

There was a Public Hearing held at the Loudon County Courthouse at 7:00 P.M., September 11, 1989 concerning:

- (1) Rezoning on Corinth Rd., Map 62, Parcel 84.04 from A-2, Rural Residential to R-1, Suburban Residential.
Nat Campbell spoke concerning this item.
- (2) Rezoning on Harrison & Snodderly Rd., Map 29-I "A", Parcel 7.0 from A-2, Rural Residential to R-1, Suburban Residential
- (3) Rezoning on Hwy. 321, Map 11, Parcel 11.12 from R-1, Suburban Residential to C-1, Rural Center.

There being no further comment, the hearing closed.

Be it remembered that the Loudon County Legislative Body met in a regular session on Monday, September 11, 1989, at 7:15 P.M., with the Chairman, J.J. Blair, presiding and the County Clerk was present, whereupon Sheriff Joe Sims Opened Court, Led the Pledge of Allegiance to the Flag and presented Commissioner Jim Price gave the Invocation.

The following Commissioners were present:

Blair	Price	Petty
Bledsoe	Maples	Masingo
Millsaps	Park	

Commissioner Bryant was absent.

AUGUST
MINUTES
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Bledsoe that the minutes be approved as presented. The vote was unanimous. Commissioner Bryant was absent.

J.J. BLAIR
ELECTED
CHAIRMAN &
AVERY PETTY
ELECTED
CHAIRMAN
PRO-TEM

It was moved by Commissioner Price and seconded by Commissioner Petty that J.J. Blair be elected by acclamation as chairman of the Loudon County Legislative Body. Upon motion by Commissioner Price and seconded by Commissioner Park, Commissioner Petty was elected Chairman Pro Tem by acclamation.

REAPRAISAL
PROGRAM
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Price that a Resolution to approve the reappraisal program in Loudon County. The vote was unanimous and it is attached hereto as Resolution No. 46-89 Exhibit A.

HOUSE OF
REPRESENT-
ATIVES
BILL NO.
2230
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Millsaps that a Resolution Supporting House of Representatives Bill No. 2230 Authorizing The Several States and District of Columbia to Impose Certain Taxes with Respect To Sales of Tangible Personal Property by Nonresident Persons Who Solicit Such Sales be approved. The vote was unanimous and it is attached hereto as RESolution No. 47-89 Exhibit B.

TASS
OPERATING
BUDGET FOR
1989 - 1990
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Masingo that the Tellico Area Service System Proposed Budget for July 1, 1989 - June 30, 1990, be approved. The vote was unanimous and it is attached hereto as Exhibit C.

BOND
RESOLUTION
TO
RE-FINANCE
TASS
APPROVED

Mr. Rick DeLaney of Cumberland Securities spoke to the Commission concerning the Bond Resolution to Refinance TASS. It was moved by Commissioner Price and seconded by Commissioner Petty that the Resolution authorizing the Issuance of Water Revenue and Tax Refunding Bonds, Series 1989 of Loudon County, Tennessee in aggregate principal amount of five hundred twenty thousand dollars (\$520,000); making provisions for the issuance sale and payment of Bonds; establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of tax for the payment of principal and interest thereon under certain conditions be approved. On roll call, the vote was unanimous. Commissioner Bryant was absent.

TELLICO
AREA
SYSTEM
PAYMENT
PLAN
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Bledsoe that the Resolution Establishing Payment Plan For Indepedtness of Tellico Area Service System be approved after correction. The vote was unanimous and it is attached hereto as Resolution No. 48-89 Exhibit D.

BZA
MEMBERS
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Bledsoe that the following be reappointed to the County Board of Zoning Appeals:

John Carnes	1 year term
Jack Denton	2 year term
Charles Harrison	3 year term
Glenn H. Luttrell	4 year term
James Wiggins	5 year term

The vote was 3-0 with Commissioner Bryant absent.

APPOINTMENT
PARK TO
BUDGET
COMMITTEE
APPOINTMENT
JENKINS TO
PURCHASING
COMMITTEE

It was moved by Commissioner Petty and seconded by Commissioner Price that Jerry Park replace County Executive, George Miller, on Budget Committee and that Buddy Jenkins replace Jerry Park on the Purchasing committee. The vote was unanimous.

SUGAR LIMB
INDUSTRIAL
PARK
AGREEMENT
APPROVED

It was moved by Commissioner Millsaps and seconded by Commissioner Petty that a proposed Sugar Limb Industrial Park Agreement between the City of Loudon and Loudon County be approved. The vote was unanimous and the agreement is attached hereto as Exhibit E.

MATLOCK
BEND
AGREEMENT
POSTPONED

County Executive, George Miller asked that the consideration of a proposed Matlock Bend Agreement be postponed pending on opinion from Attorney Bill Russell.

1st READING
OF FOLLOWING

Director of Accounts, Nancy Richesin said, " Let the Minutes Reflect the first reading of Loudon County's Intent to Contribute Funds to the following Non-Profit Organizations: "

Loudon Recreation Department	\$1,500.00
Loudon Quarterback Club	1,500.00
Lenoir City Quarterback Club	1,500.00
Chamber of Commerce-Tourism Division	½ of the
Hotel/Motel Tax Collections Approx.	50,000.00
Tennessee Resource Valley	10,000.00
Loudon County 4-H Club	250.00
Loudon County Industrial Development	60,000.00
Sweetwater Valley Water Shed	2,000.00
Lutrell Recreation Center	1,500.00
Greenback Rescue Squad	40,000.00
Loudon County Rescue Squad	25,000.00

COUNTY
ATTORNEY
HARVEY
SPROUL

County Attorney, Harvey Sproul reported to the Commission that Thompson V Loudon County Lawsuit over jail conditions has been resolved in the county's favor.

MAP 20-1
"A", PARCEL
7-0
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Park that the Rezoning of Property on Harrison and Snodderly Roads, Map 20-1, "A" Parcel 7-0 from A-2, Rural Residential to R-1 Suburban Residential (5th Legislative District) be approved. The vote was unanimous and it is attached hereto as Resolution No. 49-89 Exhibit 7.

FLASHING
LIGHT

Road Supertientend Don Palmer presented a petition of 200 names from Midway Baptist Church for a flashing light on Old Stage Road Intersection of Highway 11. On roll call, the vote was unanimous.

BUILDING
INSPECTOR'S
REPORT

The Building Inspector 's report was given by Doug Lawrence:

Permits-----	46	Est. Value-----	\$7,825,070
Fees-----	\$ 11,331	Taxes-----	86,000

PURCHASING
DEPT. REPORT

County Executive George Miller presented the Purchasing Department Report, stating that the Health Department construction was underway. Bids will be open on Tuesday at Barge Waggoner's Office On Renovation of the Justice Center. Final Plans for the new Juvenile Center have been sent to the State Fire Marshall's Office for approval. It was moved by Commissioner Millsaps and seconded by Commissioner Bledsoe that the Courthouse guttering, elevator and speakers system be sent to the Budget committee. The vote was unanimous.

NOTARIES
APPROVED

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

Helen A. Bailey, Deloris A. Thomas, Jacqueline A. Gallo, Cindy Bettis and Darlene Alexander.

The vote was unanimous.

There being no further business, Court adjourned at 8:20 P.M.

County Executive

County Clerk

R E S O L U T I O N

WHEREAS, Public Chapter 495 of 1989 requires periodic reappraisal of each jurisdiction in Tennessee imposing a property tax, based on an initial schedule developed by the State Board of Equalization; and

WHEREAS, LOUDON County has been scheduled for reappraisal by the State Board of Equalization and directed pursuant to Public Chapter 495 to submit a plan of reappraisal; and

WHEREAS, the law requires the governing body of reappraisal jurisdictions to review the reappraisal plan and communicate to the State Board of Equalization whether said governing body approves or disapproves of such plan; and,

WHEREAS, the county commission of LOUDON County has reviewed the county's proposed reappraisal plan and desires to communicate the results of its review to the State Board of Equalization as required by law; now, therefore,

BE IT RESOLVED BY THE COUNTY COMMISSION OF LOUDON COUNTY, that we hereby APPROVE said plan of reappraisal and (approve) (disapprove) direct that this resolution be forwarded to the State Board of Equalization with such explanatory comments as are approved by the Commission in adopting this resolution.

Resolution duly adopted this 11TH day of SEPTEMBER, 19 89 .


Presiding Officer

Attest:


County Clerk

KJ/clh

Exhibit A

RE: RESOLUTION SUPPORTING HOUSE OF REPRESENTATIVES BILL NO. 2230 AUTHORIZING THE SEVERAL STATES AND DISTRICT OF COLUMBIA TO IMPOSE CERTAIN TAXES WITH RESPECT TO SALES OF TANGIBLE PERSONAL PROPERTY BY NONRESIDENT PERSONS WHO SOLICIT SUCH SALES.

WHEREAS, there is currently in Congress a Bill known as the "Equity in Interstate Competition Act of 1989" which, if passed, will authorize the several States and the District of Columbia to impose certain taxes with respect to sales of tangible personal property by nonresident persons who solicit such sales, and

WHEREAS, catalogue companies are not now required to collect out of state sales tax which results in unfair competition with local merchants, and

WHEREAS, the state of Tennessee loses 49.1 million dollars and local governments in Tennessee lose 13.4 million dollars annually due to this situation, and

WHEREAS, under this Bill a State shall have the power to require a nonresident person to pay or to collect a State sales tax, a local sales tax, or both, imposed with respect to the sale of tangible personal property if (1) the destination of sale is in such State, and (2) such person engages in regular or systematic soliciting of sales in such State and has gross receipts from the sale of such tangible personal property in the United States exceeding \$12,500,000, or in such State exceeding \$500,000 in the 1-year period ending September 30 preceding the calendar year in which the sale that is the subject of such tax occurs, and

WHEREAS, said Bill provides that a State, in which a nonuniform local sales tax is imposed, may elect to require such person to pay a fee, determined at a rate not to exceed the local in-lieu rate, with respect to each transaction to which any local sales tax is imposed under this Act, rather than require a person to pay the actual amount of any nonuniform local sales tax with respect to the sale of tangible personal property, upon such person making the election in accordance with such procedures as such State requires by law, and

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WHEREAS, said Bill further provides that the amount of local sales taxes, and of fees, received under the Act by a State for any period shall be distributed by such State among the local jurisdictions in such State in such amounts and at such times as the State shall require by statute, and

WHEREAS, both the Intergovernmental Committee and the Finance Committee recommend the support of this Bill.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Knox County Board of Commissioners in regular session assembled this 21st day of August, 1989 that this Commission supports House of Representatives Bill No. 2230, a copy of which is attached hereto as Exhibit A, authorizing the several States and the District of Columbia to impose certain taxes with respect to sales of tangible personal property by nonresident persons who solicit such sales.

BE IT FURTHER RESOLVED, this resolution take effect immediately, the public welfare requiring it.

8 approved
0 disapproved
1 Absent


CHAIRMAN


COUNTY EXECUTIVE

_____ approved

_____ vetoed

_____ No action was taken by the County Executive for ten days and the resolution became effective as provided by law.

TELLICO AREA SERVICES SYSTEM

PROPOSED BUDGET

JULY 1, 1989 - JUNE 30, 1990

OPERATING REVENUE:

METER WATER SALES.....	\$420,000.00	
METER TAP.....	\$ 15,000.00	
SERVICE CHARGE.....	\$ 3,000.00	
BANK INTEREST.....	\$ 12,000.00	
TROA.....	\$ 75,000.00	
TELLICO VILLAGE PCA.....	\$ 33,000.00	
MONROE COUNTY.....	\$ 20,000.00	
MISCELLANEOUS.....	\$ 19,000.00	
TOTAL OPERATING REVENUE.....		\$607,000.00

OPERATING EXPENSE:

SALARIES.....	\$ 32,000.00	
GENERAL WAGES.....	\$ 65,000.00	
PAYROLL TAXES.....	\$ 10,000.00	
RETIREMENT.....	\$ 7,000.00	
GROUP INSURANCE.....	\$ 17,000.00	
OFFICE SUPPLIES.....	\$ 1,750.00	
BILLING SERVICE.....	\$ 1,500.00	
TELEPHONE.....	\$ 4,000.00	
POSTAGE.....	\$ 1,500.00	
ADVERT.....	\$ 4,250.00	
LEGAL.....	\$ 10,000.00	
RENTAL (CONCRETE).....	\$ 2,000.00	
WATERLINE INSTALLATION.....	\$ 15,000.00	
METER INSTALLATION.....	\$ 10,000.00	
UTILITIES.....	\$ 65,000.00	
CHEMICALS.....	\$ 25,000.00	
LAB SUPPLIES.....	\$ 5,350.00	
REPAIRS WATER PLANT.....	\$ 30,000.00	
REPAIRS OTHER.....	\$ 10,000.00	
INSURANCE.....	\$ 10,000.00	
VEHICLE EXPENSE.....	\$ 12,000.00	
MILEAGE.....	\$ 250.00	
SALES TAX.....	\$ 9,000.00	
TROA.....	\$ 2,500.00	
MISCELLANEOUS.....	\$ 12,500.00	
COMMISSIONERS FEE.....	\$ 2,600.00	
TOTAL OPERATING EXPENSE.....		\$390,150.00
NET OPERATING EXPENSE.....		\$209,850.00
LESS DEPRECIATION.....		(\$130,000.00)
NET OPERATING INCOME-BEFORE INTEREST.....		\$ 79,850.00
DEPRECIATION.....		\$130,000.00
LESS CAPITAL OUTLAY.....		(\$100,000.00)
LESS OTHER DEDUCTIONS - BONDS & INTEREST.....		(\$105,000.00)
CHANGE IN FUND - BALANCE.....		\$ 4,850.00

LOUDON COUNTY COMMISSION

RESOLUTION NO. 48-89

RESOLUTION ESTABLISHING PAYMENT PLAN FOR INDEBTEDNESS OF
TELLICO AREA SERVICES SYSTEM

WHEREAS, the Tellico Area Services System (TASS), a utility service agency originated and owned jointly by Loudon County and Monroe County; and

WHEREAS, as a part of matching certain Federal and State Grants, and the original cost of constructing the system, each county issued bonds through the Farmers Home Administration; and

WHEREAS, the system was built large enough to serve the development that was expected as a part of the TVA/Tellico Dam Reservoir project, but there was a delay of several years before that project was completed, and during that period TASS was unable to pay the principal and interest on its bonds for approximately four years, resulting in an indebtedness owed by TASS to each county in the amount of approximately \$400,000.00 total; and

WHEREAS, the service revenues are now increasing to TASS, and the TASS Board of Commissioners has requested a definite repayment schedule and designation of the principal amount that each county expects to be repaid, which schedule is expected not to be so burdensome as to inhibit the TASS ordinary business operations of setting aside funds for emergencies, replacement of lines as the system gets older, and extensions as they are needed;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission in regular session assembled on this the 11th day of September, 1989, that the indebtedness owed by the Tellico Area Services System to Loudon County be designated as \$200,000.00, and the repayment schedule be established at \$10,000.00 per year for 20 years, the first payment being due and payable on January 1, 1990, and a like payment on January 1 of each year thereafter until paid in full.


COUNTY CHAIRMAN

APPROVED:


COUNTY EXECUTIVE

ATTEST:



COUNTY CLERK

Exhibit D

INTERGOVERNMENTAL AGREEMENT

The City of Loudon, a political body created by the laws of the State of Tennessee, and being an incorporated city in Loudon County, and the County of Loudon, a political subdivision of the State of Tennessee desire to enter into an Intergovernmental Agreement for the acquisition of approximately 215 acres of the Henry property as an Industrial Park. The City of Loudon and the County of Loudon hereby agree to the following:

- A. Property Acquisition - The City and County will each purchase one-half of the ^{SAID} Henry property currently under an assignable option by the Loudon County Committee of 100.
- B. Sharing in the Cost of Purchasing 200 Acres of the Kimberly-Clark Property - The County absorbed \$459,000 of the land acquisition cost for the first 200 acres purchased by Kimberly-Clark Corporation. In order to provide for the purchase of the Kimberly-Clark property, the County issued bonds. At the time the Kimberly-Clark property is annexed to the City of Loudon, and the City receives property tax payments from Kimberly-Clark, the City will share in the debt payment to retire the \$459,000 of debt in the same ratio the city tax rate is to the County tax rate on property inside the City of Loudon.
- C. Grants and Infrastructure Development - The County will secure and administer the grants for the installation of water lines, sewer lines, road, and railway bed as have been designed and engineered by Barge, Waggoner, Sumner and Cannon.

The County will be responsible for providing the local share for the improvements except for the cost of

Exhibit E

oversizing the 8" water line from Kimberly-Clark to Huff's Ferry Road intersection with Hoskiss Valley Road to a 12" line. ^{The local share of} ^ The oversizing cost will be an obligation of the City of Loudon.

D. Recapture of Local Expenditures:

1. Water - The total local contribution is the City's cost of oversizing the 8" line to a 12" line on Sugar Limb Road and Hoskiss Valley Road and the County's expenditures as the local share of the grants for installing the water lines and tank from the Blair Bend water storage tank to the connection with the water line on Huff's Ferry Road.

The local contribution will be recaptured from line assessment charges collected from customers who connect to the system outside the Industrial Park. The line assessment charges will be based on the cost of installing an 8" line.

The City of Loudon and Loudon County will share in the recapture in proportion to their respective proportions of the total local contributions.

Monies received in excess of the total local contribution will be retained by the City and used exclusively to finance additional river crossings.

2. Sewer - The County will provide the local share for sewer improvements. The County will recapture their costs from an acreage charge assessed against property to be served in the Industrial Park by the lift station and force main.

3. Railroad Bed and Roadway - The local share for the railroad bed and roadway will be provided by the County. The recapture for the local share will be from the sale of the land. The County and City will each purchase one-half of the available acreage at \$7,295 per acre. The local share for the cost of the railroad bed and roadway will be added to the total land acquisition cost. When land is sold, the County and City will share in the proceeds in the same proportion as the City's cost for land acquisition is to the County's cost for land acquisition and the local cost for the railroad bed and roadway.
4. Ownership and Maintenance of Utility Improvements - It is understood the terms of the grant requires the County to retain ownership of the water and sewer system improvements. The City will accept the responsibility for the operation and maintenance of the improvements. The County agrees to sell the improvements to the City and the City agrees to purchase the improvements from the County for the sum of One (\$1.00) Dollar after forty (40) years or at any earlier date the County can sell the system to the City.
5. The entire acreage will be annexed to the City at the discretion of the City.
6. The City and County agree the land will be under joint ownership.
7. The City and County will determine from time to time which body will act as the management and/or fiscal agent for this development.