

A Public Hearing was held at the Loudon County Courthouse on June 6, 1994 @ 7:00 P.M. for the purpose of:

- (1) Rezoning on Easter Drive, Tax Map 63, Parcel 18.01, from A-2 Rural Residential to R-1, Suburban Residential
- (2) Amendment to the Zoning Resolution of Loudon County, Tennessee Section 7.030. Building Permits requiring approval of site plans by the Office of Planning and Community Development.

There being no comments, the hearing closed.

Be it remembered that the Loudon County Legislative Body met in Regular Session on June 6, 1994 with the Chairman Roy Bledsoe presiding and County Clerk, Riley D. Wampler was present whereupon Sheriff Tim Guider Opened Court, led the Pledge of Allegiance to the Flag and presented Hank McGee, who gave the Invocation.

On Roll Call, the following were present:

Bledsoe	Williams	Maples
Millsaps	Park	Price
Masingo	Twiggs	Gilbert

APRIL & MAY  
MINUTES  
APPROVED AS  
PRESENTED

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

RESOLUTION IN  
MEMORY OF JOE  
JAMES BLAIR,  
CHAIRMAN OF  
LOUDON COUNTY  
COMMISSION  
APPROVED

Chairman Bledsoe presented a Resolution in memory of Joe James (J.J. Blair) Blair, Chairman of the Loudon County Commission, for approval. It was moved by Commissioner Price and seconded by Commissioner Masingo that the Resolution be approved. The vote was unanimous after being read by Commissioner Price and the Resolution is attached hereto as Resolution No. 20-94 Exhibit A.

SENIOR CITIZENS  
WARNED ABOUT  
SCAMS

Commissioner Maples spoke at length to the Commission how Senior Citizens are being taken. She reported a Senior Citizen came to see her about a matter, did not want his name mentioned, he is so afraid. She spoke with Sheriff Guider concerning the incident. This is a warning to Senior Citizens about scams.

NO FIRECRACKERS  
TO BE SOLD IN  
LOUDON COUNTY  
IN TEMPORARILY  
TENTS

Commissioner Park spoke to the Commission concerning the sale of firecrackers. It was moved by Commissioner Park and seconded by Commissioner Twiggs that no firecrackers be sold in Loudon County in temporarily tents. On Roll Call, the vote was 5 to 4 in favor with Commissioner Gilbert, Masingo, Maples and Williams voting against it.

RESOLUTION  
APPROVING TENN.  
D.O.T. PROPOSAL  
TO WIDEN U.S.  
411 FROM RT. 95  
EASTWARDLY TO  
THE BLOUNT CO.  
LINE

It was moved by Commissioner Masingo and seconded by Commissioner Millsaps that a Resolution Approving Tennessee D.O.T. Proposal To Widen U.S. 411 from State Route 95 Eastwardly To The Blount County Boundary Line be approved. The vote was unanimous and it is attached hereto as Resolution No. 21-94 Exhibit B.

STEVE HURST  
REAPPOINTED  
TO TASS BOARD

It was moved by Commissioner Price and seconded by Commissioner Park that a Resolution approving or acknowledging Board or Committee Reappointment of Steve Hurst by County Executive, George Miller to the Tellico Area Service Board (TASS) - Term Expiration date 6-30-97. The vote was unanimous and it is attached hereto as Resolution No. 72-94 Exhibit C.

RESOLUTION  
CONCERNING  
STATE GRANTS  
FOR LOUDON CO.  
APPROVED

It was moved by Commissioner Millsaps and seconded by Commissioner Williams that a Resolution Accepting State Grants For the Volunteer Fire Departments of Loudon County Certain Recreation Fields, And to the Loudon County Department of Tourism be approved. The vote was unanimous and it is attached hereto as Resolution No. 73-94 Exhibit D.

LITTER  
GRANT  
PROGRAM  
APPROVED

It was moved by Commissioner Millsaps and seconded by Commissioner Park to approve a Resolution for a Litter Grant Program from the State of Tennessee. The vote was unanimous and Mrs. Hammontree answered many questions concerning the Litter Grant.

REPAIRS TO  
BOILER ROOM  
AND OLD  
EXISTING  
WIRING AT  
ACT CENTER ON  
BROWDER HILL  
APPROVED

Purchasing Agent, Howard Luttrell spoke to the Commission concerning possible action on the Adult Activity Center. It was moved by Commissioner Park and seconded by Commissioner Twiggs that \$1,000.00 be spent updating the Boiler Room with fireproof sheet rock and also fix old existing wiring. The vote was unanimous.

On other Business:

WORKSHOP AND  
REGULAR COUNTY  
COMMISSION  
MEETING SET  
FOR 27th TO  
TAKE PLACE OF  
JULY MEETING  
APPROVED

It was moved by Commissioner Williams and seconded by Commissioner Price that they have a workshop at 5:30 P.M. on Monday the 27th and a Regular Meeting after workshop which will be considered the July meeting. On Roll Call, the vote was 8 to 1 in favor with Park voting Nay.

BUILDING COMM.  
REPORT

Loudon County Building Commissioner Doug Lawrence reported for May:

Permits-----44	Value----\$1,466,000.00
Fees-----\$ 2,746.00	Taxes----\$ 9,000.00

MAP 63  
PARCEL 18.01  
FROM A-2 RURAL  
RESIDENTIAL  
TO R-1  
SUBURBAN  
RESIDENTIAL  
APPROVED

Loudon County Planning Commissioner Patrick Phillips reported:  
It was moved by Commissioner Millsaps and seconded by Commissioner Park 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 property referenced by Tax Map 63, Parcel 18.01 from A-2 Rural Residential to R-1 Suburban Residential, be approved. The vote was unanimous and it is attached hereto as Resolution No. 74-94 Exhibit E.

RESOLUTION  
PURSUANT TO  
TENNESSEE CODE  
ANNOTATED  
AMENDING  
ARTICLE 7  
SECTION 7.030,  
BUILDING  
PERMITS

It was moved by Commissioner Williams and Commissioner Twiggs that the Amendment to the Zoning Resolution of Loudon County, Tennessee Amending Article 7, Administration and Enforcement Section 7.030. Building Permits Requiring that Plans for Multi-Family Residential, Commercial, Office and Industrial Developments be approved by the office of Planning and Community Developments prior to the issuance of a building permits. The vote was unanimous and it is attached hereto as Resolution No. 75-94 Exhibit F.

RIGHT OF WAY  
ADJACENT TO  
MIDWAY RD. AT  
HIGHWAY 11  
APPROVED

It was moved by Commissioner Twiggs and seconded by Commissioner Price that the Acquisition of a right-of-way adjacent to Midway Road at Highway 11, be approved. The vote was unanimous.

STRATEGIC  
PLANNING  
APPROVED

Concerning strategic planning, it was moved by Commissioner Williams and seconded by Commissioner Twiggs to obtain the aid of a professional facilitator to assist with strategic planning. The vote was 8 to 1 with Commissioner Maples abstaining.

INDUSTRIAL  
DEVELOPER  
REPORTED  
NEGOTIATING  
WITH 5  
COMPANIES  
INTERESTED IN  
LOCATING IN  
LOUDON CO.

Industrial Developer, Doug Berry reported to County Commission that they were in the final quarter of negotiating with 5 companies. Two prospects are considering sites in Lenoir City, two are looking at land in Sugarlimb Industrial Park in Loudon and one company is interested in locating in Matlock Bend Industrial Park in Loudon. He stated that hopefully in July he will have several announcements to make.

NOTARIES  
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Maples that the Notaries be approved. The vote was unanimous. They are as follows:

Bess Ann Brock, Joyce V. Sherrill, Joanne M. Streiffert, Harold E. Proaps, Paul Ann Baker, J. Claude Maples, Catherine E. Davis, Vangie Cannady, Jennifer Shaver, Beth Merritt, Nancy Beaty, and Cherry M. Stout.

NOTARY  
BONDS  
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Mesinger that the Notary Bonds be approved: The vote was unanimous. They were:

Melissa Dawn Heape and James Harris

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

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County Executive

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County Court Clerk

165-A



LOUDON COUNTY COMMISSION

RESOLUTION NO. 20-94

RESOLUTION IN MEMORY OF JOE JAMES (J. J.) BLAIR,  
CHAIRMAN OF THE LOUDON COUNTY COMMISSION

WHEREAS, Joe James Blair was born on January 21, 1920, in Loudon County, Tennessee, son of the late Charles Barkley and Dora Ingram Blair, both descendents of pioneer families in Loudon and Roane Counties; and

WHEREAS, he grew up in Loudon County, and was a very active young man in sports activities, and later was employed by the Tennessee Valley Authority in the construction of the Watts Bar and Fort Loudoun Dams; and

WHEREAS, he formed the J. J. Blair Construction Company and as a general contractor became a prominent builder in the Middle East Tennessee region, having been involved in the construction of churches and church additions, including two educational buildings at the Loudon Cumberland Presbyterian Church (his own church), as well as the Cedar Springs Presbyterian Church, the Kingston First Baptist Church, and others; and

WHEREAS, the said J. J. Blair throughout his lifetime remained closely involved with farming until the time of his death, and owned a farm where the present A. E. Staley Company and the Viskase Company (two of Loudon's major industries) are located, his farm having been a part of the Blair Bend Industrial Park Development; and

WHEREAS, J. J. Blair was a staunch and avid Democrat, and espoused Democratic politics in any and every context, and was elected to the office of Justice of the Peace in 1954 as a member of the Loudon County Quarterly Court, and as such served as a "Judge" for several years in various matters filed in the old Justice of the Peace courts, and officiated at the weddings of many Loudon County citizens over a period of years; and

WHEREAS, as a member of the County Commission he served as a member of the Budget and Purchasing Committees, the Hospital and Merit Service Boards over a period of many years, and has been elected as Chairman of the County Commission annually since 1985, wherein he was serving as such at the time of his death; and

WHEREAS, the said J. J. Blair was a good, loyal and loving family man and appreciated and loved deeply his wife, children, and grandchildren, and was a champion and friend to the poor and disadvantaged;

NOW, THEREFORE, BE IT RESOLVED that the members of the Loudon County Commission, in regular session assembled this 6th day of June, 1994, extends its sincerest sympathy to the family of their colleague, J. J. Blair, and that this resolution be adopted in honor of his memory, and for his years of faithful service to Loudon County.

BE IT FURTHER RESOLVED that, as a token of the respect that his fellow commissioners had for him, a copy of this resolution be given to his widow, Mrs. Helen Thompson Blair, with copies to go to his daughters, Ann Blair Watson and Vann Blair Gilbert.

  
COUNTY CHAIRMAN


APPROVED:

  
COUNTY EXECUTIVE

ATTEST:

  
COUNTY CLERK

PREPARED BY:

  
COUNTY ATTORNEY

E. P. H. A.

LOUDON COUNTY COMMISSION

RESOLUTION NO. 21-94

RESOLUTION APPROVING TENNESSEE D.O.T.  
PROPOSAL TO WIDEN U. S. 411 FROM STATE ROUTE 95 EASTWARDLY  
TO THE BLOUNT COUNTY BOUNDARY LINE

WHEREAS, the State of Tennessee Department of Transportation proposes to construct a project designated as No. 05001-1252-04, DS-NH-33(12)(U.S. 411) from State Route 95 Northeastwardly to the Spring View Road in Blount County; and

WHEREAS, the Department has a standard proposal which it requests to be executed by the Counties and/or Cities that are involved in a specific project; and

WHEREAS, the proposal primarily has to do with requiring strict notification of any lawsuits filed against the County as a result of the State project, requires the removal of utilities that are on the present State right-of-way, requires the waiving of any County zoning or setback/building requirements, and otherwise has certain limited requirements concerning traffic control signs and the furnishing of electricity and maintenance for traffic control devices; and

WHEREAS, in this particular project, there are no intersections of Loudon County streets or roads with U.S. 411, although the County through its utility agency, Tellico Area Services System (TASS), jointly owned by Loudon County and Monroe County, does have a main water line that will have to be moved, which is the responsibility of the County by virtue of a previous contract;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 6th day of June, 1994, that the proposal for the above-captioned project for the widening of U.S. Highway 411 by the State Department of Transportation is hereby approved, and the County Executive is authorized to agree to and execute the necessary agreement accepting the Department proposal.

  
COUNTY CHAIRMAN

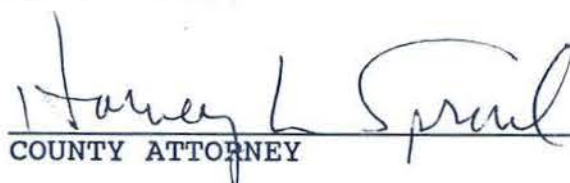
APPROVED:

  
COUNTY EXECUTIVE

ATTEST:

  
COUNTY CLERK

PREPARED BY:

  
COUNTY ATTORNEY

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LOUDON COUNTY COMMISSION  
RESOLUTION NO. 22-94

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:

TELLICO AREA SERVICES SYSTEM BOARD (TASS)


(Name of Committee or Board)

<u>Appointee</u>	<u>Term Expiration</u>
<u>STEVE HURST (reappointed)</u>	<u>6-30-97</u>
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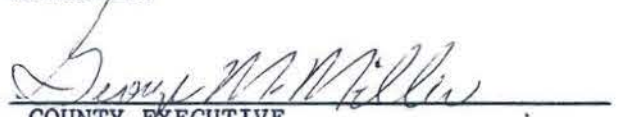
NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 6th day of June, 1994 hereby approves or acknowledges (as appropriate), the said appointment(s).

  
COUNTY CHAIRMAN

ATTEST:

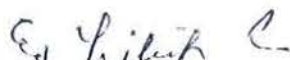
  
COUNTY CLERK

APPROVED:

  
COUNTY EXECUTIVE

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

	<u>Term Expiration</u>
<u>Art Spurrier</u>	<u>6-30-95</u>
<u>Curtis Yates</u>	<u>6-30-96</u>
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LOUDON COUNTY COMMISSION

RESOLUTION NO. 23-94

RESOLUTION ACCEPTING STATE GRANTS FOR THE  
VOLUNTEER FIRE DEPARTMENTS OF LOUDON COUNTY,  
CERTAIN RECREATION FIELDS, AND TO THE LOUDON COUNTY  
DEPARTMENT OF TOURISM

WHEREAS, the General Assembly of the State of Tennessee, when money is available at the end of its legislative year, includes direct appropriation grants in its fiscal budget to meet various community needs all over the State; and

WHEREAS, in the Ninety-Eighth General Assembly just adjourned, the Appropriations Act specifically included Item 276 appropriating \$20,000.00 to be divided into equal allocations for each of the Volunteer Fire Departments in Loudon County; and

WHEREAS, the Ninety-Eighth General Assembly appropriated \$25,000.00 (Item 228) to the Tennessee Department of Tourism Development for the sole purpose of making a grant in that amount to Loudon County for the Loudon County Visitors Bureau; and

WHEREAS, the Ninety-Eighth General Assembly has appropriated the sum of \$10,000.00 to Loudon County "for recreation fields" (Item 184); and

WHEREAS, the acceptance of the grants involves certain commitments on the part of the County in handling and accounting for the use of the grants, which primarily involves determining that the proper accounting procedures, and the rules and regulations promulgated by the Comptroller of the Treasury are followed; and

WHEREAS, if these procedures are not followed, the State has the right to seek restitution from the County; and

WHEREAS, Loudon County desires to accept these grants and intends to follow the regulations as required.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 6th day of June, 1994, that the three grants as listed above are hereby accepted, and the County Executive is authorized to sign the letter agreements accepting and approving the receipt of the grants.

  
COUNTY CHAIRMAN

APPROVED:

  
COUNTY EXECUTIVE

ATTEST:

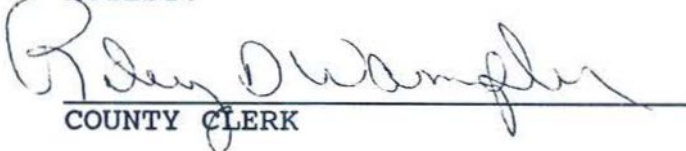
  
COUNTY CLERK

Exhibit D

RESOLUTION NO. 23-94-A Exhibit D.

RESOLUTION AUTHORIZING THE APPLICATION FOR A  
LITTER AND TRASH COLLECTING GRANT AND EXECUTION  
OF CONTRACTS OR OTHER NECESSARY DOCUMENTS

Resolution authorizing submission of an application for a Litter and Trash Collecting Grant from the Tennessee Department of Transportation and authorizing the acceptance of the said Grant.

WHEREAS, the County of Loudon intends to apply for the aforementioned grant, from the Tennessee Department of Transportation; and


WHEREAS, the contract for the grant will impose certain legal obligations upon the County of Loudon.

NOW, THEREFORE, BE IT RESOLVED:

1. That George M. Miller, County Executive, is authorized to apply on behalf of Loudon County, for a litter and trash collecting grant from the Tennessee Department of Transportation.
2. That should application be approved by the Tennessee Department of Transportation, then George M. Miller, County Executive, is authorized to execute contracts or other necessary documents, which may be required to signify acceptance of the litter and trash collecting grant by Loudon County.

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

ATTEST:

  
\_\_\_\_\_  
Court Clerk

DATE:

June 6 1994



RESOLUTION NO. 24-94

**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 PROPERTY REFERENCED BY TAX MAP 63, PARCEL 18.01 FROM A-2, RURAL RESIDENTIAL TO R-1, SUBURBAN RESIDENTIAL**

**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 63, Parcel 18.0, said property located at 950 Easter Road in the 1st and 4th Legislative District be rezoned from A-2, Rural Residential to R-1, Suburban Residential.

**BE IT FINALLY RESOLVED**, that this resolution shall take effect upon the availability of public/utility water serving said property, the public welfare requiring it.

\_\_\_\_\_  
ATTEST

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

\_\_\_\_\_  
DATE

RES2

*Exhibit E*

(7)

RESOLUTION 25-94

A RESOLUTION PURSUANT TO TENNESSEE CODE ANNOTATED  
AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY,  
TENNESSEE, ARTICLE 7 SECTION 7.030. BUILDING PERMITS

**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 Loudon County Regional Planning Commission has forwarded its recommendation regarding the amendment of the Zoning Resolution of Loudon County, Tennessee, and the necessary public hearing called for and held, and

**WHEREAS**, this amendment requires the review of plans for certain developments by the Office of Planning & Community Development in order to insure compliance with current land use standards and that there is no adverse impact on existing public facilities and services resulting from the development;

**NOW THEREFORE, BE IT RESOLVED** by the Loudon County Commission that the Zoning Resolution of Loudon County, Tennessee be amended as follows:

Section 1. That Article 7, Administration and Enforcement, section 7.030. Building Permits be amended by adding the following after the last sentence of the first paragraph: *No building permit shall be issued for any commercial, office, industrial or multi-family developments until site plans have been submitted to and approved by the Office of Planning & Community Development.*

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

\_\_\_\_\_  
ATTEST

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

\_\_\_\_\_  
DATE

*Exp. L. L. F.*

**LOUDON COUNTY OFFICE OF PLANNING AND COMMUNITY DEVELOPMENT**

**274 Blair Bend Drive  
Loudon, Tennessee 37774  
615/458-3880**

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**MEMORANDUM**

To: Loudon County Commission  
From: Patrick Phillips   
Date: June 6, 1994  
Subject: Strategic Planning/ Community Visioning Program

Loudon County continues as one of Tennessee's fastest growing counties. Based on building permit activity over the past 3 1/2 years this office projects that the current population figure for the county is estimated at 34,390, a figure which exceeds the projected county population by the year 2001 (U.T. Dept. of Sociology for the Tennessee Department of Health). While a population increase of this magnitude indicates a strong local economy, growth ultimately brings with it additional demands on government services and programs which will effect every resident within the county. Traditionally, communities which have experienced significant increases in population, but have failed to react appropriately to impacts on services are forced to either reduce services, raise tax rates or divert funds from existing programs which improve the community's quality of life and economic competitiveness in order to handle additional expenditures caused by significant population growth.

A strategic planning process, which encourages team building, community visioning and identification of task oriented strategies improves fiscal and program efficiency, and opportunities for future generations. Loudon County faces a challenge over the next few years as it seeks to manage growth and improve the quality of life, protect natural and cultural resources and enhance economic conditions. Determining the direction Loudon County takes in the future will help in responsibly allocating resources and improving the delivery of public services and programs. This can be accomplished by providing to those in decision making positions, the most accurate information which you need in order to make sound decisions. Critical to the program is understanding the interrelationship between physical growth and fiscal policy.

Specifically, I am requesting that the commission endorse the program, allocate funds in the '94 - '95 budget and schedule a date in October for the program. The October time frame will give those working on the program the opportunity to assemble the necessary background information, secure the services of a trained professional facilitator, and locate a facility for the two day session.





STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
NASHVILLE, TENNESSEE 37243

May 18, 1994

Mr. George Miller  
County Executive  
100 River Road, #106  
Loudon, TN 37774

Dear Mr. Miller:

Now that the General Assembly has given final approval for the 1994-95 budget, I am pleased to inform you that the Litter Grant funds will be available for your county once again. The funding levels are the same as they were last year.

As you are aware, the amount required to be spent for litter prevention education must be increased by 5%. The exact amount, along with the allocated number of educational target areas that your grant is responsible for is indicated in the enclosed Litter Grant Contract. Please be reminded that it is imperative that you sign and return both copies of the contract to:

Ward Hopkins  
Tennessee Department of Transportation  
Highway Beautification  
Suite 400 James K. Polk Building  
Nashville, Tn. 37243-0333

After final Processing, you will be sent a signed copy and given a start-work order. It must be kept in mind that we need a copy of the Resolution from the County Court approving the program, a proposed budget, including a breakdown of proposed education costs and a description of the county's plan for litter abatement and education.

Effective 1 July 1994, a change in the procedure for submitting invoices to the Department for payment will be implemented in order to be in line with the accounting system utilized by all counties throughout the state. The basis of this system is the March 1994 Revision to the County Uniform Chart of Accounts. For those not familiar with this system, the uniform chart contains a series of function and object codes to be used to identify various expenditure and expense categories. There are two function codes in this system which are relevant to the Litter Grant Program. Function Number 55720 should be used

George Miller  
March 18, 1994  
Page 2

when submitting invoices for programs administered by the County Executive or Sheriff and 64000 when it is directed by the County Highway Department. The object codes which pertain to the Litter Grant Program are contained in the uniform chart that should be available at your county accounting department.

To assist us in tracking the required educational expenditures under the current contract when using this system, we are requesting that you add a capital letter representing a particular educational target area at the end of the object code when you submit the monthly invoice. This would include (S) for Student Education, (M) for Media Education, (G) for Governmental Education, (B) for Business Education and (P) for Public Education. Thus, if the Erie County Executive wanted to purchase a \$197.50 box of environmental coloring books for the local Kindergarten the invoice would include the following:

55720-430 (S) 4/5/95 \$197.50 Class instruction

In this instance 55720 would be the appropriate function code for a county executive directed litter program, 430 would be the appropriate object code for Kindergarten textbooks, (see Page 31 of the Uniform Chart) and (S) would indicate that the expenditure was for the Student Education target area. Subsequent items listed include the cost of the item purchased, the date it was acquired and a description of what it will be used for. Please remember that monthly status reports, receipts, and other documentation mentioned in the contract and past seminars should also be included. In submitting this material do not include additional funds that you receive from other sources. Invoices must reflect expenditures and associated costs incurred under the Litter Grant Contract only.

It is not anticipated that you will have any difficulty with the system once you have had an opportunity to use it. If you do have questions however, please do not hesitate to contact your local CTAS Office or me at (615) 741-2877.

Sincerely,

*Ward L. Hopkins*

Ward L. Hopkins  
Highway Beautification Office

cc: Ms. Ann Hammontree

Contract No. CHB339  
Project No. 53-500-4062-04

CONTRACT

BETWEEN

THE STATE OF TENNESSEE, DEPARTMENT OF TRANSPORTATION AND  
LOUDON COUNTY

THIS CONTRACT is made and entered into by and between the  
State of Tennessee, acting through its Department of  
Transportation, hereinafter referred to as the "Department", and  
Loudon County, hereinafter referred to as the "County".

WITNESSETH:

WHEREAS, pursuant to the provisions of Tennessee Code  
Annotated, Section 41-2-123, the Commissioner of Transportation  
is authorized to make grants to counties for the purpose of  
funding programs for the collection of litter and trash along  
county, state and interstate roads and highways; and

WHEREAS, pursuant to the provisions of Tennessee Code  
Annotated, Sections 57-5-201 and 67-4-402, proportions of the  
privilege taxes imposed by said sections are allocated to the  
highway fund for the purpose of funding programs for the  
prevention and collection of litter and trash and matters related  
thereto; and

WHEREAS, the County has submitted an application to the  
Department for the purpose of obtaining program funds for the  
prevention of the accumulation of litter and depositing of trash



and the collection of litter and trash along county, state, interstate roads and highways as described in said application, and

WHEREAS, said application has been approved by the Commissioner, and the parties want to enter into an agreement to provide the terms and conditions to govern the expenditure of program funds.

NOW, THEREFORE, in consideration of the premises, the parties agree that their respective obligations for administering the program for the prevention of the accumulation of litter and depositing of trash along county, state and interstate roads and highways and the collection of litter and trash from said roads and highways shall be as follows:

1. The County agrees that it will undertake its program for the prevention of the accumulation of litter and depositing of trash, and collection of litter and trash in accordance with its budget, attached hereto as "Exhibit A", which exhibit is hereby incorporated herein by reference.

2. The County agrees not to employ any elected official in carrying out the program.

3. The County agrees that not more than ten percent (10%) of the funds provided for herein shall be expended for the purpose of advertising or promoting the program, no part of such funds shall be used to purchase supplies, materials, or equipment displaying the name or likeness of the administrator of the program, or of any other individual. The County further agrees

that it will spend \$3,750.00 for litter prevention education under 3 of the following categories: Student Education (S); Public Education (P); Governmental Education (G); Media Education (M); and Business Education (B).

4. It is understood by the County that if accomplishment of the program includes use of labor by prisoners, it will use those sentenced to the county workhouse. The County may require such labor pursuant to the provisions of T.C.A., Section 41-2-149.

5. It is understood by the County that the maximum amount of compensation subject to being paid to the County as reimbursement shall not exceed the sum of \$24,903.00.

6. The term of this Contract shall be from July 1, 1994 through June 30, 1995.

7. The County agrees to provide monthly invoices reflecting actual costs incurred subject to the cost limitation set forth in Provision No. 5. The monthly invoice shall set forth in detail the amount expended pursuant to the budget, be supported by receipted bills and payroll time sheets, contain a notarized statement relating to accuracy, be accompanied by a progress report describing accomplishments and problems encountered during the month and work anticipated during the subsequent month, and be submitted in triplicate. The invoice will be in accordance with the March 1994 County Uniform Chart of Accounts, including the utilization of Function Code 55720 if the program will be administered by the County Executive or Sheriff, or 64000 if administered by the County Highway Department. It is understood by the County that they will also use object codes contained in

said chart of accounts and letter codes contained in parenthesis following each litter prevention education category listed in Section 3 of this contract. This monthly invoice shall be submitted to the Department's Highway Beautification Office, Suite 400, James K. Polk Building, Nashville, TN 37243-0333, within ten (10) days following the end of each month.

8. The Department agrees to honor all invoices for reimbursement of costs provided the County is complying with its obligations provided for in "Exhibit A". The Department will pay actual operating costs for any vehicles and other mobile equipment used in accomplishing program work, but not to exceed the amounts set forth in the Rental Rate Blue Book for Construction Equipment.

9. The County agrees to comply with applicable requirements of the Manual on Uniform Traffic Control Devices for Streets and Highways.

10. The County agrees to require persons working on or adjacent to the highway right-of-way to wear safety colored vests.

11. The County agrees to use competitive bidding procedures in the procurement of goods, materials, supplies, equipment or services.

12. The County agrees to be responsible for the accountability, management, and inventory of all property acquired in whole or in part with funds provided hereunder.



13. The performance and effectiveness of the County in accomplishing the work shall be subject to quarterly review by Department officials.

14. If the County fails to fulfill in a timely and proper manner its obligations under this Contract, or if the County shall violate any of its terms, the Department shall have the right to immediately terminate this Contract and shall have no further obligation for payment in excess of fair reimbursement as compensation for work completed.

15. This Contract may be modified only by written amendment executed by all parties hereto.

16. No person on the ground of handicap, race, color, religion, sex or natural origin, will be excluded from participation in, or be denied the benefits of, or be otherwise subjected to discrimination in the performance of this Contract, or in the employment practices of the County. The County agrees, upon request, to show proof of such nondiscrimination, and to post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

17. This Contract may be terminated by either party, without cause being assigned, by giving written notice to the other at least thirty (30) days before the effective date of termination. In that event the County shall be entitled to receive fair reimbursement as compensation for any satisfactory authorized work completed as of the termination date.

18. The County agrees to maintain documentation for all charges against the Department under this Contract. The books,

records and documents of the County related to work performed or money received under this Contract, shall be maintained for a period of three (3) full years from the date of the final payment, and shall be subject to audit, at any reasonable time and upon reasonable notice by the Department, the Comptroller of the Treasury, or their duly appointed representatives. The records shall be maintained in accordance with generally accepted accounting principles and at no less than those recommended in the accounting Manual for Recipients of Grant Funds in Tennessee, published by the Comptroller of the Treasury, State of Tennessee.

19. This Contract is in implementation of T.C.A., Section 41-2-123(c) to fund the County's program for the collection of litter and trash along county, state and interstate roads and highways and for no other purpose. The County understands that it shall have full control of and liability for all work activities provided for as an independent contractor and not as an agent of the Department

20. The County agrees not to assign or sublet any interest in this Contract.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their duly authorized representatives on this the \_\_\_\_\_ day of \_\_\_\_\_, 1994.

LOUDON COUNTY

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION

BY: \_\_\_\_\_  
Carl Johnson  
Commissioner

Certified as the legal  
obligation of the  
County.

BY: \_\_\_\_\_  
County Attorney

APPROVED

BY: Henry H. Buckner, Jr.  
Henry H. Buckner, Jr.  
Department Attorney