

NOTICE OF PUBLIC HEARING: 7:00 P.M. on Monday, March 13, 1989,
at the Loudon County Courthouse.

- (1) Rezoning on Hickory Creek Rd., Map 5, Parcels 16.0, 16.1, & 16.2; Map 8, Parcels 12.0 & 14.01 from R-1, Suburban Residential to C-2, General Commercial
- (2) Rezoning on Highway 11/Loudon Lenoir City Rd., Map 29-E, "H", Parcel 5.0 from C-2, General Commercial to R-1, Suburban Residential
- (3) Rezoning on Hwy. 11 & Sugar Limb Rd., Map 37, Parcels 11.0, 11.01 & 11.02 from A-1, Agriculture Forestry to M-1, General Industrial

Buford Heath spoke on number two and there being no further comment the hearing closed.

Be it remembered that the Loudon County Legislative Body met in regular session on Monday, March 13, 1989 at 7:15 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 Masingo who gave the Invocation.

The following Commissioners were present:

Blair	Masingo	Petty
Bledsoe	Price	Bryant
Millsaps	Park	Maples

Commissioner Masingo spoke to the Commission concerning the Loss of one of their High School Students in an automobile accident. He ask that the students be remembered in their prayers. Masingo also spoke for Richard McCarter concerning money to repair the Ball Field which was needed very much. It was moved by Commissioner Masingo and seconded by Commissioner Petty that \$1,800.00 be approved for work on the Ball Field. The Vote was unanimous.

It was moved by Commissioner Park and seconded by Commissioner Petty that the Discussion of Smoking in the Court Room be Deferred until next Meeting. The Vote was unanimous.

It was moved by Commissioner Petty and seconded by Commissioner Park that the a Resolution to authorize and appropriate funds for an actuarial study of the cost associated with allowing certain employees to participate in the Tennessee Consolidated Retirement System in accordance with Tennessee Code Annatated 8-35-226 be approved. The vote was unanimous and it is attached hereto as Resolution No. 13-89 Exhibit H.

Concerning the Request of Donations to Miss Teenage America (Junior Miss Scholarship) Commissioner Petty suggested that individuals make donation fo \$10.00 rather than the County, of which they agreed to do.

\$1,800.00
APPROVED
FOR
GREENBACK
BALL FIELD

SMOKING IN
COURTROOM
DEFERRED TO
NEXT
MEETING

RESOLUTION
CONCERNING
STUDY OF
THE TENN
CONSOLID-
ATED
RETIREMENT
PROGRAM

MISS
TEENAGE
AMERICA
JUNIOR MISS
SCHOLARSHIP
CONSIDERED

2ND READING
OF \$300.00
FOR EFFORTS
TO OBTAIN
4-LANING OF
HIGHWAY 411
FROM SOUTH
MARYVILLE
TO GEORGIA
LINE

BOBBY GRIMES
REAPPOINTED
TO PINEY
UTILITY
DISTRICT
COMMITTEE

LITTER
CONTROL
PROPOSALS
DEFERRED
PRICE &
BRYANT
APPOINTED

RESOLUTION
ESTABLISHING
REIMBURSE-
MENT
POLICY
REGARDING
FUNDING OF
MATLOCK
BEND
APPROVED

JOSEPH
WEBB'S
REPORT ON
ANIMAL
SHELTER
PRESENTED

911
COMMITTEE
MEMBERS
ADDED TO
MAKE SEVEN

PROCLAM -
TION FOR
ST. JUDE
CHILDREN'S
RESEARCH
HOSPITAL

It was moved by Commissioner Petty and seconded by Commissioner Petty and second by Commissioner Price that a second reading on the Desposition of (\$300.00) three hundred dollars to the four 4-Lane for 411 Coalition and encourages the Coalition to continue its deligent efforts to obtain for 4-laning of Highway 411 from South Maryville to the Georgia Line be approved. The vote was unanimous.

Mr. Bobby Grimes was reappointed to the Piney Utility District as Director. By County Executive, George Miller. Mr. Graves time had expired and the present Board of Directors recommended that he be reappointed for a 2 year term.

County Executive, George Miller reported there are still some details to be worked out concerning litter control proposals. Action was deferred but Chairman J.J. Blair appointed Commissioner Price and Bryant to the committee working on the matter.

After much discussion, it was moved by Commissioner Park and seconded by Commissioner Petty that a Resolution establishing Reimbursement Policy regarding funding for the construction of a hard surfaced road and a water distribution system in the Matlock Bend Industrial Area of Loudon County be approved. On roll call, the vote was 8 to 1 in favor with Chairman J.J. Blair voting nay. It is attached hereto as resolution NO. 14-89 Exhibit 13.

Concerning a report on the animal shelter, Mr. Joseph R. Webb prepared a c mplete report for the County Executive and Commissioners. It was moved by Commissioner Price and seconded by Commissioner Park that the findings should be turned over to the Advisory Board than brought back to the Commission for a speedy approval. The vote was unanimous. The report is placed in the vault of the County Court Clerk's Office.

It was moved by Commissioner Price and seconded by Commissioner Price and seconded by Commissioner Petty that Davis Denton, L.C. Fire Chief, Rondel Branam, Loudon Fire Chief and Ronnie Willis be added to Emergency 911 Committee making seven members be approved. The vote was unanimous.

It was moved by Commissioner Park and seconded by Commission-
er Maples that a Proclamation read by County Executive
George Miller making the month of April, 1989, as St. Jude
Children's Research Hospital's annual drive in Loudon
County be approved. The vote was unanimous. It is
hereto attached as Exhibit C.

BUDGET
AMENDMENTS
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Petty that the Budget Amendments presented by the Director of Accounts, Nancy Richesin, be approved. The vote was unanimous and they are attached hereto as Exhibit 10.

PLANNING
COMMISSION
REPORT

Mr. Doug Lawrence presented the Planning Commission report which is attached hereto as Exhibit E.

MAP 5,
PARCELS
16.01, 16.1
& 16.2
MAP 8
PARCELS
12.0 &
14.01
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Petty that the rezoning of property on Hickory Creek Road, Map 5, Parcels 16.0, 16.2, & 16.2, Map 8, Parcels 12.0 & 14.01 from R-1 Suburban Residential to C-2, General Commercial (5th Legislative District) be approved. The vote was unanimous and it is attached hereto as Resolution No. 15-89 Exhibit 7.

MAP 37
PARCEL 11.0
ALL OF SAID
PARCEL
BETWEEN TN
RIVER &
SUGAR LIMB
ROAD
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Petty that the rezoning of Property on Highway 11 and Sugar Limb Road, Map 37, Parcel 11.0 (all of said parcel between the Tennessee River and Sugar Limb Road) parcel 11.01 (consisting of all said parcel beyond 350 of Highway 11), and parcel 11.02, from A-1 Agriculture Forestry to M-1 General Industrial. The vote was unanimous and it is attached hereto as Resolution No. 16-89 Exhibit 4.

BUILDING
INSPECTOR'S
REPORT

Mr. Doug Lawrence presented the Building Inspector's Report:

Permits-----22
Fees-----\$1,356.00

Value-----\$734,600
Taxes-----\$5,000

RESOLUTION
AUTHORIZING
APPLICATION
FOR
FINANCIAL
ASSISTANCE
FOR
KIMBERLY-
CLARK
INDUSTRIAL
LOCATION
PROJECT
APPROVED

County Industrial Recruiter, Doug Berry read a Resolution Authorizing Application For Financial Assistance For The Kimberly-Clark Industrial Location Project. It was moved by Commissioner Millsaps and seconded by Commissioner Petty that the Resolution be approved. The vote was unanimous and it is attached hereto as Resolution No. 17.89 Exhibit 7H.

Mr. Berry reported that survey work on the Kimberly-Clark site at Sugar Limb Road had been completed.

COMMISSION-
ER AVERY
PETTY, A
MEMBER OF
BOARD OF
DIRECTORS
OF FIRST
NAT'L
BANK OF
LOUDON
COUNTY

Concerning Commissioner's Avery E. Petty being a member of the Board of Directors of First National Bank of Loudon County, the purpose is, Pursuant to the provision of Tennessee Code Annotated Section 45-2-405 the undersigned hereby confirms prior Oral Notice of the fact that the undersigned is a Director of First Nat'l Bank of Loudon County, 200 E. Broadway, Lenoir City and is serving in state of local government in Tennessee as a County Commissioner, Fifth District, Loudon County. This is being attached hereto as Exhibit C-2.


NOTARIES
APPROVED

It was moved by Commissioner Price and seconded by
Commissioner Petty that the following Notaries be approved:

Ivo Sanders, Peggye A. Wilcox, Royce M. Norman, Rhonda G.
Shubert, W.G. Tatum, Jackie Sartin, & Doyle Arp..

The vote was unanimous.

There being no further business, Court Adjourned at 8:00
P.M.


County Executive

County Court Clerk

STATE OF TENNESSEE



TREASURY DEPARTMENT
CONSOLIDATED RETIREMENT SYSTEM
13TH FLOOR ANDREW JACKSON STATE OFFICE BUILDING
NASHVILLE, TENNESSEE 37219

13-89
A RESOLUTION to authorize and appropriate funds for an actuarial study of the cost associated with allowing certain employees to participate in the Tennessee Consolidated Retirement System in accordance with Tennessee Code Annotated 8-35-226.

WHEREAS, T.C.A. 8-35-226 provides that members of city or county boards, commissions, committees, and councils and the like, by whatever name known, who are elected by popular vote and whose duties are performed intermittently or periodically for the purposes of fixing rates, issuing permits or licenses, regulating trades or professions, or who serve in an advisory, study or planning capacity and the like, shall be eligible for membership in the Tennessee Consolidated Retirement System under the terms and conditions of said act upon approval by the chief legislative body by a two-thirds (2/3) majority vote, and

WHEREAS, prior to such approval an actuarial study to determine the liability associated with such membership and prior service under said act is required; now, therefore,

BE IT RESOLVED, That the _____
(Name of Governing Body)
of _____ hereby authorizes and agrees to pay for
(Name of Political Subdivision)
the cost of an actuarial study associated with membership and prior service pursuant to T.C.A. 8-35-226.

Exhibit A

STATE OF TENNESSEE
COUNTY OF _____

I, _____, clerk of the Board of
_____, of _____, Tennessee do
(Name of Governing Body) (County, City, Town, Etc.)
hereby certify that this is a true and exact copy of the foregoing resolution
that was approved and adopted at a meeting held on the _____ day of
_____, 19____, the original which is on file in this office. I
further certify that _____ members voted in favor of the resolution and
that _____ members were present and voting.

IN WITNESS THEREOF, I have hereunto set my hand, and the seal of the

(Name of Political Subdivision)

As Clerk of the Board, as aforesaid

SEAL

MEMRM00A3

LOUDON COUNTY COMMISSION

RESOLUTION NO. 14-89

RESOLUTION ESTABLISHING REIMBURSEMENT POLICY
REGARDING FUNDING FOR THE CONSTRUCTION OF A HARD SURFACED
ROAD AND A WATER DISTRIBUTION SYSTEM IN THE
MATLOCK BEND INDUSTRIAL AREA OF LOUDON COUNTY

WHEREAS, the Loudon County Commission, hereinafter "County", has previously adopted a resolution of intent to approve development funding not to exceed \$2,300,000.00 for the improvement of the Matlock Bend area of the County by constructing a hard-surfaced road and extending water line improvements; and

WHEREAS, Matlock Bend Development, Inc. (hereinafter "Developer"), in order to enhance the marketability of the Matlock Bend Industrial Area to potential industrial process, has agreed to make a proportionate reimbursement from Developer's land sales to the County for the development funds expended by County;

NOW, THEREFORE, BE IT RESOLVED, by the Loudon County Commission, in regular session assembled on the 13th day of March, 1989, that the County enter into a written agreement with Developer, the agreement to be recorded in the Register's Office and to include the basic terms and conditions as follows:

1. That in consideration of the improvements to be made by Loudon County, the Developer reimburse the County from its land sales an amount not exceeding the total of development funds expended by the County from the proceeds of its bond issue in constructing the presently proposed water line and road improvements in the Matlock Bend area, the obligated amount to include interest incurred by the County on the bonds.

2. That after the initial sales to Malibu Boat Company, Bayou Steel, McKinnon Bridge Company, and McKinnon Pre-Stress Concrete Company, the Developer shall make the payments to the County by first paying fifteen percent (15%) of the sales price, or One Thousand Dollars (\$1,000.00) per acre, whichever is greater, for each and every lot or tract sold or transferred

Cy Yelich B

during the reimbursement period, not to exceed the County's total development cost as defined herein. Said payments will be paid into an interest bearing escrow account controlled by the County. As the County makes its periodic scheduled bond payments in regard to these improvements, the Developer will receive credit first for the items in paragraph 3 below and then funds will be credited from the escrow account as needed to complete the County's scheduled bond payment.

3. That the County shall give additional credit to the Developer on its obligation to Loudon County for funds and revenues received by the County related to the presently proposed improvements in the Matlock Bend area, as follows:

- A. Grants obtained for said improvements;
- B. Fees and revenues reimbursed to the County from local utilities relating to the improvements to this area;
- C. Additional personal and real property tax revenues received from industries which locate in Matlock Bend after this date and which directly uses the improvements made by the County as a part of this Matlock Bend development project.

4. That the Developer be required to deed to the County unencumbered title to all the land needed for the new planned roadway as reasonably determined by the County's engineers to be necessary for the construction of the new Matlock Bend Industrial Road.

5. That the payment requirement by Developer to the County is to be released by the County upon the Developer receiving full credit as provided in this resolution for the construction amount expended by the County. Any balance in the escrow account shall be released to the Developer when said payment requirement has been satisfied.

6. That Developer specifically name and bind all the

properties owned by Developer in Matlock Bend, and properties in which developer and/or the owners of Developer have an interest, all of which are to be included as a part of the Agreement, and to include future acquired properties in Matlock Bend.

7. That Developer, through its attorney, make available for inspection by any County Commissioner on a personal basis, a current certified net worth balance sheet of the stockholders of Developer.

8. That there be a personal guaranty of payment of this reimbursement obligation by the shareholders of Developer.

9. That Loudon County not be required to commence construction of the water tank and lines unless and until:

A. The City of Loudon and Loudon Utilities Board, or other capable utility agency, declares its intent to secure funding to make the necessary improvements to its system so as to be able to provide sufficient water to potential industrial users in the Matlock Bend area.

B. The City of Loudon and Loudon Utilities Board (LUB) or other utility agency, agree to collect a line assessment charge from all customers that connect to the water line constructed by Loudon County, which line assessment charge will be charged on a front footage basis.

C. The City of Loudon and Loudon Utilities Board or other utility agree to collect an acreage charge from the new water customers to recapture the cost of the water tank, the formula for the recapture cost to be determined by an engineer using standard methods.

D. The City of Loudon or other utility agency


agree to pay to the County all monies due under subparagraphs A & B as if the fees and charges were actually collected from the customer, whether or not the fees are actually collected by the City and/or Loudon Utilities Board.

APPROVED:



COUNTY EXECUTIVE

Date

ATTEST:


COUNTY CLERK

PREPARED BY:


COUNTY ATTORNEY



PROCLAMATION

BY THE COUNTY EXECUTIVE

WHEREAS, St. Jude Children's Research Hospital is a center for clinical research and the devoted care of children with catastrophic diseases; and

WHEREAS, it is the first and only institution established for the sole purpose of conducting basic and clinical research into catastrophic childhood diseases; and

WHEREAS, the children who come to St. Jude Children's Research Hospital are afflicted with the most devastating kinds of childhood diseases; and

WHEREAS, St. Jude provides these children the best, most up-to-date medical care available, regardless of their economic status; and

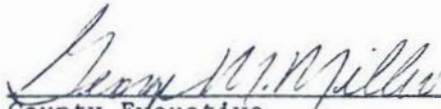
WHEREAS, St. Jude Children's Research Hospital is an immensely valuable national asset, supported primarily by funds from volunteer contributions; and

WHEREAS, it is a haven of healing for stricken children and a source of hope for despairing parents;

NOW, THEREFORE, I, George M. Miller, as County Executive of Loudon County, Tennessee, do hereby proclaim the month of April, 1989, as

St. Jude Children's Research Hospital's Annual Drive

in Loudon County, and urge all our citizens to join me in this worthy observance, to show support and appreciation of this world renown Research Hospital, located in Memphis, Tennessee.


County Executive

ATTEST:


County Clerk

Exhibit C

316

RESOLUTION NO. 1689

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 37, PARCELS 11.0 (ALL OF SAID PARCEL BETWEEN THE TENNESSEE RIVER & SUGAR LIMB RD.), PARCEL 11.01 (CONSISTING OF ALL SAID PARCEL BEYOND 350' OF HWY. 11) AND PARCEL 11.02 FROM A-1, AGRICULTURE FORESTRY TO M-1, GENERAL INDUSTRIAL

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 37 parcels 11.0 (between the Tennessee River and Sugar Limb Rd.), parcel 11.0 (all of said property beyond 350' of Hwy. 11), and parcel 11.02 said property located on Hwy. 11 and Sugar Limb Rd. in the 5th Legislative District be rezoned from A-1, Agriculture Forestry to M-1, General Industrial

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

DATE: 3-6-89


Loudon County Executive

ATTEST: 

A RESOLUTION AUTHORIZING APPLICATION
FOR FINANCIAL ASSISTANCE
FOR THE
KIMBERLY-CLARK INDUSTRIAL LOCATION PROJECT

17-89

WHEREAS, Kimberly-Clark proposes to locate a manufacturing facility in Loudon County, Tennessee; and

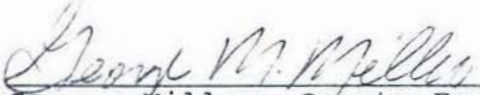
WHEREAS, this industrial location is contingent upon Loudon County being able to provide certain infrastructure improvements to the proposed site; and

WHEREAS, the Economic Development Administration and the Appalachian Regional Commission have grant funds available to provide a portion of the financing to accomplish such infrastructure improvements, as well as other state and federal agencies including the Tennessee Department of Economic and Community Development (TIIP and CDBG programs) and the Farmer's Home Administration.

NOW, THEREFORE BE IT RESOLVED that the County Executive is hereby authorized and directed to file an application with the Economic Development Administration for a grant not to exceed \$1 million and an application with the Appalachian Regional Commission for a grant not to exceed \$500,000.

BE IT FURTHER RESOLVED that the County Executive is hereby authorized and directed to file any and all other applications for federal/state grants and for loans, and to enter into any and all agreements, incur costs and make payments as may be required to effectuate said project.

BE IT FURTHER RESOLVED by the Loudon County Board of Commissioners that Loudon County commits to the issuance of Industrial Revenue Bonds to finance the local share match for said grants.


George Miller, County Executive

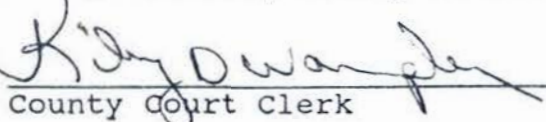

County Court Clerk

Exhibit H

318

3/13/89

(Date)

William A. Hildreth
(CEO of Financial Institution)

Board of Directors

FIRST NATIONAL BANK OF LOUDON CO.
(Bank Name)

FIRST NATIONAL BANK OF L.C.
(Bank Name)

200 East Broadway
(Street Address)

200 East Broadway
(Street Address)

Lenoir City, TN 37771
(City, State, Zip)

Lenoir City, TN 37771
(City, State, Zip)

Honorable George Miller
(CEO of Government Agency)

Loudon County Commission
(Government Board/
Commission/Agency)

County of Loudon
(Agency Name)

Courthouse
(Street Address)

P.O.Box 246 - (River Road)
(Street Address)

Loudon, TN 37774
(City, State, Zip)

Loudon, TN 37774
(City, State, Zip)

Gentlemen:

Pursuant to the provision of Tennessee Code Annotated Section 45-2-405, the undersigned hereby confirms prior oral notice of the fact that the undersigned is (a) (an) Director of First National Bank of Loudon County, 200 East Broadway, Lenoir City, Tennessee, and is serving in state or local government in Tennessee as (a) (an) County Commissioner - Fifth District, Loudon County, Tennessee.
(State your Job) (County)

The purpose of this notice is to reaffirm compliance with the section of the statutes of the State of Tennessee recited hereinabove so that the existence of the dual relationship set forth herein shall not invalidate or adversely affect any sale,

contract or other business transaction between the stated financial institution and the stated governmental unit.

Please make this written confirmation a part of your permanent files or records.

Sincerely,

Avery E. Petty

Es. Hildreth

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