

A Public Hearing was held on November 2, 1992 @ 7:00 P.M. for the purpose of:

Rezoning on Vineyard Rd., Map 39, Parcel 65.01 from A-1, Agriculture Forestry to C-1, Rural Center.

There being no further comment, the Public Hearing was closed.

Be it remembered that the Loudon County Legislative Body met in regular session on November 2, 1992 at 7:15 P.M. with the Chairman, J.J. Blair presiding and County Clerk, Riley D. Wampler were present, whereupon Sheriff Guider Opened Court, Led the Pledge of Allegiance to the Flag and presented Gary Amos, who gave the Invocation.

The following Commissioners were present:

Blair	Masingo	Twiggs
Bledsoe	Maples	Park
Millsaps	Price	Williams

Minutes  
Approved

It was moved by Commissioner Williams and 2nd by Commissioner Park that the minutes be approved as presented. The vote was unanimous.

Television  
Program on  
Citizenship  
by Highland  
Park School

Mr. David Meers of Highland Park School presented a Television Program on Citizenship and Individual Rights, which was well received by the people.

Recreation  
Advisory  
Board Gets  
Approval to  
Proceed with  
Grant Application

Mr. Richard McCarter of the Recreation Advisory Board spoke to the Commission Concerning approval of the County Commission to proceed with preparing grant application that will be submitted late winter (early 1993). It was moved by Commissioner Park and seconded by Commissioner Maples that permission be granted. The vote was unanimous.

Line Item  
Transfers  
for Sheriff  
Guider  
Approved

It was moved by Commissioner Millsaps and seconded by Commissioner Price that Request for Line Item transfer for (Sheriff Guider) which was presented by Director of Accounts, Nancy Richesin, be approved if needed before June 30, 1993. The vote was unanimous and it is attached hereto as Exhibit H.

Map 39  
Parcel 65.01  
from A-1  
Agriculture  
Forestry to  
C-1 Rural  
Center  
Approved

Planning Commissioner, Pat Phillips presented the General Report. It was moved by Commissioner Masingo and seconded by Commissioner Twigg that a Resolution Rezoning on Vineyard Road, Map 39, Parcel 65.01 from A-1, Agriculture Forestry to C-1, Rural Center in the 3rd Legislative District be approved. The vote was unanimous and it is attached hereto as Resolution No. 105 Exhibit C.

County  
Attorney  
Calvin  
Brewer VS  
Loudon  
County

County Attorney, Harvey Sproul reported that since the last County Commission meeting the "Jail" lawsuit, Calvin Brewer VS Loudon County, had been tried for more than three days in the Federal Court in Knoxville, and that the Jury had returned a verdict in favor of all the Defendants. This was a suit in which Sheriff Guider had felt that allegations of the Plaintiff were entirely false and unfounded, and that the County had no choice but to have a trial even though it was expensive to do this in the long run. It showed that the jury agreed, and may serve as a deterrent to other suits in the future.

Notaries  
Approved

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

Harvey L. Sproul, James F. Greenlee, Sandra Hicks, Karen M. Ault, Steven M. Cleveland, Katherine M. Turbyfill, Bonnie Houston and Colene England.

The vote was unanimous.

There being no further business, Court adjourned at 8:10 P.M.

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County Executive

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County Clerk

Resolution  
Creating the  
Loudon County  
Municipal  
Solid Waste  
Planning  
Region

The legislative body was reminded that the new statutory law requires that each County become a part of a solid waste planning region, and that a resolution had been prepared by the County Attorney which would form a Regional Board by expanding the existing Loudon County Solid Waste Commission, which has had the responsibility of operating the joint landfill in Loudon County under an intergovernmental agreement between Loudon County and the Cities of Lenoir City and Loudon. It was then moved by Commissioner Twiggs that the resolution be adopted. The motion was seconded by Commissioner Park, who stated that at the same time he wanted to add an amendment charging the new expanded Board with the responsibility to look into selling the County's landfill, and then to bring the report and recommendation back to the the County Commission for consideration. Commissioner Park was requested by Commissioner Milsaps to include in the amendment that the expanded Solid Waste Commission also consider any other operational options which it might feel desirable. The Motion to Amend was seconded by Commissioner Williams, after which additional discussion ensued, whereupon Commissioner Park withdrew the motion to amend and the second to the original motion. Commissioner Williams then moved to postpone any consideration of the resolution until the next meeting, but upon suggestion by Park, the Chair declared a recess.

After the recess, Commissioner Park renewed his original second and Motion to Amend as seconded by Commissioner Williams. Upon vote on the amendment, it was unanimously approved. Upon vote on the original motion as amended (and seconded by Park); the Resolution Creating Loudon County's Municipal Solid Waste Planning Region (Resolution No. 104, Exhibit B), was approved unanimously, with the new Regional Board being charged with the responsibility to look into the feasibility and/or desirability of selling the landfill, as well as looking at other operational options, and then making a report and recommendation back to the County Commission.

Building  
Inspector's  
Report

Building Commissioner Doug Lawrence, presente the building Inspector's Report:

No. of Permits-----46  
Fees Collected- \$3,426.00

Value-----\$1,780,000.00  
Taxes--- ----\$ 12,460.00

Request for line item transfer - Sheriff Guider

1. Requesting to transfer \$1,500 from account #  
54110-109 to account # 54110-103
2. Requesting to transfer \$2,500 from Account #  
54210-499 to account # 54210-160 \* (if needed before  
6/30/93)

Exhibit 17

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LOUDON COUNTY COMMISSION

RESOLUTION NO. 104

RESOLUTION CREATING LOUDON COUNTY'S MUNICIPAL  
SOLID WASTE PLANNING REGION

WHEREAS, the adoption of the Subtitle D landfill regulations by the United States Environmental Protection Agency and companion regulations adopted by the Tennessee Solid Waste Control Board will impact on both the cost and method of disposal of municipal solid waste; and

WHEREAS, at the urging and support of a coalition of local government, environmental, commercial, and industrial leaders, the 97th Tennessee General Assembly enacted T.C.A. Section 68-211-801 et seq., titled "Solid Waste Management Act of 1991"; and

WHEREAS, with the view that better planning for solid waste will help control the additional costs that will be imposed by the new landfill regulations, help protect the environment, provide an improved solid waste management system, better utilize our natural resources, and promote the education of the citizens of Tennessee in the areas of solid waste management including the need for and desirability of reduction and minimization of solid waste, local governments in Tennessee supported and worked for the passage of this Act; and

WHEREAS, one of the state public policies of this Act is to institute and maintain a comprehensive, integrated, statewide program for solid waste management; and

WHEREAS, as per T.C.A. Section 68-211-811, the nine development districts in the State of Tennessee have completed a district needs assessment which are inventories of the solid waste systems in Tennessee; and

WHEREAS, T.C.A. Section 68-211-813, requires that counties in the State of Tennessee form municipal solid waste regions no later than December 12, 1992; and

WHEREAS, the Act's stated preference is the formation of multi-county regions with counties having the option of forming single or multi-county municipal solid waste regions; and

WHEREAS, the State of Tennessee will provide grant monies of varying amounts to single county, two county, and three or more county municipal solid waste regions to assist these regions on developing their municipal solid waste region plans; and

WHEREAS, the primary and prevailing purpose of the municipal solid waste regions is the preparation of municipal solid waste regional plans which among other requirements must identify how each region will reduce its solid waste disposal per capita by twenty-five percent (25%) by December 31, 1995, and provide for a planned capacity assurance of its disposal needs for a ten (10) year period; and

WHEREAS, the development of a municipal solid waste regional plan that results in the most cost effective and efficient management of municipal solid waste is in the best interest of the citizens of Loudon County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Loudon County, Tennessee, acting pursuant to T.C.A. 68-211-801 et seq., that there is hereby established a Municipal Solid Waste Region for and by Loudon County, Tennessee; and

*Exhibit B*

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BE IT FURTHER RESOLVED, that pursuant to T.C.A. Section 68-211-813(a)(2), that the Board of County Commissioners of Loudon County, Tennessee, finds and determines that Loudon County shall be and shall constitute a single county municipal solid waste region due to the following: the amount of solid waste, particularly industrial waste, is a sufficient waste stream in Loudon County to justify operating as a single region; local industries have indicated a preference for Loudon County to remain a single region; the closest surrounding counties have adequate landfill capabilities recently developed and, in addition, have not indicated any strong need to join in a multi-county region; and

BE IT FURTHER RESOLVED, that Loudon County remains ready to cooperate as reasonably possible in district and regional waste management planning and recycling efforts; and

BE IT FURTHER RESOLVED, that pursuant to T.C.A. 68-211-813(b)(1), a Municipal Solid Waste Region Board is hereby established to administer the activities of this Region; and

BE IT FURTHER RESOLVED, that this Municipal Solid Waste Region Board shall be composed of seven (7) members; and

BE IT FURTHER RESOLVED, that pursuant to T.C.A. Section 68-211-813(b)(1) seven (7) Board members shall be appointed by the County Executive and approved by the Board of County Commissioners, it being specifically provided, however, that inasmuch as Loudon County and two of its municipalities which provide disposal services previously have entered into a inter-governmental agreement providing for the establishment of the Loudon County Solid Waste Disposal Commission; that the two (2) members appointed by the City of Lenoir City and the Town of Loudon (one each) to the Loudon County Solid Waste Disposal Commission shall constitute the municipal members on the Municipal Solid Waste Disposal Board established by this Resolution; and that the governmental representative serving on said commission as the representative from Loudon County (either the County Executive or his appointee) shall serve as one of the members of the new Board established by this Resolution, these three being continuing positions on the Board and comprising the three initial six (6) year term provisions; and

BE IT FURTHER RESOLVED, that members of the Board of the Municipal Solid Waste Region shall serve a six (6) year term, except that two (2) members appointed by the County Executive shall have a two (2) year term, that two (2) members appointed by the County Executive shall have a four (4) year term, that one (1) member appointed by the County Executive shall have a six (6) year term, that one member appointed by the Mayor of Lenoir City shall have a six (6) year term, that one (1) member appointed by the Mayor of Loudon shall have a six (6) year term, the latter three, however, being the three members appointed in accordance with the existing intergovernmental agreement with the municipalities of Lenoir City and Loudon, establishing the Loudon County Solid Waste Disposal Commission; and

BE IT FURTHER RESOLVED, that this Municipal Solid Waste Region Board shall have all the powers and duties as granted it by T.C.A. Section 68-211-813 et seq.; and in addition, in the performance of its duty to produce a municipal solid waste region plan, it shall be empowered to utilize existing Loudon County governmental personnel, to employ or contract with persons, private consulting firms, and/or governmental, quasi-governmental, and public entities and agencies, and to utilized Loudon County's services, facilities and records in completing this task; and

BE IT FURTHER RESOLVED, that at the Municipal Solid Waste Region Board's initial organization meeting it shall select from its members a chair, vice-chair, and secretary and shall cause the establishment of a municipal solid waste advisory committee whose membership shall be chosen by the Board and whose duties are to

assist and advise the Board; and

BE IT FURTHER RESOLVED, that the Municipal Solid Waste Region Board, in furtherance of its duty to produce a municipal solid waste region plan, is authorized to apply for and receive funds from the State of Tennessee, the federal government, Loudon County, the City of Lenoir City and the City of Loudon, and donations and grants from private corporations and foundations; and

BE IT FURTHER RESOLVED, that Loudon County shall receive, disburse and act as the fiscal agent for the administration of the funds of the Municipal Solid Waste Region and the Region's Board; and

BE IT FURTHER RESOLVED, that upon the passage of this Resolution and at no later date than December 31, 1992, the County Clerk of Loudon County shall transmit a copy of this Resolution to the Tennessee State Planning Office.

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LOUDON COUNTY, TENNESSEE, this 2nd day of November, 1992, the welfare of the citizens of Loudon County requiring it.

  
COUNTY CHAIRMAN

APPROVED:

  
COUNTY EXECUTIVE

ATTEST:

  
COUNTY CLERK

PREPARED BY:

  
COUNTY ATTORNEY



RESOLUTION 105

A 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 39, PARCEL 65.01 FROM A-1, AGRICULTURE FORESTRY TO C-1, RURAL CENTER

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 Regional Planning Commission has forwarded its recommendations regarding the amendment to 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 Tax Map 39, Parcel 65.01 said property located on Vineyard Rd. in the 3rd Legislative District be rezoned from A-1, Agriculture Forestry to C-1, Rural Center.

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

DATE: Nov. 2, 1992

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Loudon County Executive

ATTEST: \_\_\_\_\_

Exhibit C