

A Public Hearing was held at 7:00 P.M., March 7, 1988 on the rezoning of property near Watt Road, Pickell Road, and Interstate 40/75, Tax Map 8, Parcels 13.0, 14.3 and 14.4 and includes property located in Loudon County and referenced by Knox County Parcel 67 from R-1, Suburban Residential to G-2 General Commercial. Mr. John Smelser, representing a group of about 50 people, spoke to the Commission for one hour against the rezoning of the property.

A Hearing on the Amendment to the Zoning Resolution of Loudon County, Section 5.057, F-1, Floodway District. There being no other comment, the hearing closed.

Be it remembered that the Loudon County Legislative Body met in regular session on Monday, March 7th, 1988 at 8:00 P.M. with the Chairman J.J. Blair, presiding and Riley D. Wampler, County Clerk was present, whereupon Sheriff Joe Sims Opened Court, led the Pledge of Allegiance to the Flag and presented Commissioner Bledsoe who gave the Invocation.

The following Commissioners were present:

Bledsoe	Petty	Park	
Blair	Milsaps	Masingo	Bryant

Commissioners Maples and Price were absent.

MINUTES
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Park that the minutes of the February 1, 1988 be approved as presented. The vote was unanimous.

PLANNING
COMMISSION
REPORT

County Planning Commissioner, Pat Phillips presented the General Report of the Planning Commission which is attached hereto as Exhibit A.

TAX MAP
8 PARCEL
13.0, 14.03
and 14.4
REZONED

After much discussion it was moved by Commissioner Park and seconded by Commissioner Petty that the Rezoning of Property near Watt Road, Tax Map 8, Parcels 13.0, 14.3, and 14.4 and property in Loudon County referenced by Parcel 67, from R-1, Suburban Residential to C-2, General Commercial be approved. The vote was 5 to 1 in favor with Commissioner Masingo voting nay. (Price and Maples were absent) The Resolution is attached hereto as Resolution No. 5788 Exhibit B.

ZONING
RESOLUTION
SECTION
5.057 F-1
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Milsaps that the consideration of amending the Zoning Resolution of Loudon County Section 5.057, F-1 Floodway District be approved. The vote was unanimous and it is attached hereto as Resolution No. 5788 Exhibit C.

ROAD
CHANGED TO
FRIENDSHIP
ROAD

It was moved by Commissioner Park and seconded by Commissioner Petty that the Old Pleasant Hill Road (Highway 321 and 70 in Lenoir City) be changed to Friendship Road. The vote was unanimous.

RESOLUTION
GENERAL
OBLIGATION
BOND
REFUNDING

Mr. Tommy Ayers spoke to the Commission concerning the Issuance of a Resolution to permit General Obligation Bond Refunding. After some discussion, it was moved by Commissioner Bledsoe and seconded by Commissioner Petty that a Resolution Authorizing the Issuance of General Obligation Refunding Bonds, series 1988, in the aggregate principal amount of not to exceed seven million, seven hundred thousand dollars (\$7,700,000.00) of Loudon County, Tennessee making provisions for the Issuance Sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; and providing for the Levy of Tax for the payment of principal of, premium, if any, and interest on the Bonds be approved. On roll call, the vote was unanimous. (Maples and Price were absent)

BILLS PAID
TO TASS ON
GREENBACK
SEWAGE
PLANT

It was moved by Commissioner Petty and seconded by Commissioner Masingo that Bills owed TASS for operating Greenback Sewage Plant over a two months period be paid. The vote was 5 in favor with Commissioner Park abstaining.

BUDGET
AMENDMENTS
APPROVED

Director of Accounts, Nancy Richesin presented the Budget Amendments. It was moved by Commissioner Milsaps and seconded by Commissioner Petty that the Budget Amendments be approved. The vote was unanimous and they are attached hereto as Exhibit 9.

COUNTY
ATTORNEY
SPOUL

County Attorney, Harvey Sproul reported that the lawsuits of William H. Russell Vs Virginia Ivens and Loudon County is proceeding and should be heard later this year. The lawsuit concerns whether Bell Road is a county road. Attorney Sproul also reported on the lawsuit against Enterprise Waste Oil on White Wing Road. Attorney Sproul said the state is moving toward beginning a National Guard Site, but that it won't happen in the near future. He stated a little pressure from the Commission might help. Commissioner Petty said, "I can't stand to see that eye-sore much longer." He suggested Commission consider other options if the state doesn't act soon.

BUILDING
INSPECTOR
REPORT

Mr. Doug Lawrence presented the Building Inspector's Report:	
Fees-----\$1,532	Value-----\$504,000
Permits-----29	Taxes-----\$5,000

INDUSTRIAL
RECRUITER
DOUG BERRY

Industrial Recruiter Doug Berry said the economic development study funded in part by Loudon County, Lenoir City and Loudon and undertaken by the University of Tennessee will be presented to officials at meetings Friday and Saturday in Gatlinburg.

PURCHAING
AGENT
PHIL REED
ROOFING
SCHOOLS

Purchasing Agent Phil Reed informed Commission that Vincent Roofing Company in Loudon is requesting that a performance bond and labor and materials bond not be required in bids to repair roofs at Ft. Loudon School and North Middle School. Mr. Reed recommended requiring a 25% performance bond or a letter of credit and withholding a percentage of payment until the end of the contract. Commissioner Park moved to accept Reed's recommendations, but it died for lack of a second. It was then moved by Commissioner Milsaps and seconded by Commissioner Bledsoe to accept a letter of credit from Vincent Roofing for \$50,000. The vote was unanimous.

COMMITTEE
TO STUDY
JAIL NEEDS

Sheriff Joe Sims spoke to the Commission concerning building a new jail or adding to the present one since the present jail is not large enough. Chairman Blair appointed Commissioner Petty, Park and Bledsoe to serve on a Committee along with the Sheriff to study the matter.

NOTARIES
APPROVED

It was moved by Commissioner Bryant and second by Commissioner Petty that the following notaries be approved:

Melvin L. Hines
John H. LaFevers
Pam Graves

Norma J. Barnes
David S. Murray

Betty P. Norton
Sherry W. Walden

The vote was unanimous.

There being no further business, Court Adjourned at 9:35 P.M.


County Executive

County Clerk

Attachment:

A resolution was presented to the Commission by County Executive George Miller concerning pay raises for county employees and it failed to pass for lack of motion or any action.



STATE OF TENNESSEE
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
DIVISION OF COMMUNITY DEVELOPMENT
Local Planning Office

East Tennessee Region
Twelve Oaks Executive Park
5401 Kingston Pike
P.O. Box 51365
Knoxville, TN 37950

Phone
615-673-6666

MEMORANDUM

TO: County Executive George Miller and
Loudon County Commission

FROM: Patrick Phillips, Staff Planner *PP*

DATE: March 7, 1988

SUBJECT: General Report - Loudon County Regional Planning
Commission

The Loudon County Regional Planning Commission met on
February 11, 1988, to discuss and consider the following:

- Discussed status of an unnamed road
- Reviewed preliminary land use plan map
- Heard Building Commissioner's Report for January

PP:ddw

Exhibit A

155

RESOLUTION NO. 57-88

RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE MAP 8, PARCELS 13.0, 14.3, 14.4 AND PROPERTY IN LOUDON COUNTY REFERENCED BY KNOX COUNTY MAP 67 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 district or districts, or any other provision of 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 Map 8, parcels 13.0, 14.3, 14.4 and property in Loudon County referenced by Knox County Map 67, said property located off Watt Road and Hickory Creek Road, in the 5th Legislative District 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: March 7, 1988


Loudon County Executive

ATTEST:

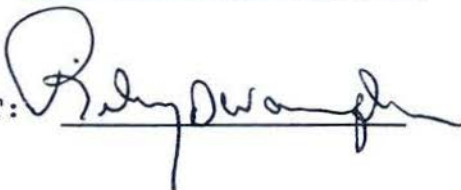


Exhibit B

RESOLUTION NO. 58-88

RESOLUTION AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO AMEND ARTICLE 5, ZONING DISTRICTS, SECTION 5.057 - F-1, FLOODWAY DISTRICT

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area, or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendations regarding the amendment of the Zoning Resolution 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 Resolution of Loudon County, Tennessee, be amended as follows:

Section 1. That Article 5, Zoning Districts, Section 5.057 - F-1, Floodway District be amended as provided for by the attached material, said attachment being a part of this resolution.

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

March 7, 1988

Date

George M. Miller

Loudon County Executive

ATTEST:

Exhibit C

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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 district is to impose restrictions upon the use of land which lie within the floodways and floodway fringe areas 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. 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 district is an overlay district which imposes special restrictions on the district it overlays. The following regulations shall apply in the F-1, Floodway District, as defined on the Zoning Map of Loudon County, Tennessee, and for small streams as indicated in Article 2.

B. General Restrictions

Within the floodway district, which shall include the floodway and floodway fringe areas, the following restrictions shall apply:

1. Any new construction, improvements and/or major repairs to uses permitted within the district shall meet the following requirements:
 - a. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
 - b. Utility and mechanical equipment including water supply and sewage system shall be so designed as to be floodproofed, flood resistant or elevated to prevent water from entering into components and avoiding discharge of any such substance into the watercourse. On site waste disposal systems shall be located and constructed to avoid impairment to them or contamination during flooding.

- c. All structures constructed shall feature methods and practices that will minimize flood damage.
- d. A building permit shall be required prior to the start of construction for any development permitted. For all new and substantially improved structures, the building official shall obtain and maintain on file a certificate of elevation indicating the elevation of the lowest structural member of the lowest floor or the floodproofed elevation of any horizontal structural member of the lowest floor.
- e. Prior to the issuance of a permit, the applicant shall obtain the necessary state and federal permits and shall show evidence of same to the building official.
- f. When base flood elevation data or floodway data have not been provided in accordance with this article, then the Building Commissioner shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of this article.
- g. A registered engineer or architect shall certify that all floodproofing measures for nonresidential structures comply with acceptable design and construction methods meeting the NFIP criteria.
- h. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.
- i. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 - Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.

- The bottom of all openings shall be no higher than one foot above grade; and,
 - Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both direction.
- ii. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation;
 - iii. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
 - iv. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- i. In the event any watercourse is altered or relocated a complete description shall be submitted indicating the extent of said action.
 - j. A certificate of floor elevation or flood-proofing shall be provided after the completion of the lowest floor.
 - k. Prior to the start of construction the building official shall review all development permits to assure that the permit requirements of the zoning ordinance have been satisfied. Said official shall notify adjacent communities and the Local Planning Office, Department of Economic and Community Development prior to any alteration or relocation of a watercourse, and shall submit evidence of such notification to the Federal Emergency Management Agency. The building official shall assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.

C. Definition of Terms

The following terms found within the F-1, Floodway District regulation shall have the following definitions.

BASE FLOOD means the flood having a one percent chance of being equaled or exceeded in any given year as determined by NFIP.

BREAKAWAY WALL means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

ELEVATED BUILDING means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving excavating, drilling operations, or permanent storage of materials.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FLOODWAY FRINGE means the land area outside the floodway but within the area covered by the 100-year flood as determined by the NFIP.

MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

START OF CONSTRUCTION (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P. L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it

include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

SUBSTANTIAL IMPROVEMENT means any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during the life of a structure, in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should be: 1) the appraised value of the structure prior to the start of the initial repair or improvement, or 2) in the case of damage, the value of the structure prior to the damage occurring.

For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

D. Uses Permitted within the Floodway

There are no permitted uses within the floodway, other than agricultural and pasture or as provided as "special exception."

E. Uses Permitted within the Floodway as a Special Exception

The following uses may be permitted within the floodway subject to review and approval of the Board of Zoning Appeals in accordance with Article 8. The board shall possess the authority to impose such conditions upon a proposed use as is deemed necessary to protect the public interest.

1. Parking lots and open loading areas.
2. 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.
3. 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.

4. Boat docks or marinas.
5. Circus, carnival, or similar transient amusement enterprises.
6. Utilities, road and railroad bridges, and electric and other transmission lines.
7. 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 reports.
8. The granting of approval of a 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. Uses Prohibited in the Floodway

Within the floodway, the filling of land, encroachment and new construction and/or substantial improvements to existing structures which would result in an increase of flood heights during the recurrence of the 100-year flood discharge are prohibited. Also prohibited are structures for human habitation (including manufactured homes) and the storage of inflammable materials.

G. Floodway Fringe Areas

Areas lying outside the floodway but within the area covered by the 100-year flood 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 lowest floor of said building or structure (including basement) is placed one foot above the elevation of the 100-year flood. This requirement shall apply to the placement of manufactured homes within a manufactured home park (mobile home park) or subdivision

regardless if such park or subdivision was developed prior to the adoption of the floodplain regulations. Nonresidential structures shall be either elevated one foot above the base flood elevation or floodproofed to that elevation. The lowest floor for nonfloodproofed buildings allows for unfinished enclosures provided that they are used solely for parking of vehicles, building access or storage. Said structures shall be designed to comply with the general requirements as outlined in Section B.

2. Land may be filled within the flood fringe areas, provided such fill extends twenty-five feet beyond the limits of any structures erected thereon.

H. Land Use Restrictions

The same requirements for the district the floodway fringe area overlays shall apply to the area designated between the floodway and elevation of the 100-year flood.

I. Small Streams

Any structure proposed to be located outside the Floodway District but within fifty 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.

BUDGET AMENDMENTS

February 11, 1988

<u>ACCOUNT NO.</u>	<u>ITEM</u>	<u>DEBIT</u>	<u>CREDIT</u>
46590	Duty Free Lunch	9,724.00	
46750	Vocational Workstudy	3,922.00	
46760	Adult Vocational	9,600.00	
46790	Other Vocational (equipment)	9,776.00	
47143	EHA, Part B	120,258.00	
47590	Other Federal Through State (EESA, II)	2,672.00	
72100-195	Substitute Teachers		9,724.00
72200-355	Travel		2,672.00
72300-116	Teachers		8,000.00
72300-429	Instructional Supplies		5,522.00
72300-730	Vocational Instructional Equipment		9,776.00
<u>TOTAL AMOUNTS</u>		<u>155,952.00</u>	<u>35,694.00</u>

These amendments were approved by the Loudon County Board of Education on February 11, 1988 in the regular monthly meeting.


A. Edward Headlee, Superintendent

Copy Keelish AD

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BUDGET AMENDMENTS COUNTY GENERAL FUND

2/25/88

<u>Clerk & Master</u>	DR.	CR.
101-53400- 435 Office Supplies	\$150.00 ✓	
101-53400- 307 Telephone		\$150.00 ✓

This amendment requested by Fred Chaney, Clerk & Master
to prevent overage in #307

<u>Sheriff's Department</u>		
101-54110-719 Office Equipment	\$1,000.00	
101-54110-189 Other Salaries		\$1,000.00

This amendment requested by Sheriff Sims to help fund
salary for computer operator

Maintenance Department

101-51800-336	Repair & Maintenance equipment	\$3,700.00	
101-51800-717	Maintenance Equipment		\$3,700.00

This amendment requested by Glen ~~Bresley~~ to purchase
maintenance vehicle

The following payments were approved:

Approved payment of TASS invoices totaling \$3,148.54
for labor and materials provided at the Greenback School
waste/water treatment plant.

Approved payment of \$2,248.99 for Landfill charges for
garbage and debris picked up by County Highway Department
and dumped at the Landfill



TELLICO AREA SERVICES SYSTEM

P. O. Box 277
VONORE, TENNESSEE 37885

INVOICE

January 20, 1988

Nancy Richardson
Loudon County Accounting Department
P.O. Box 376
Loudon, Tn. 37774

RE: Operation of Greenback School Sewer Plant

Labor:

08-15-87 - 08-31-87	\$ 300.00
09-01-87 - 09-30-87	\$ 600.00
10-01-87 - 10-31-87	\$ 600.00
11-01-87 - 11-30-87	\$ 600.00
12-01-87 - 12-31-87	\$ 600.00
Total Labor	\$2,700.00

Materials: See Copies of Invoices

Roto Rooter	\$ 135.00
Harold Carpernter	\$ 15.00
Price Septic Tank Service	\$ 100.00
Greenback Co-op (Total)	\$ 41.42
Scales, Inc. (Total)	\$ 157.12
Total Materials	\$ 448.54

Total Labor & Materials \$3,148.54

TOTAL DUE THIS INVOICE \$3,148.54