

Be it remembered that the Loudon County Legislative Body met in Regular Session on Monday, February 4, 1991, at 7:00 P.M. with the Chairman, J.J. Blair, presiding and the County Clerk, Riley D. Wampler was present, whereupon Sheriff Tim Guider Opened Court, led the Pledge of Allegiance to the Flag and presented Charles Taylor, who gave the Invocation.

The following Commissioners were present:

Bledsoe	Price	Maples
Blair	Park	Williams
Masingo	Twiggs	

Commissioner Milsaps was absent.

JANUARY 1991  
MINUTES  
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Park that the January 7, 1991 Minutes be approved as presented. The vote was unanimous.

COURTHOUSE  
FEASABILITY  
COMMITTEE &  
FIRE PROTECT  
ION NEEDS  
COMMITTEE  
NOT READY TO  
REPORT

Concerning the Courthouse Feasability Study Committee, County Executive, George Miller said the Committee was not ready to make a report yet. He also stated that the Committee working on the Fire Protection needs were not ready to report.

BOTTLE BILL  
RESOLUTION  
DENIED

After much discussion, it was moved by Commissioner Williams and seconded by Commissioner Maples that a Resolution requesting the General Assembly to pass the "BOTTLE BILL" Regulations be denied. On Roll Call, the vote was 6 to 2 in favor with Commissioner Price and Commissioner Twiggs voting nay.

RESOLUTION  
CORRECTING  
THE TERMS OF  
MEMBERS OF  
LOUDON CO.  
SHERIFF'S  
MERIT BOARD  
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Price that a Resolution correcting mistakes in Resolution No. 105-90 concerning the Terms of the Members of the Loudon County Sheriff's Merit Board be approved. The vote was unanimous and it is attached hereto as Resolution No. 1-91 Exhibit A.

RESOLUTION  
REAPPOINTING  
MEMBERS TO  
PANEL A OF  
EMERGENCY  
9-1-1 BOARD  
APPROVED

It was moved by Commissioner Masingo and seconded by Commissioner Park that a Resolution of appointing/reappointing members to Panel A of the Emergency 9-1-1 Board be approved. The vote was unanimous and it is attached hereto as Resolution No. 2-91 Exhibit B.

NATIONAL  
GUARD  
ARMORY  
DISCUSSED

Letters were sent to the Commission from the County Executive's Office concerning the removal of the old buildings where the National Guard Armory is to be built. After much discussion concerning the matter, the Commission requested the County Executive to have someone from Nashville representing the National Guard Armory be at the next County Court Meeting to discuss the removal of the building.

JERRY MASINGO RE-PLACES CO. EXECUTIVE ON LO.CO. SOLID WASTE DISPOSAL COMMITTEE

In the absence of Commissioner Milsaps, Commissioner Williams read a Fact Finding Committee Report of the Loudon County Landfill which is attached hereto as Exhibit C. County Executive, George Miller, has appointed Jerry Masingo to replace him on the Loudon County Solid Waste Disposal Committee.

CO. ATTORNEY TO INVESTIGATE LANDFILL CONTRACT

It was moved by Commissioner Williams and seconded by Commissioner Park that the County Attorney investigate the Landfill Contract to determine if Santex is suppose to cover waste daily and if so, whether it is justified for the Solid Waste Disposal Commission to pay additional compensation for Special Waste from Metal Resource Co. The vote was unanimous.

FEASABILITY STUDY OF LAND BELONGING TO LOUDON CO.

Commissioner Maples presented a good report concerning the Feasability Study of Land belonging to Loudon County stating that the Committee had looked at several places and that they ask Road Supertindent Don Palmer and the Purchasing Agent to work with the Committee; also Doug Berry will be working with the Committee.

SUPREME COURT DENIED APPEAL OF LOUDON CO. V ENTERPRISE WASTE OIL CO.

County Attoreny, Harvey Sproul reported on the status of Loudon County Enterprise Waste Oil Co. saying that he had received a notification from the Supreme Court Clerk's Office that the Supreme Court had declined to hear any further appeal from Enterprise Waste Oil Company.

He reported that a Suit is being filed against the members of the County Commission concerning the Huff Ferry Road.

BUILDING INSPECTOR'S REPORT

Building Inspector, Doug Lawrence presented his report:

Fees	\$1,069.00	Value	\$633,000.00
No. Permits	24	Taxes	4,300.00

CONVIENCE CENTER APPROVED

After much discussion concerning a Convience Center, it was moved by Commissioner Park and seconded by Commissioner Williams that a Convience Center be built in North Loudon County off 321 on Garner Property and be funded from the Landfill Fund and be operated out of the General Fund when funds are available. On roll call, the vote eas 7 to 1 in favor with Commissioner Masingo voting nay.

NOTARIES APPROVED

It was moved by Commissioner Price and seconded by Commissioner Williams that the following Notaries be approved: Alice Faye Vest, K. Rene Anderson, Robin Wheeler, Rhonda M. Ballard, Terry C. McGill, Patricia T. Clark, Mary Jean Ashton, R. Sonnenfeldt, William T. Custead and Sue Spoon. The vote was unanimous.

There being no further business, Court adjourned at 8:55 P.M.

COUNTY EXECUTIVE,  
GEORGE MILLER

RILEY WAMPLER,  
COUNTY CLERK

267

LOUDON COUNTY COMMISSION  
RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR COMMITTEE  
APPOINTMENT BY COUNTY EXECUTIVE

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Executive has authority to make certain committee and board appointments; and

WHEREAS, an appointment (or appointments) is necessary and/or desirable at this time; and


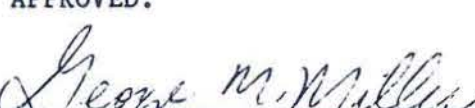
WHEREAS, the County Executive appoints the following as a member of:

"SHERIFF'S MERIT SERVICES BOARD"  
(Name of Committee or Board)

<u>Appointee</u>	<u>Term Expiration</u>
<u>Slot (A) Lynn Millsaps</u> <u>(completing Commissioner Bryant's term)</u>	<u>8-31-92</u>
<u>Slot (C) Jim Blair</u> <u>(reappointed to a 3 year staggered term)</u>	<u>8-31-94</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 4th day of February, 1991, hereby approves or acknowledges (as appropriate), the said appointment(s).

ATTEST:  
  
COUNTY CLERK

  
COUNTY CHAIRMAN  
APPROVED:  
  
COUNTY EXECUTIVE

The remaining members and their continuing expiration terms for said board or committee are as follows:

	<u>Term Expiration</u>
<u>Slot (B) Jerry Masingo</u> <u>(completing third 3 year staggered term)</u>	<u>8-31-93</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Exhibit A

LOUDON COUNTY RESOLUTION

RESOLUTION NO. \_\_\_\_\_

RESOLUTION CORRECTING MISTAKE IN RESOLUTION NO. 105-90  
CONCERNING THE TERMS OF THE MEMBERS OF THE LOUDON COUNTY  
SHERIFF'S MERIT BOARD

WHEREAS, on October 4, 1990, this commission adopted a resolution clarifying the status of the terms of the members of the Loudon County Sheriff's Merit Board and appointing a new member to the Board; and

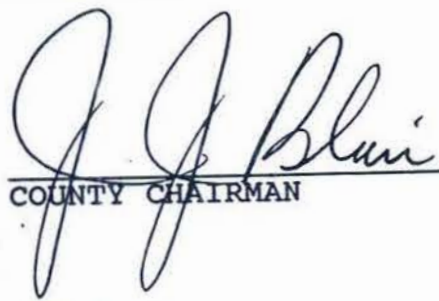
WHEREAS, it now has been determined that Exhibit 1 to Resolution No. 105-90 was incorrect in that it analyzed the members and their terms based upon a starting date of the Merit Service Board in 1972, when in fact the Loudon County Quarterly Court established a study committee in 1972, and did not adopt the Merit Service regulations, after action by the Tennessee General Assembly, until June 4, 1973, which then became effective as of September 1, 1973; and

WHEREAS, accordingly, Exhibit 1 shows the terms of the present members of the Board as expiring a year earlier than they actually do; and

WHEREAS, in fact, the term of J. J. Blair in Slot C does not expire until 1991; and the term of Lynn Millsaps, replacing Al Bryant on the Merit Service Board, actually expires in 1992; and Jerry Masingo is appointed effective September 1, 1990, to a new three-year term;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled, on the 4<sup>th</sup> day of February 1991, that Resolution No. 105-90 is corrected to show that Lynn Millsaps is appointed to the Board (Slot A) to replace Al Bryant for the period covering from 1990 through September 1, 1992, and that the term of J. J. Blair (Slot C) continues on to September 1, 1991, and further that the historical record concerning previous membership of the Board is corrected as shown on the attached Exhibit 1.

This resolution shall take effect immediately, the public welfare requiring it.

  
COUNTY CHAIRMAN

APPROVED:

  
COUNTY EXECUTIVE

ATTEST:

  
COUNTY CLERK

PREPARED BY:

  
COUNTY ATTORNEY

Exhibit 1

RECORD OF MEMBERSHIP OF LOUDON COUNTY MERIT BOARD  
(Terms are effective as of September 1 of applicable years)

September 1, 1990

<u>Slot A</u>	<u>Slot B</u>	<u>Slot C</u>
<u>R. P. Hamilton</u> 1973-74 1974-77 1977-78	<u>Curtis Williams</u> 1973-75 1975-76	<u>J. J. Blair</u> 1973-76 1976-79 1979-82 1982-85 1985-88 1988-91
<u>J. Will Jones</u> 1978-80 1980-82	<u>J. G. Hudson</u> 1976-78 1978-81 1981-82	
<u>Al Bryant</u> 1982-83 1983-86 1986-89 1989-90	<u>Jerry Masingo</u> 1982-84 1984-87 1987-90 1990-93	
<u>Lynn Millsaps</u> 1990-92		

LOUDON COUNTY COMMISSION  
RESOLUTION NO. 2-91

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR COMMITTEE  
APPOINTMENT BY COUNTY EXECUTIVE

**WHEREAS**, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Executive has authority to make certain committee and board appointments; and

**WHEREAS**, an appointment (or appointments) is necessary and/or desirable at this time; and

**WHEREAS**, the County Executive appoints the following as a member of:

<u>"EMERGENCY 9-1-1 BOARD"</u> (Name of Committee or Board)	
<u>Appointee</u>	<u>Term Expiration</u>
<b>Panel A:</b>	
Tim W. Guider	2-5-95
Bill Grimes	2-5-95
Larry Horion	2-5-95

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 4th day of February, 1991, hereby approves or acknowledges (as appropriate), the said appointment(s).

*J. J. Blair*  
\_\_\_\_\_  
COUNTY CHAIRMAN

ATTEST:  
*Ruby D. Wampler*  
\_\_\_\_\_  
COUNTY CLERK

APPROVED:  
*Georg M. Miller*  
\_\_\_\_\_  
COUNTY EXECUTIVE

The remaining members and their continuing expiration terms for said board or committee are as follows:

	<u>Term Expiration</u>
<b>Panel B:</b>	
Tony Akins	2-5-92
David Denton	2-5-92
Lloyd "Sonny" Terry	2-5-92
<b>Panel C:</b>	
Rondell Branam	2-5-93
Ron Willis	2-5-93
John Parris	2-5-93

Loudon County Commission  
Fact Finding Committee Report  
Loudon County Landfill

In October 1990 Loudon County Executive, George Miller, appointed a Fact Finding Committee to Study Loudon County's liabilities and fiscal responsibilities associated with the Loudon County Landfill. The fact finding committee was chaired by Commissioner Lynn Milsaps. Members of the committee were Commissioners Jim Price and Mary Williams.

These findings were determined after talking to Jack Crabtree, State Solid Waste Office in Knoxville, State Solid Waste CTAS and CTAS Legal Services.

Committee Findings:

(1) The Loudon County Landfill is deeded to Loudon County and the State Operating Permit is issued to Loudon County. Currently Loudon County is totally responsible for all Liability associated with the Landfill.

(2) The Loudon County Commission has no oversight of the Landfill, nor can there be any according to the current agreements with the cities of Lenoir City and Loudon.

(3) Operation of the Landfill comes under the oversight of the Loudon County Solid Waste Commission. Representation on this commission is made up of the County Executive and representatives from the cities of Lenoir City and Loudon. In this position the County Executive does not report to the Loudon County Commission.

(4) The Solid Waste Commission makes no report to the Loudon County Commission.

(5) The Landfill is operated by Santek under Contract to the Solid Waste Commission.

(6) A Fynt Engineering study reflects that in the last year the landfill lost 3-4 years capacity due to improper waste compaction. If this type of operation is continued the landfill's useful life will be significantly decreased.

(7) Loudon County's Liability for the Landfill will continue for 30 years after it's closure.

*E. H. C.*

Loudon County Commission  
Fact Finding Committee Report  
Loudon County Landfill  
Page 2

(8) The landfill operator is being paid approximately \$1000 per week above the contract value for daily covering of waste. Mr. Crabtree of the State Solid Waste Commission stated that Mr. Baker of the Solid Waste Commission was aware of the State Regulation for covering special waste when the city of Loudon operated the landfill. He further stated that Mr. Ed Smith with Santek was aware of this regulation because he had served on the Loudon County Solid Waste Commission before being employed by Santek.

Recommendations:

(1) The landfill operator will be paid approximately \$50,000 per year above the contract value for daily waste covering if it continues as is. The committee recommends that the Loudon County Commission direct the County Attorney to investigate this issue and file a formal report of his findings with the Loudon County Commission.

(2) The two cities (Lenoir City and Loudon) should be put on the Deed of this property and on the State Operating Permit so that the liability would be shared equally.

(3) The County Executive should be required to report monthly to the Loudon County Commission. This report should include sufficient information and detail that the Commission is assured that: (1) The landfill is being operated in a manner to minimize Loudon County's current and future liability; (2) The landfill is being operated in a manner to assure the maximum cost effect life at a minimum cost to the county; and (3) The landfill operator is being paid in accordance with the contract.

The Fact Finding Committee ask that this report be entered into the records of this meeting and that this committee be dissolved.

---

Lynn Milsaps, Chairman