

A Public Hearing was held at the Loudon County Courthouse on June 7, 1993 @ 7:00 P.M. for the purpose of:  
Rezoning on Calloway Road, Map 61, Parcels 9.0, 9.07, 9.14, 9.11, 9.13, 9.02 & 10.0, Map 62, Parcels 1.0, 61.00, 60.00, 60.01, 60.02, 60.04, 60.3, 63.00, 65.00, 64.00, 63.01, 63.02, 63.03, 66.00, 63.05, 94.00, 94.00, 94.04, 96.01, 94.02, 95.00, 94.04, 98.00, 98.01 & Map 72 Parcels 7.00 & 20.00 to incorporate the R-E Single Family Exclusive Overlay District on property currently zoned A-2. Mr. Ralph Bradshaw spoke concerning this property.

Rezoning on LaRue Rd., Map 37-I, "F", Parcels 1.0, 2.0, 3.0, 4.0, 5.0, & 6.0 from R-1 to C-2. Virginia Barnett made the request that this property be left as is.

Be it remembered that the Loudon County Legislative Body met in Regular Session on June 7, 1993 at 7:15 P.M. with Chairman J.J. Blair presiding and County Clerk, Riley D. Wampler were present whereupon Deputy Dwayne Drinnen Opened Court, Led the Pledge of Allegance to the Flag and presented Rev. James Harrell, who gave the Invocation.

The following Commissioners were present:

Blair	Williams	Park
Bledsoe	Twiggs	Price
Masingo	Millsaps	Maples

MAY 3rd &  
MAY 17th  
MINUTES  
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Bledsoe that the May 3rd, 1993 minutes be approved as presented. The vote was unanimous.  
It was moved by Commissioner Price and seconded by Commissioner Bledsoe that the minutes of the May 17th Call Session be approved as presented. The vote was unanimous.

ELECTION OF  
SUP'T OF  
SCHOOLS TO  
BE CONSIDERED  
NEXT MONTH

Commissioner Blair spoke to the Commissioners concerning how the Sup't of Schools would be elected or appointed. After some discussion, the matter will be considered at the next meeting.

NO  
COMMITMENT  
TAKEN WITH  
ALLIED  
TECHNOLOGY  
GROUP THAT  
HANDLES  
RADIOACTIVE  
WASTES

In answer to Aileen Longmire's question concerning waste trucked in from Oak Ridge (Low Radiation Package Processing Plant) Executive Director, Doug Berry of the Loudon County Industrial Committee of 100, Reported no commitment with Allied Technology Group, a firm that handle radioactive waste. He stated the California-based firm is looking for land on which a holding facility would be located to compress, containerize and ship out low wastes to a landfill outside the State of Tennessee. Talks are still going and still evaluating the project. Berry reported that knowledge is limited for handling low level Radioactive Wastes and do not understand all the questions.

ROAD ON  
LEEPER  
PARKWAY

Mr. Steve Kirby spoke to the Commission concerning the Road situation on Leeper Parkway, the road having been used for 18 years, and having never been accepted as a County Road, due to the condition of the road surface, no action was taken.

NATIONAL  
GUARD  
ARMORY  
REPORT

Concerning the Armory and after much discussion, County Executive George Miller reported they were still working to get a proper bid and to cut some cost. He stated that the bid date would be in about three to four weeks.

RESOLUTION  
TO ACCEPT  
FMHA GRANT  
AND ISSUE  
BONDS FOR  
TASS  
IMPROVEMENT  
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Bledsoe that a Resolution to accept FMHA Grant and Issue Bonds for TASS (Tellico Area Service System) improvement. The vote was unanimous and it is attached hereto as Resolution No. 32-93 Exhibit B.

CERTIFIED  
TAX RATE OF  
LOUDON CO.  
& RURAL  
SCHOOL BONDS  
APPROVED

It was moved by Commissioner Bledsoe and seconded by Commissioner Price that the Adoption of the Certified Tax Rate of Loudon County and Rural School Bonds, presented by Loudon County Property Assessor, Doyle Arp be approved. On Roll Call, the vote was unanimous and it is attached hereto as Exhibit C.

MEMORANDUM  
AS TO STATUS  
OF LOUDON  
COUNTY IN  
COMPLYING  
WITH SOLID  
WASTE  
MANGEMENT  
ACT OF 1991

Commissioner Twiggs requested Discussion of Solid Waste Planning Region Board Responsibilities.

Subject: Memorandum as to Status of Loudon County in Complying With the Solid Waste Managment Act of 1991 (T.C.A. 68-211-801 et seq and T.C.A. 68-211-901 et seq)

His discussion with the County Attorney was:

- (1) The continuing expanded Loudon County Solid Waste Disposal Commission is to continue to establish policies for the operation and management of Matlock Bend Landfill and to generally oversee and provide for the operation of the landfill.
- (2) Solid Waste Planning Region Board
- (3) Solid Waste Authority

The above memorandum is attached hereto as Exhibit D.

RESOLUTION  
TO LOUDON  
SOLID WASTE  
DISPOSAL  
COMMISSION  
APPROVED

It was moved by Commissioner Williams and seconded by Commissioner Twiggs that a Resolution to Loudon Solid Waste Disposal Commission be approved. After much discussion, the vote was 8 to 1 in favor with Commissioner Park voting Nay. The Resolution is attached hereto as Resolution No. 33-93 Exhibit E.

After Director of Accounts, Nancy Richesin spoke to the Commission. It was moved by Commissioner Millsaps and seconded by Commissioner Price, County Commission recommended the County proceed with the refinancing of approximately 8 million and to issue new debt not to exceed 2 million. The vote was unanimous.

It was moved by Commissioner Park and seconded by Commissioner Price that the Commission authorize County Executive George Miller to award the refinancing and new bond issue to the financial institution as recommended by the Budget Committee after the meeting of June 10th. The vote was unanimous.

BUILDING  
INSPECTOR'S  
REPORT FOR  
MAY

Building Commissioner - Doug Lawrence:

Fees-----	\$4,019.00	Value-----	\$2,356,500.00
Permits-----	62	Taxes-----	\$ 16,494.00

Planning Commissioner - Pat Phillips presented the General Planning Commission Report.

PROPERTY  
LOCATED ON  
CALLOWAY  
ROAD IN 1ST  
& 4TH  
DISTRICT  
APPROVED

It was moved by Commissioner Bledsoe and seconded by Commissioner Millsaps that 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 61, Parcels 9.0, 9.07, 9.14, 9.11, 9.13, 9.02 and 10.0; Tax Map 62, Parcels 1.0, 61.00, 60.00, 60.01, 60.02, 60.04, 60.03, 63.00, 65.00, 64.00, 63.01, 63.02, 63.03, 66.00, 63.05, 94.00, 94.04, 96.01, 94.02, 95.00, 96.00, 98.00, and 98.01; Tax Map 72, Parcels 7.00 and 20.00 to incorporate the R-E Single Family Exclusive Overlay District on Property currently zoned A-2 be approved. The vote was unanimous and it is attached hereto as Resolution No 34-93 Exhibit 7.

PARCELS  
ON LARUE  
ROAD IN 5TH  
DISTRICT  
NOT  
APPROVED

It was moved by Commissioner Williams and seconded by Commissioner Park that the Rezoning on LaRue Rd Map 37-1, "F", Parcels 1.0, 2.0, 3.0, 4.0, 5.0, and 6.0, from R-1 to C-2 in the 5th Legislative District not be Rezoned. The vote was unanimous.

COUNTY  
ATTORNEY'S  
CONSTABLE  
REAPPORT-  
IONMENT  
REPORT

County Attorney, Harvey Sproul reminded the Commission that he had sent to them a legal memorandum as to the status of the Office of Constable in Loudon County. Basically, the memorandum stated that the present state law requires Loudon County to have Constables, but that the number is limited to four (no more than one-half the numbers of Commissioners). The Legislative body is required to apportion Constable Districts on a per capita basis, which might be difficult to do without splitting present legislative districts or precincts. However, Loudon County has three one-person districts, so it should be possible to apportion into three constable districts without splitting precincts.

SURPLUS  
REAL  
PROPERTY  
SALE

Attorney Sproul reported that the County Executive, and the Purchasing Agent had conducted the sale of property on May 28, 1993, with 15 parcels being sold. Surprisingly, the total amount realized was \$19,688.00, which was much better than expected. He stated that the City of Philadelphia had declined to accept the County's offer of the two lots located on Old Mill Road in Philadelphia. Further that there was a possibility that Mary Katherine Mize Longwell was to be requested to donate the lot which the county was conveying back to her for the purpose of preserving the historic Brewer House.

The Tommy Orr Service Station on Marganton Road has underground petroleum tanks, and the County has received notice that action must be taken concerning these tanks. The County has owned the property for several years (from a delinquent tax sale) but the property was purchased at the recent sale by another individual, and this matter must be generally resolved.

NOTARIES  
APPROVED

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

Ann P. Williams, Susan L. Pangle, Mary Pauline Warner, Dee Ann Hart, Libby Kent, Mark Alan Matlock, Candida J. Walker, Bonnie L. Bivens.

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

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County Executive

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County Clerk

USDA-FmHA  
Form FmHA 1942-47  
(Rev. 1-90)

FORM APPROVED  
●MB NO. 0575-0015

LOAN RESOLUTION  
(Public Bodies)

32-93

A RESOLUTION OF THE Loudon County Commission

OF THE Loudon County

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

Tellico Area Services System Greenback/Glendale/Ft. Loudoun Dam water line extension and tank storage  
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Loudon County

(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of

Eight Hundred Nine Thousand Dollars (\$809,000.00)

pursuant to the provisions of T.C.A. 9-21-101 et seq.; and

WHEREAS, the Association intends to obtain assistance from the Farmers Home Administration, United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form FmHA 400-4, "Assurance Agreement," and Form FmHA 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by FmHA. No free service or use of the facility will be permitted.

Exp. Helms B

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CERTIFICATION TO BE EXECUTED AT LOAN CLOSING

I, the undersigned, as County Clerk of the Loudon County

hereby certify that the Loudon County Commission of such Association is composed of

nine (9) members, of whom \_\_\_\_\_, constituting a quorum, were present at a meeting thereof duly called and

held on the 7th day of June, 1993; and that the foregoing resolution was adopted at such meeting

by the vote shown above. I further certify that as of \_\_\_\_\_, the date of closing of the loan from the Farmers Home Administration, said resolution remains in effect and has not been rescinded or amended in any way.

Dated, this 7th day of June, 1993.

Riley D. Wampler  
Riley D. Wampler  
County Clerk



**STATE OF TENNESSEE  
STATE BOARD OF EQUALIZATION**

**SUITE 1000  
JAMES K. POLE STATE OFFICE BUILDING  
505 DEADWICK STREET  
NASHVILLE, TENNESSEE 37243-0300  
PHONE (615) 741-4883**

June 7, 1993

Doyle E. Arp  
Loudon County Assessor of Property  
P.O. Box 283  
Loudon, TN 37774

Re: Review of Proposed Certified Tax Rate

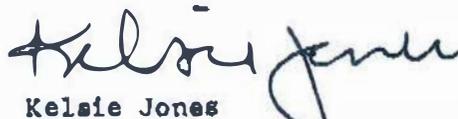
Dear Mr. Arp:

The 1993 certified tax rate computation for Loudon County-Rural has been reviewed by this office pursuant to T.C.A. § 67-5-1701. We concur in your calculations of the rate in the amount of \$0.22.

The governing body of the jurisdiction should now proceed to determine a certified tax rate for the jurisdiction prior to adopting an actual tax rate. If the jurisdiction proposes to adopt an actual tax rate which exceeds the certified tax rate, it must advertise its intent to do so in a newspaper of general circulation for the county, and furnish an affidavit of publication to this office within thirty days of publication. Following publication and on reasonable notice, the jurisdiction must then conduct a public hearing on the tax increase before adopting its new rate. A copy of the resolution or ordinance approving a new tax rate should also be furnished to this office and the chairman of your county board of equalization. If the certified tax rate will not be exceeded, the actual tax rate may be set any time after the certified tax rate is determined, subject to any local requirements otherwise applicable to the setting of tax rates.

We will be happy to discuss any questions you or other local officials may have concerning these requirements.

Sincerely,

  
Kelsie Jones  
Executive Secretary

KJ/lf

cc: George Miller, County Executive  
J.D. Click, Trustee  
Dale Winders  
Kim Darden



STATE OF TENNESSEE  
**STATE BOARD OF EQUALIZATION**

SUITE 1000  
JAMES K. POLK STATE OFFICE BUILDING  
105 DRADDERICK STREET  
NASHVILLE, TENNESSEE 37243-0200  
PHONE (615) 741-4003

June 7, 1993

Doyle E. Arp  
Loudon County Assessor of Property  
P.O. Box 283  
Loudon, TN 37774

Re: Review of Proposed Certified Tax Rate

Dear Mr. Arp:

The 1993 certified tax rate computation for the county of Loudon has been reviewed by this office pursuant to T.C.A. § 67-5-1701. We concur in your calculations of the rate in the amount of \$2.29.

The governing body of the jurisdiction should now proceed to determine a certified tax rate for the jurisdiction prior to adopting an actual tax rate. If the jurisdiction proposes to adopt an actual tax rate which exceeds the certified tax rate, it must advertise its intent to do so in a newspaper of general circulation for the county, and furnish an affidavit of publication to this office within thirty days of publication. Following publication and on reasonable notice, the jurisdiction must then conduct a public hearing on the tax increase before adopting its new rate. A copy of the resolution or ordinance approving a new tax rate should also be furnished to this office and the chairman of your county board of equalization. If the certified tax rate will not be exceeded, the actual tax rate may be set any time after the certified tax rate is determined, subject to any local requirements otherwise applicable to the setting of tax rates.

We will be happy to discuss any questions you or other local officials may have concerning these requirements.

Sincerely,

*Kelsie Jones*  
Kelsie Jones  
Executive Secretary

KJ/lf

cc: George Miller, County Executive  
J.D. Click, Trustee  
Dale Winders  
Kim Darden

LAW OFFICES  
SPROUL & HINTON  
205 E. BROADWAY  
LENOIR CITY, TENNESSEE 37771

HARVEY L. SPROUL  
ROBERT G. HINTON

TELEPHONE 986-8054  
AREA CODE 615  
FAX (615) 986-8706

TO: Loudon County Executive and the Loudon County Commission

FROM: Harvey L. Sproul, County Attorney

DATE: June 4, 1993

SUBJECT: Memorandum as to status of Loudon County in complying with the Solid Waste Management Act of 1991 (T.C.A. 68-211-801 et seq. and T.C.A. 68-211-901 et seq.)

The creation of solid waste planning districts and regions throughout the State is required, and Loudon County has been established as a one county region.

The approach of Loudon County (and its two Cities which are involved with the collection of solid waste) has been to change the membership of the existing Loudon County Solid Waste Disposal Commission so that the commission complies with the organizational requirements required by the State law for a Planning Region Board. The membership of the Loudon County Solid Waste Commission has been expanded so that there are five representatives appointed by the County, and one each from the two Cities.

OPERATE THE LANDFILL

The continuing expanded Loudon County Solid Waste Disposal Commission is to continue to establish policies for the operation and management of the Matlock Bend landfill and to generally oversee and provide for the operation of the landfill.

SOLID WASTE PLANNING REGION BOARD

In addition, under the new statute, the Board shall act as the Board for the Solid Waste Planning Region (Loudon County) and is responsible to:

Submit a Region Waste Disposal Plan, which date has been extended, as I understand it. The plan has to address all the demographics, assess collection capabilities within the region, disposal capabilities, cost and revenue factors, growth factors, include a recycling plan, and must plan for a 25% waste reduction by 1995, and many other things.

After the plan is approved, the Region Board may regulate the flow of collected municipal solid waste generated within the region, restrict access to landfills, has the authority to approve any application for the operation of solid waste disposal facility or

*Exhibit D*

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incinerator within the region, etc.

SOLID WASTE AUTHORITY

Under the provisions of T.C.A. 68-211-901 et seq., a solid waste authority may be created, which would then achieve the status of a solid waste authority, and may be the same body as the solid waste region board of Directors. This Authority would have greater powers and would, in effect, become a public instrumentality within itself, could incur debts, issue bonds, have the power of condemnation, etc. The actions of the Board, or bonds issued, would not reflect or become the responsibility of the County.

This memorandum does not include a discussion as to the requirements of the County to effect a bond to assure to the State completion of certain goals for the closure of the old landfill, etc., or the substitute factor of assigning or pledging State revenues in lieu thereof.

A handwritten signature in black ink, consisting of a stylized, cursive script that is difficult to decipher but appears to be a personal name.

LOUDON COUNTY COMMISSION

RESOLUTION NO. 32-93

RESOLUTION TO LOUDON COUNTY SOLID WASTE DISPOSAL COMMISSION

WHEREAS, Loudon County, the City of Loudon, and the City of Lenoir City previously have entered into an intergovernmental agreement creating the Loudon County Solid Waste Disposal Commission (LCSWDC); and

WHEREAS, recently the agreement has been amended to increase the membership on the Solid Waste Disposal Commission so as to comply with new State legislation concerning the formation of Solid Waste Planning Regions; and

WHEREAS, under the original agreement, as well as the amended agreement, the decision as to what organizations, businesses and parties may utilize the landfill, and under what conditions and circumstances, is a prerogative of the Loudon County Solid Waste Disposal Commission; and

WHEREAS, the Loudon County Commission is concerned as to maintaining the Loudon County sanitary landfill to fulfill Loudon County needs, and generally has favored handling only waste coming out of Loudon County;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 3rd day of May, 1993, as follows:

1. The Loudon County Solid Waste Disposal Commission is urged to adopt and maintain a Loudon County policy that no out-of-county waste be accepted in the Loudon County landfill, even from recyclers who may be accepting and processing waste from out of the county in their recycling operation; and

2. That as matters proceed, and as the new Loudon County Solid Waste Disposal Commission goes through its planning process, if LCSWDC deems it necessary to fill space in our present landfill for financial reasons, or to take advantage of limitations or new regulations, or if an area-wide City or County or neighboring County requests the use of the landfill for a short-term need, then that the disposal of waste in the Loudon County landfill by all users be strictly monitored so that the policy is fair to all users.

\_\_\_\_\_  
COUNTY CHAIRMAN

APPROVED:

\_\_\_\_\_  
COUNTY EXECUTIVE

ATTEST:

  
COUNTY CLERK

*E. Hubert E*

RESOLUTION 31492

**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 61, PARCELS 9.0, 9.07, 9.14, 9.11, 9.13, 9.02 & 10.0; TAX MAP 62, PARCELS 1.0, 61.00, 60.00, 60.1, 60.2, 60.4, 60.3, 63.00, 65.00, 64.00, 63.01, 63.02, 63.03, 66.00, 63.05, 94.00, 94.04, 96.01, 94.02, 95.00, 96.00, 98.00 & 98.01; TAX MAP 72, PARCELS 7.00 & 2.00 FROM BY INCORPORATING THE R-E SINGLE FAMILY EXCLUSIVE OVERLAY DISTRICT ON PROPERTY CURRENTLY ZONED A-2**

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 61, Parcels 9.0, 9.07, 9.14, 9.11, 9.13, 9.02 & 10.0; Tax Map 62, Parcels 1.0, 61.00, 60.00, 60.1, 60.2, 60.4, 60.3, 63.00, 65.00, 64.00, 63.01, 63.02, 63.03, 66.00, 63.05, 94.00, 94.04, 96.01, 94.02, 95.00, 96.00, 98.00 & 98.01; Tax Map 72, Parcels 7.00 & 2.00 said property located on Calloway Rd., in the 1st and 4th Legislative District be rezoned by incorporating the R-E Single Family Exclusive Overlay District on property currently zoned A-2.

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

DATE: June 7, 1993

\_\_\_\_\_  
Loudon County Executive

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

*Ed Welch 7*