

NOTICE OF PUBLIC HEARING: There was a Public Hearing held at the Loudon County Courthouse, Monday, July 2, 1990 @ 7:00 P.M. for the Purpose of:

- (1) Rezoning on Lakeside Drive, Map 24, Parcel 63.0 from A-2, Rural Residential to R-1, Suburban Residential
 - (2) Rezoning of Price Road, Map 11, Parcel 480.2 from C-1, Rural Center To A-2, Rural Residential
 - (3) Rezoning on Price Road, Map 11, Parcel 48.01 from A-2, Rural Residential to C-1, Rural Center.
- There being no comment the Hearing Closed.

Be it remembered that the Loudon County Legislative Body met in Regular Session on Monday, July 2, 1990 at 7:10 P.M. with the Chairman, J.J. Blair, presiding and the County Clerk, Riley D. Wampler, was present, whereupon Voyd Corruth opened Court, led the Pledge of Allegiance to the Flag and presented Commissioner Bledsoe who gave the Invocation.

The following Commissioners were present:

Blair	Maples	Masingo
Bledsoe	Price	Petty
Millsaps	Bryant	Parks

MINUTES
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Bryant that the Minutes of June 4th and June 25th be approved as presented. The Vote was unanimous.

NEW
ARMORY

County Executive, George Miller spoke to the Commission concerning the New Armory. He stated that Sgt. Thompson the one he had been talking with was on Vacation but would be back this week.

TERRY
LAUDERMILK
QUIT CLAIM
DEED REFERRED
TO COUNTY
PLANNING
COMMISSION

After much discussion concerning Terry Laudermilk-Quit Claim Deed to Parcel of Land Designated at South O Street (Outside Lenoir City Limits), It was moved by Commissioner Petty and seconded by Commissioner Park that this matter be referred back to the County Planning Commission. The Vote was unanimous.

RENT
RAISED
FROM
\$600.00 TO
\$780.00 PER
MONTH

It was moved by Commissioner Petty and seconded by Commissioner Price that a Resolution authorizing Increase in Lease of Property adjoining County Garage/ Norfolk Southern be increased from \$600.00 per month to \$780.00 per month. The Vote was 8 to 1 in favor with Commissioner Park abstaining.

TWO NAMES
ADDED TO
LOUDON COUNTY
JUSTICE
COMMITTEE
CONCERNING ITS
OPERATION

County Executive, George Miller reported that Joe Satterfield of the City of Loudon, and Richard Johnson of Lenoir City had been appointed to the recently appointed Committee to update and take any necessary revisions to the agreement Governing the Operation of the Loudon County Justice Center.

CHARLOTTE
BRANNON AND
KATHY WALLER
APPOINTED
TO LOUDON
BOARD

It was moved by Commissioner Bledsoe and seconded by Commissioner Masingo that Charlotte Brannon replace Mary Soward (Greenback) and Kathy Waller (Loudon) replace Judy McGill on the Loudon County Library Board. The Vote was unanimous.

INCREASE IN
LITIGATION
TAX
APPROVED

It was moved by Commissioner Petty and seconded by Commissioner Price that a Resolution authorizing Increase in Litigation Tax be approved. On Roll Call the Vote was unanimous and it is attached hereto as Resoluton No 83-90 Exhibit A.

PUBLIC
HEARING FOR
CABLE TV
FRANCHISE
TERM FOR
COOK
CABLEVISION

A Public Hearing was held on the extension of Cable TV Franchise Term for Cook Cablevision. County Attorney, Harve Sproul spoke at length concerning the matter and introduced O. D. Page of Maryland who also spoke to the Commission, about an extention of One Year. He said he would have a report by the middle of the week.

PLANNING
COMMISSION
REPORT

Pat Phillips presented the Planning Commission report which is attached hereto as Exhibit B.

MAP 24
PARCEL
63.0
APPROVED

It was moved by Commissioner Bryant and seconded by Commissioner Price that the consideration of rezoning property on Lakeside Drive, Map 24, Parcel 63.0 from A-2 Rural Residential to R-1 Suburban Residential (6 District approved by Lenoir City Regional Planning Commission 10-0) be approved. The Vote was unanimous and it is attached here to a Resolution No 83-90 Exhibit C.

MAP 11
PARCEL
48.01
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Petty the consideration of Rezoning Property on Price Road Map 11, Parcel 48.01 from A-2 Rural Residential to C-1 Rural Center (5th District) be approved. The Vote was unanimous and it is attached hereto as Resolution No 84-90 Exhibit D.

MAP 11
PARCEL
48.02
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Petty that the consideration of rezoning property on Price Road, Map 11 Parcel 48.02 from C-1 Rural Center to A-2 Rural Residential (5th District) be approved. The Vote was unanimous and it is attached hereto as Resolution No 85-90 Exhibit E.

It was moved by Commissioner Bryant and seconded by Commissioner Price to accept Rd., Built by Gary Hicks as a County Road. The Vote was unanimous. It was then moved by Commissioner Bryant and seconded by Commissioner Bledsoe that the Old Road be Closed but must have letters from neighbors. The Vote was unanimous.

BUILDING
INSPECTORS
REPORT

Mr. Doug Lawrence presented the Building Inspectors Report for June 1990.

Permits	29	Value	\$2,153,700.
Fees	\$3,816.00	Taxes	\$2,816.00

INDUSTRIAL
DEVELOPER
DOUG
BERRY

An upto date report was given by Industrial Developer, Doug Berry concerning the construction wrok at Sugar Limb and Matlock Bend. He also stated that representatives of four new companies have been in town.

NOTARY
PUBLICS
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Petty that the following Notaries be approved. The Vote was unanimous.

Bobby Gene Fields, Diane H. Read, Dianne Watt, Linda L. Huddleston, Paul Ann Baker, Harold E. Proaps, Kelly Guyton Frere, Matthew B. Frere, Desmond T. Lomax, Regina G. Smith, Joanne M. Streiffert, Thelma L. Randby, George Thomas Williams, Sheila C. Walker, Mary E. Goodman and Jean C. Ford.

There being no further Business Court adjourned at 8:50 P.M.

County Executive
George Miller

County Clerk
Riley D. Wampler

State of Tennessee

PUBLIC CHAPTER NO. 637

SENATE BILL NO. 1824

82-90

By Haynes

Substituted for: House Bill No. 1867

By Purcell

AN ACT To amend Tennessee Code Annotated, Section 16-15-5001, relative to consolidated general sessions courts, Section 16-15-5003(f)(3), relative to certain salary adjustments, Section 16-15-5005, relative to extending the filing deadline for certain elections for general sessions judge, and to require the use of salary supplements for non-lawyer judges with juvenile jurisdiction to be used for lawyer referees, Section 16-15-5006, relative to the financial responsibility of counties with a litigation tax established as the method of defraying the costs of paying their general sessions court judges, Section 16-15-5007, to establish the one dollar (\$1.00) litigation tax on each civil case heard by a general sessions judge, rather than on each case filed, and Section 16-15-5008, to clarify that the two dollar (\$2.00) state litigation tax to defray general sessions judges' retirement benefits is to apply to each civil case heard by a general sessions judge and on each criminal conviction in general sessions court.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Subsection (c) of Tennessee Code Annotated, Section 16-15-5001, is amended by adding the following to the end of such subsection:

Each county served by a consolidated general sessions court shall pay its proportional share of the compensation of the judge or judges of the consolidated court based on a ratio established by using the population of the county according to the latest available federal census compared to the population of the counties comprising the consolidated general sessions court using the latest available federal census.

SECTION 2. Tennessee Code Annotated, Section 16-15-5003(f)(3); is deleted in its entirety.

SECTION 3. Tennessee Code Annotated, Section 16-15-5005, is amended by deleting the present language of subsection (b) and substituting instead the following:

Notwithstanding the provisions of this section, if a vacancy occurs in the office of general sessions judge and no licensed attorney appears at the meeting when the vacancy is being filled by the county legislative body and offers himself or herself as a candidate for the office, the vacancy may be filled by a person not licensed to practice law. If no licensed attorney qualifies for an election being held to fill the office of general sessions judge, or the only attorney candidate legally withdraws, the County Election Commission shall extend the qualification deadline for a period of ten (10) days, during which period persons not licensed to practice law may qualify to seek the office of general sessions judge.

SECTION 4. Tennessee Code Annotated, Section 16-15-5005, is amended by adding the following as a new subsection:

() Notwithstanding any provision of law to the contrary, in any county having a non-lawyer general sessions judge, the juvenile jurisdiction salary supplement established by Tennessee Code Annotated, Section 16-15-5003, shall be used to compensate lawyer referees appointed pursuant to Tennessee Code Annotated, Section 37-1-206.

Exp. L. L. A.

SECTION 5. Tennessee Code Annotated, Section 16-15-5006, is amended by deleting the language of the section in its entirety and substituting instead the following:

(a) Each county shall be responsible for paying the base salary, any supplements and any annual adjustments for all of the general sessions judges in such county. Counties, except those having a population of four hundred fifty thousand (450,000) or more according to the 1980 federal census and any subsequent federal census, are authorized to impose a local litigation tax on each civil case filed in general sessions court, or in a court where the general sessions judge serves as judge, except juvenile court, and are authorized to impose a local litigation tax on each criminal conviction in general sessions court. In order for the tax to be effective, it must be approved by a two-thirds (2/3) vote of the county legislative body of any county wishing to impose it. Its approval by the county legislative body must be proclaimed by the presiding officer of such body and certified by him or her to the Secretary of State. The litigation tax authorized by this section may be effective on or after July 1, 1990, and may be in any amount up to six dollars (\$6.00) per case. Proceeds of the litigation tax shall be paid to the county general fund. It is the intent of the General Assembly that the proceeds of this local tax aid in defraying the cost to counties of paying the general sessions court judges. If during any fiscal year, the amount of revenue generated by the local tax enacted pursuant to this section does not sufficiently fund the increase in the general sessions judge's compensation mandated by this part, the local litigation tax may be raised to an amount more than six dollars (\$6.00) necessary to fund the increase mandated by this part.

(b) Any increase in expenditures by a county resulting from the increase provided by this part shall be appropriated from funds that the county receives from the state government that are not earmarked by statute for a particular purpose.

SECTION 6. Tennessee Code Annotated, Section 16-15-5007, is amended by deleting the third sentence of such section and substituting instead the following:

In order to defray the additional expenses the executive secretary will incur in adequately serving the general sessions judges, there is levied a litigation tax of one dollar (\$1.00) on each civil case filed in general sessions court, or in a court where the general sessions judge serves as judge. The litigation tax imposed by this section shall not apply to cases in juvenile court.

SECTION 7. Tennessee Code Annotated, Section 16-15-5008, is amended by deleting the language of the first sentence after "September 1, 1990," in the first sentence of such section and substituting instead the following:


there is imposed a litigation tax in addition to the tax imposed by Tennessee Code Annotated, Section 16-15-5007, of two dollars (\$2.00) on each civil case filed in general sessions court, or in a court where the general sessions judge serves as judge and of two dollars (\$2.00) on each criminal conviction in general sessions court. The litigation tax imposed by this section shall not apply to cases in juvenile court.

SECTION 8. This act shall take effect on becoming a law, the public welfare requiring it.

SENATE BILL NO. 1824

PASSED:


JOHN S. WILDER,
SPEAKER OF THE SENATE


ED MURRAY, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 8th day of March 1990


NED McWHERTER, GOVERNOR

LOUDON COUNTY COMMISSION

RESOLUTION NO. B2-90-A

RESOLUTION IMPOSING LOCAL LITIGATION TAX
AS AUTHORIZED BY T.C.A. 16-15-5006

WHEREAS, the Tennessee General Assembly has made the office of General Sessions Judge a full-time job, and has improved the salaries and benefits and strengthened the qualifications necessary to run for and hold the office; and

WHEREAS, Public Chapter No. 637 of the Public Acts of the Tennessee General Assembly for 1990 (amends Tennessee Code Annotated, Section 16-15-5006), authorizes the County legislative body to institute a local litigation tax on each civil case filed in General Sessions Court, and on each criminal conviction in General Sessions Court, and authorized the tax to be levied in the amount of \$6.00 per case, with the litigation tax to be paid into the County General fund, for the purpose of defraying the cost to the counties of paying salaries for the General Sessions Court Judges; and

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 2nd day of July, 1990, that a local litigation tax is hereby levied on each civil case filed in General Sessions Court, and on each criminal conviction in General Sessions Court, the amount of the tax being set at \$6.00 per case, as authorized by statute, the proceeds from the tax to be paid into the County General Fund.

BE IT FURTHER RESOLVED this tax must be adopted by a two-thirds vote of this body to become effective, and the adoption thereof must be certified by the presiding officer to the Tennessee Secretary of State, as provided by said Public Act. The effective date for collection shall be September 1, 1990.

COUNTY CHAIRMAN

J. J. Blair

APPROVED:

J. J. Blair
COUNTY CHAIRMAN

ATTEST:

Philip P. Wampler
COUNTY CLERK

PREPARED BY:

Harvey L. Sprad
COUNTY ATTORNEY



Loudon County Regional Planning Commission

P.O. Box 48
Loudon, Tennessee 37774

TO: County Executive George Miller and Loudon
County Commission

FROM: Patrick Phillips

DATE: July 2, 1990

SUBJECT: General Report

The Loudon County Regional Planning Commission met on
June 14, 1990 to discuss and recommend the following:

LCRPC

- Recommended rezoning of property on Lakeside Drive, Map 24, Parcel 63.0 from A-2 to R-1
- Recommended rezoning of property on Price Road, Map 11, Parcel 48.02 from C-1 to A-1
- Recommended rezoning of property on Price Road, Map 11, Parcel 48.01 from A-2 to C-1
- Approved FY '90 - '91 budget
- Discussed zoning amendments
- Heard building commissioner's report for May
- Recommended zoning amendment for Litter and Refuse regulations

PP:cl

(615)458-4470

Exp. Subst. B

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RESOLUTION NO. 83-90

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 24, PARCEL 63.0, FROM A-2, RURAL RESIDENTIAL TO R-1, SUBURBAN RESIDENTIAL

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

WHEREAS, the 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 24, Parcel 63.0, said property located on Lakeside Drive in the 6th Legislative District be rezoned from A-2, Rural Residential to R-1, Suburban Residential

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

DATE: July 2, 1990

Loudon County Executive

ATTEST: _____

Exhibits C

RESOLUTION NO. 84-90

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 11, PARCEL 48.01 FROM A-2, RURAL RESIDENTIAL TO C-1, RURAL CENTER

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

WHEREAS, the 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 11, Parcel 48.01, said property located on Price Road in the 5th Legislative District be rezoned from A-2, Rural Residential to C-1, Rural Center

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

DATE: July 2, 1990

Loudon County Executive

ATTEST: _____

E. L. L. L.

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RESOLUTION NO. 85-90

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 11, PARCEL 48.02 FROM C-1, RURAL CENTER TO A-2, RURAL RESIDENTIAL

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

WHEREAS, the 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 11, Parcel 48.02, said property located on Price Road in the 5th Legislative District be rezoned from C-1, Rural Center to A-2, Rural Residential

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

DATE: July 2, 1990

Loudon County Executive

ATTEST: _____

Epiphany E.