ann
Passons, Jeanie F. Mowery, Patricia G. Noe,
Beth McClellan, William B. Campbell, Steve
Hurst, Bland D. Winfrey, Idus Littleton and
James M. Hartsook.

There being no further business the
Court adjourned.

WILLIAM H. RUSSELL
COUNTY JUDGE


RILEY D. WAMPLER
COUNTY CLERK

I
RESOLUTION NO. 1-82

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE PARCELS 1 & 2, MAP 23-C, GROUP F, FROM R-1, SUBURBAN RESIDENTIAL, TO C-2, GENERAL COMMERCIAL.

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated may, from time to time, amend the number, shape, boundary, area, or any regulation of or within any 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 Parcels 1 & 2, Map 23-C, GROUP F said property being located in the Second Civil District (Third Legislative District) on Leeper Parkway and Avery Road, be rezoned from R-1, Suburban Residential, to C-2, General Commercial.

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

DATE _____

LOUDON COUNTY JUDGE

ATTEST _____

Blank/
Robert

Exhibit A

145

M E M O R A N D U M

TO: Judge William H. Russell and Members of the Loudon
County Commission
FROM: Pat Phillips, Community Planner
DATE: February 1, 1982
SUBJECT: General Report of the Loudon County Regional
Planning Commission

The Loudon County Regional Planning Commission met at regular sessions on December 17, 1981 and January 21, 1982 to consider and recommend the following:

December 17, 1981

- 1) Discussed the design of subdivision plats - no action taken.
- 2) Discussed study to review proposed county office building and adaptive uses of existing facilities.
3. Reviewed proposed site plans for commercial and industrial developments - no action taken.
4. Heard reports from building commission and staff planner.

January 21, 1982

1. Reviewed final site plans for Huntsville Apartments on Industrial Drive. Commission approved the project subsequent to improving parking design.
2. Recommending closing off a section of Pinecrest Drive in Lakeland Hills Subdivision.
3. Discussed planning efforts over the last year.
4. Discussed secondary access to Blair Bend Industrial Park.
5. Heard reports from building commissioner and staff planner.

PP:mb

Exhibit B

II

RESOLUTION NO. 2-82

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE PARCEL 10.2, MAP 74, FROM A-1, AGRICULTURE-FORESTRY, TO C-1, RURAL CENTER.

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated may, from time to time, amend the number, shape, boundary, area, or any regulation of or within any 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 10.2, Map 74, said property being located in the Third Civil District (Third Legislative District) on Baker Creek Road, be rezoned from A-1, Agriculture-Forestry, to C-2, General Commercial.

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

DATE _____

LOUDON COUNTY JUDGE

ATTEST _____

Hester
Blair

Exhibit C

RESOLUTION NO. 3.82

A RESOLUTION AMENDING THE ZONING
RESOLUTION OF LOUDON COUNTY,
TENNESSEE, PURSUANT TO CHAPTER FOUR
SECTION 13-7-105 OF THE TENNESSEE
CODE ANNOTATED AMENDING THE F-1,
FLOODWAY DISTRICT AND DEFINITIONS.

WHEREAS, the Loudon County Regional Planning
Commission in accordance with Chapter Four, Section 13-7-105
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 5 - Zoning Districts,
Section 5.040 Specific District Regulations be amended as
follows:

Section 2 - 5.057. F-1 FLOODWAY DISTRICT

A. District Description:

The F-1 Floodway District is intended for use in
areas within Loudon County which are subject to
flooding. The objective of the F-1 District is
to impose restrictions upon the use of lands which
lie within the floodways of the several creeks and
rivers which flow within the boundaries of Loudon
County, Tennessee, thereby protecting persons,
property, and the community from the dangers arising
from periodic flooding within these areas. The
floodway lands in Loudon County, as defined in
Article 2, will carry the abnormal water flows in
times of flood, by preventing the encroachment of
incompatible land uses within those floodways which
would unduly increase floodwater heights and prop-
erty damage. Due to the numerous streams in Loudon
County, only the major floodway districts are defined
on the zoning map; however, the districts which are
not shown on the map are defined in Article 2. The
following regulations shall apply in the F-1 Floodway
District, as defined on the Zoning Map of Loudon
County, Tennessee, and in the definitions of small
stream floodways in Article 2:

B. Uses Permitted as Special Exceptions:

In the F-1 Floodway District, the following uses may
be permitted subject to review and approval of the
Board of Zoning Appeals in accordance with Article 7,
Section 7.030. The Board shall possess the authority
to impose such conditions upon any proposed use as
is deemed necessary to protect the public interest.

1. Parking lots and open loading areas.
2. Crop fields, gardening, and pasture land.

Exhibit D

RESOLUTION

A RESOLUTION ENACTED UPON BY THE
LEGISLATIVE BODY OF LOUDON COUNTY,
TENNESSEE, ABANDONING A PLATTED SEC-
TION OF PINECREST DRIVE IN LAKELAND
HILLS SUBDIVISION.

WHEREAS, the Loudon County Regional Planning Commis-
sion has forwarded its recommendations regarding the
abandonment of a platted section of Pinecrest Drive; and

WHEREAS, the Loudon County Commission may abandon
such roads, streets, avenues or ways or parts thereof,
which are not an integral part of the transportation
system or necessary to insure the safety of residents
of Loudon County.

NOW, THEREFORE BE IT RESOLVED by the Loudon County
Commission that the following section of Pinecrest Drive
be abandoned as described below:

Beginning at the southern tip of Parcel
9, Tax Map 24-E "A", Lot 12; thence in a
northeasterly direction for a distance of 50';
thence in a southeasterly direction for a
distance of 50' along the western property
line of Parcel 27, Lot 13 of Lakeland Hills
Subdivision; thence in a southwesterly direc-
tion for a distance of 40.11'; thence in a
westerly direction for a distance of 55' +
back to the point of beginning.

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

February 1, 1982

DATE

R. L. O'Connell

LOUDON COUNTY JUDGE

Frank A. Hany

ATTEST

Exhibit D. A

3. Open-type public and private recreation facilities, such as parks, golf courses, driving ranges, and drive-in theaters, provided that no building or permanent structures are erected in the F-1 District.
4. Storage yards for equipment and materials not subject to major damage by floods, provided such use is auxiliary to uses permitted in an adjoining district and materials do not include inflammables such as gasoline.
5. Boat docks or marinas.
6. Circus, carnival, or similar transient amusement enterprises.
7. Utilities, road and railroad bridges, and electric and other transmission lines.

C. Uses Prohibited:

In the F-1 Floodway District, all uses, except those uses or their accessory uses permitted as special exceptions by the Board, are prohibited. All dwelling units, including mobile homes, are specifically prohibited in the F-1 District.

D. Floodway Fringe Areas:

Areas lying outside the Floodway District but within the area covered by the 100-year flood elevation shall be subject to the following regulations:

1. No building or structure shall be erected and no existing building or structure shall be extended or moved unless the main floor of said building or structure is placed above the 100-year flood elevation. No basement floor shall be constructed below or at a lower elevation than the main floor.
2. Foundations of all structures shall be designed to withstand flood conditions at the site.
3. Land may be filled within these flood fringe areas, provided such fill extends twenty-five (25) feet beyond the limits of any structures erected thereon.

E. Approval of the Board of Zoning Appeals:

No permit shall be issued for the construction of any building or for any use within the floodway district until the plans for such construction or use have been submitted to the Board of Zoning Appeals and approval is given in writing for such construction or use. The Board of Zoning Appeals may make its approval subject to such conditions necessary to carry out the purpose of this district. In its review of plans submitted, the Board of Zoning Appeals shall be guided by the following standards, keeping in mind that the purpose of this district is to prevent encroachment into the floodway which will unduly increase flood heights and endanger life and property:

1. Any uses permitted shall be a type not appreciably damaged by floodwaters, provided no structures for human habitation shall be permitted.
2. No filling of land shall be permitted, except where express permission is granted by the Board of Zoning Appeals.
3. Any structure permitted shall be designed, constructed, and placed on the lot so as to offer the minimum obstruction to the flow of water.
4. Any new construction, substantial improvements and/or major repairs to uses allowed under the provisions of this section shall: (1) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure; (2) to be constructed of materials and utility equipment that are resistant to flood damage; (3) use construction methods and practices that will minimize flood damage. A statement from a registered engineer certifying that the above-stated requirements have been fulfilled shall be filed with the Building Commissioner prior to the issuance of a building permit and Certificate of Occupancy.
5. Where, in the opinion of the Board of Zoning Appeals, topographic data, engineering and other studies are needed to determine the effects of flooding on a proposed structure and/or the effect of the structure on the flow of water, the Board of Zoning Appeals may require the applicant to submit such data or other studies prepared by competent engineers or other technical people.
6. The granting of approval of any structure or use shall not constitute a representation, guarantee or warranty of any kind of nature by Loudon County, Tennessee, or the Loudon County Board of Zoning Appeals or by an officer or employee of either thereof of the practicality or safety of any structure or use proposed and shall create no liability upon or cause action against such public body, officer, or employee for any damage that may result thereto.

F. Small Streams:

Any structure proposed to be located outside the Floodway District but within fifty (50) feet of any main drainage channel or stream (hereafter referred to as stream) within Loudon County must be approved by the Loudon County Board of Zoning Appeals. The Board of Zoning Appeals or other designated public official shall determine on the basis of the area of the watershed and probable runoff of the opening needed for the stream or how close a structure may be built to the stream in order to assure adequate space for the flow of floodwater. However, no building shall be permitted within ten (10) feet of the top of the bank of any stream.

Section 3. That Article 2, Definitions, Section 2.020 be amended as follows:

Section 4. Flood: An overflow of lands not normally covered by water that results in significant adverse effects in the vicinity. For the purpose of this resolution, land subject to flood shall be:

1. Along Sweetwater, Steekee, Muddy, Little Tennessee River, Baker Creek, Clinch River, Bacon Creek, Toure Creeks, and on the Tennessee River, any land which is below the elevation of the 100-year flood as defined in the plats which have been made a part of this resolution.

Section 5. Floodway Fringe Area: Areas lying outside the Floodway District but within the area which would be flooded by the 100-year flood.

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

Passed _____ Date _____

Public Hearing _____ Date _____

County Judge

Attest: _____
Court Clerk

GENERAL FUND

Budget Amendment

Feb. 1, 1982

<u>Acct. #</u>		<u>Dr.</u>	<u>Cr.</u>
110 27110	Fund Balance	\$150.00	
110 41561 282	Property Assessor's Sec. approval to pay P.A. secretary for vacation		\$150.00
110 36350	Insurance Recoveries	\$754.74	
110 42611 418	Ambulance Uniforms		\$224.63
110 42611 465	Ambulance Maintenance & Repairs		\$530.11
To adjust insurance recovery into appropriated accounts.			
110 33900	Contributions for Civic Groups	\$106.00	
110 42661 681	Food for Jail		\$106.00
To adjust for contributions to feed stranded citizens during ice storm.			
110 41900 942	Unallocated- Primary	\$590.13	
110 41113 572	Newspapers		\$590.13
To set up amount for National Assn. of Counties and Christmas greetings to newspaper for county officials.			
110 33414	Board of Prisoners	\$1,815.00	
110 42611 905	Equipment- Sheriff's Dept.		\$1,815.00
To set up revenue acct. for Boarding of Army Prisoners and expenditures for equipment- Sheriff's Dept.			
110 41563 641	County Crt.Clk's Office Supplies	\$250.00	
110 41563 901	C.C.C. Office Equipment		\$250.00
Request for transfer of funds within his budget.			

TITLE IV C LEAP 81-11

Budget Amendments

Feb. 1, 1982

<u>Acct. #</u>		<u>Dr.</u>	<u>Cr.</u>
186 133,12	Title IVC 81-11	\$4,240.77	
186 2210,31	Teachers (Stipend Pay)		\$432.00
186 2210,32	Substitute Teachers		\$450.00
186 2220,11	Travel		\$925.00
186 2230,1	Instructional Supplies		\$1,800.00
186 2290,1	Evaluation		\$538.21
186 2851,21	Social Security		\$28.73
186 2851,1	Retirement		\$66.83

To set up additional funds for Title IVC LEAP 81-11.

Exhibit E.

TITLE IVB 82-01

Budget Amendments
Feb. 1, 1982

<u>Acct. #</u>		<u>Dr.</u>	<u>Cr.</u>
187 133.12	Title IVB 82-01	\$21,935.00	
187 2243	Library Books		\$9,995.29
187 2244	Other Printed/Published		
	Instructional Materials		\$8,311.81
187 3273.31	Instructional Equipment		\$3,412.88
187 3920	Indirect Cost		\$215.02

To set up Title IVB 82-01 Funds for 1982.

General Purpose School

BUDGET AMENDMENTS

February 1, 1982

<u>Acct. No.</u>	<u>Item</u>	<u>Decrease</u>	<u>Increase</u>
3720.9	Other Contractual Services		5,000.00
147 97.1	Maint. & Operation (P.L. 874)	5,000.00	
	<i>Fund Balance</i>		
TOTAL		5,000.00	5,000.00

These budget amendments are recommended subject to approval by the Loudon County Board of Education prior to becoming final.

A. Edward Headlee
A. Edward Headlee
Superintendent

Feb [REDACTED] 1982

Cr.

\$5.83

110 48700 282	Secretary salary	\$2,005.76
110 48700 353	Driver's Salary	\$254.80
110 48700 380	Other Personnel salaries	\$693.70
110 48700 351	Custodian's Salary	\$537.20
110 48700 402	Soc. Sec.	\$207.83
110 48700 404	Retirement	\$247.02
110 48700 405	Health Insurance	\$662.41
110 48700 641	Office Supplies	\$353.61
110 48700 121	Director's Salary	\$231.07
110 48700 154	Co-ordinator's Salary	\$149.75
110 48700 465	Maintenance & Repairs	\$1,143.99
110 48700 591	Travel	\$1,300.00
110 48700 861	Vehicle Insurance	\$200.00
110 48700 929	Equipment	\$1,937.52

Ernest Currier 154

GENERAL PURPOSE SCHOOL FUND

BUDGET AMENDMENTS

Feb, 1, 1982

<u>Acct. #</u>		<u>Dr.</u>	<u>Cr.</u>
97,1	Fund Balance	\$45,00	
133,6	Adult Ed, Funds	\$855,00	
3510,3	Instruction		\$400,00
3520,1	In-Service		\$64,00
3551,21	Soc. Sec,		\$31,09
3551,4	Retirement		\$71,78
3530	Instructional Supplies		\$333,13

To set up additional funds for Adult
Education,

GENERAL PURPOSE SCHOOL FUND

1 - 22 - 82

BUDGET AMENDMENTS

<u>Acct. No.</u>	<u>Item</u>	<u>Decrease</u>	<u>Increase</u>
2951.21	Social Security/Food Service		2,418.88
3273.2	Equip. for Administration		800.00
3273.6	Equip. for Plant Operation		1,500.00
3273.8	Equip. for Food Services		4,500.00
2110.1	Board of Education		3,000.00
2120.1	Travel		1,700.00
2140.9	Other		2,430.00

(First four items approved by the Board on 1-14-82. Second three items approved by the Board on 1-20-82.)

121.31	State Income Tax	10,918.88	
<u>141.2</u>	874 Federal Impact Funds	<u>5,430.00</u>	
TOTALS		16,348.88	16,348.88