

Be it remembered that the Loudon County Legislative Body met in Regular Session on Monday, March 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 Sam Lambert, who gave the Invocation.

The following Commissioners were present:

Bledsoe
Blair
Masingo

Price
Park
Twiggs

Maples
Willaims
Milsap

FEBRUARY
MINUTES
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Masingo that the minutes be approved as presented. The vote was unanimous.

QUESTIONS
CONCERNING
MATLOCK
BEND TO BE
ANSWERED IN
WRITTING

Aileen Longmire presented 10 questions concerning Matlock Bend that the citizens of Loudon County would like an answer to. County Attorney Sproul, and County Executive, George Miller, will answer the questions in writing. The ten questions are attached as Exhibit A.

NATIONAL
GUARD
ARMORNY

County Executive, George Miller in a meeting with Loudon City Council presented a financial request from the Loudon County Commission to help fund the New National Guard Armory to be built at the Old Eaton's Cross Roads School. County Executive Miller said currently the county has contracted to contribute \$100,000 to the property and the City of Lenoir City will contribute \$50,000. He stated that Lenoir City officials think the City of Loudon should share in some of the cost.

4-MEMBERS
APPOINTED
TO AG/COM-
MITTEE

It was moved by Commissioner Bledsoe and seconded by Commissioner Williams that the Re-appointing of Commissioner Park, Commissioner Lynn Milsaps, Mary Grace James, and Neil Ward by County Executive, George Miller to serve two years on the Ag/Committee be approved. The vote was unanimous and it is attached hereto as Resolution No. 3-91 Exhibit B.

TWO NEW
MEMBERS
ADDED TO
INDUSTRIAL
DEVELOPMENT
BOARD

It was moved by Commissioner Millsaps and seconded by Commissioner Bledsoe that a Resolution Increasing Membership by (2) of the Industrial Development Board be approved. The vote was unanimous and it is attached hereto as Resolution No. 4-91 Exhibit C.

AMES ON
INDUSTRIAL
DEVELOPMENT
BOARD

Resolution approving appointments by County Executive
George Miller of Panel A:

Bob McBride Term Expiration 11-17-94

Panel B:

Lucinda Johnson Term Expiration 11-17-94

These are to be added to the (7) members already on the
Industrial Development Board of Loudon County, Inc.

The Resolution is attached hereto as Resolution No. 5-91
Exhibit 4.

COMMISSIONER
TWIGGS
REPORT ON
SOLID WASTE

Commissioner Twiggs presented a most informative report
concerning a meeting he attended at Nashville on Solid Waste
Management (The Proposed Funding of Solid Waste).
The report is attached hereto as Exhibit 6.

LEQUIRE ADDED
TO OCTOBER 1,
1990 MINUTES
RESOLUTION

It was moved by Commissioner Masingo and seconded by Commis-
sioner Price that Johathan Lequire, Tass Plant Foreman be added
to the October 1, 1990 Resolution which authorizes those
listed on said Resolution to Purchase State Surplus Property.

MEMBERS OF
REAL PROPERTY
& ACCESSMENT
COMMITTEE
APPOINTED

A Resolution was presented by County Commissioner George
Miller to appoint Building Inspector, Doug Lawrence, Commis-
sioner Twiggs, Commissioner Masingo, and Planning Commissioner
Pat Phillips as Members of Real Property (Including Surplus)
and ACESSMENT Committee to be approved. The vote was unanimous.
Resolution # 6-91 Exhibit F are attached.

DIRECTOR OF
ACCOUNTS
CONCERNING
RETIREMENT

Director of Accounts, Nancy Richesin announced to the
Commission Meeting to be March 20, 1991 at 7:00 P.M. at the
County Office Building concerning the results of the
Acturial Study of the Membership of the Retirement System.

COUNTY
ATTORNEY
A.

County Attorney, Harvey Sproul reported on pending litigation
as follows:

County Attorney, Harvey Sproul, reported on the pending liti-
gation in the case of Loudon County v. Enterprise Waste Oil
Company. The Tennessee Supreme Court has refused to grant
permission for Enterprise Waste Oil Company to appeal.
Attorney Sproul understands, however, that the attorney for
defendant intends to file a Petition for Certiorari
(similat to "permission to appeal") to the United States
Supreme Court.

B.

Concerning the recently filed case of Dr. James Guider v
County Commission, in reference to Huff Ferry Road, Attorney
Sproul will not represent the County because of a conflict of
interest. However, he has reported the case to the the
County's liability insurance carrier in the hope that this
type of suit is covered under the County policy, and that
the insurance company will provide a defense. If not, then
the County will have to retain its own independent attorney.

- C. Attorney Sproul gave a detailed review of the County's status with the cable television negotiations, emphasizing that the County probably would have no real standing to award a cable franchise entirely on its own because the County residents are in the "fringe" areas, and the primary franchises will be awarded by the Cities of Lenoir City and Loudon. Loudon is still considering whether or not to attempt to construct its own system, and Lenoir City has taken initial steps to make a franchise award to Advance Cable Company, and has not yet officially considered the Cooke Cable proposal, which probably will be considered at their next meeting. There was a considerable amount of discussion from the commission members.
- D. Attorney Sproul advised that he felt that it was within the prerogative of the County Purchasing Agent to award a bid to the low bidder for the demolition of the portion of the Eaton School that was to be torn down, even though the low bidder was not licensed at the time the bids were opened, inasmuch as in Attorney Sproul's opinion, "demolition" was not legally included in the State regulations as an activity requiring a construction contractor's license.

BUILDING
INSPECTORS
REPORT

Building Inspector, Doug Lawrence reported:

Permits-----	23	Value-----	\$646,500.00
Fees-----	\$ 1,156.00	Taxes-----	\$ 4,524 .00

OLD FERRY
ROAD CHANGED
TO GLENDALE
COMMUNITY
ROAD

It was moved by Commissioner Masingo and seconded by Commissioner Millsaps that a request to change the name of Old Ferry Road to Glendale Community Road be approved. The vote was unanimous.

TOM CALPON-
CABLE TV

In the absence of Mr. Larry Perry, Mr. Tom Calpon - Advance Cable-spoke to the Commission concerning Cable TV Franchise for Loudon County. That the Commission has the best interest of the county to have something that can be expandable. He said he would be glad to meet with the committee anytime.

COOK
CABLEVISION

Jerry Parker spoke for Cook Cablevision concerning proposals to be build for new franchises for Loudon County. He also said he would meet with the Committee.

CABLE TV
COMMITTEE

County Executive, George Miller, appointed Commissioner Bledsoe, Park and Twiggs to be added to the Cable TV Committee. The Resolution is attached hereto with all names as Resolution No. 7-91 Exhibit 21.

RESOLUTION
CONCERNING
REPLACEMENT
OF TENNESSEE
RIVER BRIDGE
AT LOUDON

It was moved by Commissioner Millsaps and seconded by Commissioner Maples that a Resolution of the Loudon County Commission Requesting Assistance in the replacement of the Tennessee River Bridge at Loudon, Tennessee be approved. The vote was unanimous and it is attached hereto as Resolution No. 8-91 Exhibit 24.

EASTMAN
CHEMICAL CO
EXEMPTED
FROM ESCRO
DEPOSIT -
RESOLUTION
TO BE PRE-
PARED

It was moved by Commissioner Millsaps and seconded by Commissioner Park that approximately a 54 acre tract of land sold by Matlock Bend, Inc. to Eastman Chemical Co. be exempt from the provisions of the June 13, 1989 Contract with Loudon County, which required an Escrow Deposit of \$1,000.00 per acre, and that the County Attorney prepare a Resolution for Ratification to be adapted at the next meeting of the County Commission. On Roll Call the vote was 6 to 2 in favor with Commissioner Blair and Twigs voting against it and Commissioner Maples abstaining.

RESOLUTION
CONCERNING
MILITARY
RESERVIST
EMPLOYED
BY LOUDON
COUNTY
APPROVED

It was moved by Commissioner Williams and seconded by Commissioner Millsaps that a Resolution Regarding Pay and Benefits off Military Reservists in the Employ of Loudon County called up for service in Operation Desert Shield and Operation Desert Storm be approved. The vote was unanimous and it is attached hereto as Resolution No. 9-91 Exhibit 2.

NOTARIES
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Park that the following Notaries be approved:
Sandra H. Hurst, Angela Vance Rogers, Ruth Hildreth, and Charlotte Lawson.
The vote was unanimous.

COURT
ADJOURNED

There being no further Business Court adjourned at 9:15 P.M.

County Executive

County Court Clerk

BELOW IS A LIST OF QUESTIONS WHICH THE CITIZENS OF LOUDON COUNTY DESERVE TO HAVE ANSWERED BY THE COUNTY COMMISSIONERS AND THE COUNTY EXECUTIVE.

1. BY WHAT AUTHORITY HAS LOUDON COUNTY ENTERED INTO THE LENDING OF MONEY FOR THE IMPROVEMENT OF PRIVATE PROPERTY? (2.3 million dollars)
2. BY WHAT AUTHORITY HAS LOUDON COUNTY TRANSFORMED ITSELF INTO A GRANTING AUTHORITY BY WAIVING THE REQUIREMENT FOR REPAYMENT OF SUCH FUNDS? (2.3 million dollars)
3. BY WHOM WAS THE SECOND AGREEMENT DRAWN UP? THIS PIECE OF INFORMATION SEEMS TO HAVE BEEN OMITTED FROM THE SECOND AGREEMENT.
4. WHEN WAS THE SECOND AGREEMENT ACTED UPON BY THE FULL COUNTY COMMISSION?
5. IT HAS BEEN REPORTED THAT COUNTY COMMISSION WAS ADVISED IN 1989 THAT THE FIRST AGREEMENT WAS ILLEGAL. WHY DID COUNTY COMMISSION PROCEED TO EXECUTE THE AGREEMENT?
6. IF THE LENDING OF PUBLIC FUNDS FOR THE DEVELOPMENT OF PRIVATE PROPERTY WAS DEEMED ILLEGAL BY THE STATE ATTORNEY GENERAL'S OFFICE, WHAT IS THE RULING ON THE GRANTING OF PUBLIC FUNDS FOR THE MONETARY BETTERMENT OF PRIVATE INDIVIDUALS?
7. HOW CAN COUNTY COMMISSION JUSTIFY TO THE PEOPLE OF LOUDON COUNTY THE FACT THAT THEY HAVE EFFECTIVELY PLACED 2.3 MILLION DOLLARS IN PUBLIC FUNDS INTO THE POCKETS OF PRIVATE CITIZENS?
8. IF THE FULL COUNTY COMMISSION HAS NOT VOTED ON THE ACCEPTANCE OF THE SECOND AGREEMENT, BY WHAT AUTHORITY WAS IT SIGNED AND EXECUTED?
9. WHAT DOES LOUDON COUNTY COMMISSION INTEND TO DO IN THE WAY OF DETERMINING THE ORIGIN OF THIS SECOND DOCUMENT WITH REGARD TO LEGAL LIABILITY?
10. THE TAXPAYERS OF LOUDON COUNTY DESERVE FULL ACCOUNTS OF THE GENEROUS ACTING TAKEN BY THEIR ELECTED COMMISSIONERS AND THEIR COUNTY EXECUTIVE WHO SIGNED THESE AGREEMENTS. WHERE IS THE 2.3 MILLION DOLLARS, AND HOW IS IT GOING TO BE RETURNED TO THE PEOPLE FROM WHOM IT WAS TAKEN, THE CITIZENS OF LOUDON COUNTY?

LOUDON COUNTY COMMISSION
RESOLUTION NO. 3-91

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:

COUNTY EXTENSION COMMITTEE
(Name of Committee or Board)

<u>Appointee</u>	<u>Term Expiration</u>
Jerry W. Park	1993
E. Lynn Millsaps	1993
Mary Grace James	1993
Neil Ward	1993

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

ATTEST:

COUNTY CLERK

J. J. Blair
COUNTY CHAIRMAN

APPROVED:

George M. Miller
COUNTY EXECUTIVE

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

	<u>Term Expiration</u>
Jerry Masingo	1991
Betty Goddard	1992
Broadly Harrison	1992

Exhibit B

LOUDON COUNTY COMMISSION

RESOLUTION INCREASING MEMBERSHIP OF
INDUSTRIAL DEVELOPMENT BOARD

4-91

~~WHEREAS~~, the Loudon County Quarterly Court on _____ established and created the Industrial Development Board of Loudon County, Inc., and established the number of members of the Board of Directors at seven (7); and

~~WHEREAS~~, the Loudon County Commission desires to increase the number of members to nine (9), and to establish an additional member to Panel A (Bob McBride) with a term expiration date of November 17, 1994, and an additional member to Panel B (Lucinda Johnson) with a term expiration date of November 17, 1992;

NOW, THEREFORE, BE IT ~~RESOLVED~~ by the Loudon County Commission in regular session assembled on this 4th day of March, 1991, that the number of members of the Industrial Development Board of Loudon County, Tennessee, Inc., is expanded to nine (9) members, with a new member to be added to Panel A with a term expiration date of November 17, 1994, and an additional member to be added to Panel B with a term expiration of November 17, 1992.

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

ATTEST:


COUNTY CLERK

APPROVED


COUNTY CHAIRMAN


COUNTY EXECUTIVE

PREPARED BY:

COUNTY ATTORNEY

Exhibit C

LOUDON COUNTY COMMISSION
RESOLUTION NO. 5-91

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:
(INDUSTRIAL DEVELOPMENT BOARD of LOUDON COUNTY, INC.)

LOUDON COUNTY INDUSTRIAL BOND BOARD
(Name of Committee or Board)

<u>Appointee</u>	<u>Term Expiration</u>
Panel A: Bob McBride	11-17-94
Panel B: Lucinda Johnson	11-17-92

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 4th day of March, 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>
Panel A: James Thomason	11-17-94
Bill Russell	11-17-94
Panel B: Tom Myers	11-17-92
Ted Wampler, Jr.	11-17-92
Panel C: Bruce Martin	11-17-96
Harry W. Wampler	11-17-96
J. Y. McNabb	11-17-96

Exhibit A

281

SB 1385/HB 1252 SOLID WASTE MANAGEMENT
ACT OF 1991

1. PROPOSED FUNDING - State solid waste fund approximately \$15 mil per year.
 - * \$1.00 per tire at wholesale level (state would purchase and operate six tire shredders)
 - * State appropriation (\$4 mil over 5 years)
 - * \$ 0.95 surcharge per ton at all landfills or incinerators (this funding would sunset in 5 years for review)
2. LOCAL FUNDING
 - * Tipping fees and local taxes
 - * Local surcharge per ton
 - * Privilege tax on utility bill (The Attorney General says a fee on the utility bill won't pass muster. We have asked for an opinion on a privilege tax.)
 - * Grants from the state:
 - \$10,000 per convenience center maximum per county for up to 5 convenient centers or to upgrade existing centers or purchase recycling or collection equipment - (Total \$50,000.00)
 - > \$10,000 per county to clean up old tire dumps
 - > \$20,000 per public landfill toward the purchase of scales (unless a new landfill)
 - > \$15,000 per county for solid waste plan for a single county
 - > \$17,000 per county for solid waste plan for a two county plan
 - > \$19,000 per county for a solid waste plan for a plan by three or more counties
 - > Competitive grants for recycling equipment
(It appears that some of these amounts will increase. Counties will receive 85% of the one time money in the state fund and 60% of the continuing or recurring dollars.)
3. The state is considering a new landfill permit fee to fund additional personnel in the solid waste division.
4. New state services to address the solid waste issue:
 - * Tire shredders
 - * Marketing program for recyclables
 - * Household Hazardous Waste - Collection

RESOLUTION NO.

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR COMMITTEE

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:

REAL PROPERTY (INCLUDING SURPLUS) ASSESSMENT COMMITTEE

[illegible]

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

ATTEST:


COUNTY CLERK

J. J. Blair

COUNTY CHAIRMAN

APPROVED:

George M. Miller
COUNTY EXECUTIVE

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

[illegible]

RESOLUTION NO. 7-91

Exhibit 9



Loudon County
Tennessee

Resolution

No. 8-91

**RESOLUTION OF THE LOUDON COUNTY COMMISSION
REQUESTING ASSISTANCE
IN THE REPLACEMENT OF THE TENNESSEE RIVER BRIDGE
AT LOUDON, TENNESSEE**

WHEREAS, the County Commission of Loudon County is concerned with the welfare, health and safety of Loudon residents and visitors, as well as the economic vitality of our community, and;

WHEREAS, the City of Loudon and Loudon County have been successful in recruiting major industrial firms, such as the A.E. Staley Manufacturing Company, Kimberly Clark Corporation, and the recently announced site acquisition by Eastman Chemical Company, and;

WHEREAS, the most heavily traveled non-interstate bridge in Loudon County connects the Blair Bend industrial park and Sugarlimb industrial park with the central business district and has experienced annual increases in heavy truck traffic, and;

WHEREAS, the aforementioned Highway 11 (state route 2) bridge over the Tennessee river is the most narrow state or federal roadway in Loudon County, then;

BE IT HEREBY RESOLVED, by the County Commission of Loudon County, that the State of Tennessee be requested to make any and all necessary improvements, including the replacement of the existing Tennessee River bridge, which will result in a safe and adequate road system for local residents, visitors and major industrial traffic, and;

BE IT FUTHER RESOLVED, that the State of Tennessee be requested to provide these improvements at the earliest possible date in recognition of the increasing major truck traffic and resulting safety hazard presently encountered by all users of the bridge.

Approved this the 4th day of March, 1991

SIGNED: _____

County Executive

SIGNED: _____

County Clerk

Exhibit A

285



Loudon County
Tennessee

Resolution

No. 9-91

**A RESOLUTION OF THE COMMISSION OF LOUDON COUNTY REGARDING PAY
AND BENEFITS FOR MILITARY RESERVISTS IN THE EMPLOY
OF LOUDON COUNTY CALLED UP FOR SERVICE IN OPERATION DESERT
SHIELD AND OPERATION DESERT STORM**

WHEREAS, the United States of America is currently engaged in extensive military operations in the Middle East; and

WHEREAS, these military operations have resulted in the call up of large numbers of military reservists; and

WHEREAS, certain employees of Loudon County have been or may be called up to serve with their military units during this crisis; and

WHEREAS, the government of Loudon County wishes to minimize any financial hardships which may accrue to employees who are called to active duty with their military units.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF LOUDON COUNTY AS FOLLOWS:

That such Loudon County employees as are called to active military service during the Middle East crisis shall be entitled to the following:

1. All benefits presently required by Federal and State law will be maintained;
2. All benefits provided by Loudon County to its employees will be maintained for up to twelve (12) months, as if the employee had remained in his or her regular employment with Loudon County;
3. That Loudon County will supplement the difference between the employee's regular County salary and his military pay and allowances, up to a total of \$750.00 per month, for a maximum of twelve (12) months from the date of the employee's initial call up retroactive to August 1, 1990.

J. J. Blain
Chairman

Date March 4, 1991

County Clerk

Approved:

Gray M. Miller
County Executive

Date 3-4-91

Vetoed:

County Executive

Date

Exhibit 2

286