

A Public Hearing was held at the Loudon County Courthouse on August 31, 1994 @ 6:00 P.M. for the purpose of:

Rezoning of property on Ritchey Road and Watts Cemetary Road, Tax 64, Parcels 13.01 and 13.03 from A-2, Rural Residential to C-2, General Commercial. Recommendation by planning commission was unanimous to deny request. There being no further comment, the Public Hearing closed.

Be it remembered that the Loudon County Legislative Body met in Regular Session on August 31, 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 tp the Flag and presented Rachel Wilson, who gave the Invocation.

On Roll Call, the following were present:

Bledsoe	Williams	Maples
Millsaps	Park	Price
Masingo	Twiggs	Gilbert

AUGUST 1st,
1994
MINUTES
APPROVED

It was moved by Commissioner Williams and seconded by Commissioner Price that the August 1, 1994 minutes be approved. The vote was unanimous.

RECOMMEND-
ATIONS FOR
COURTHOUSE
ANNEX AND
BREWER
PROPERTY
APPROVED

Loudon County Planning Commissioner Patrick Phillips presented the recommendations from the Loudon Courthouse Annex Committee on site for building and plans for the Brewer House on Poplar Street. It was moved by Commissioner Williams and seconded by Commissioner Twiggs to accept recommendations from the committee. It was then moved by Commissioner Millsaps and seconded by Commissioner Twiggs to amend the motion to make a study for a basement. On Roll Call, the vote was unanimous. It was moved by Commissioner Williams and seconded by Commissioner Twiggs that plans for the Brewer House on Poplar Street be approved. On Roll Call, the vote was unanimous and it is attached hereto as Resolution No. 31-94 Exhibit A.

COMM. TWIGGS
AMENDS
MOTION FOR
STUDY OF
BASEMENT TO
COURTHOUSE
ANNEX

It was moved by Commissioner Twiggs to amend the motion to make a study for a Basement. On Roll Call, the vote was unanimous and it is attached hereto as Resolution No. 31A-94 Exhibit B.

LOUDON COUNTY
SCHOOL
SYSTEM
UPDATED

Hank McGee presented an update for the Loudon County School System on behalf of the Commission:

- (1) Able to meet the 5 year goals funded by the Commission
- (2) Comes in the school helping kids
- (3) New bus contract for 4 years.

This done all because children are our future.

RESOLUTION
APPROVING
CAPITAL
EXPENDITURE
BY THE TASS
FOR WATERLINE
IMPROVEMENTS
IN THE TRDA
INDUSTRIAL
PARK

After much discussion by Commissioner Park, it was moved by Commissioner Price and seconded by Commissioner Twiggs that a Resolution approving Capital Expenditure by the Tellico Area Services System For Water Line Improvements in the TRDA Industrial Park be approved. On Roll Call, the vote was 8 to 1 in favor with Commissioner Park voting against it. The Resolution is attached hereto as Resolution No. 33-94 Exhibit C.

LOUDON COUNTY
BUDGET APPROVED
FOR 1994-1995.

Loudon County Director of Accounts, Nancy Richesin presented the Budget for July 1, 1994 and ending June 30, 1995. Commissioner Maples requested that Building Inspector, Doug Lawrence's raise be reduced to 4% as others. On Roll Call, the vote was 6 to 3 in favor of Amendment. Those voting against it were Commissioner Millsaps, Park and Twiggs. On Roll Call, to Accept a Resolution Making Appropriations For The Various Funds, Department's and Institution Officers and Agencies of Loudon County, Tennessee, For The Year Beginning July 1, 1994 and Ending June 30, 1995. The vote was unanimous and it is attached hereto as Resolution No. 34-94 Exhibit D.

REQUEST FROM
LOUDON COUNTY
UTILITY BOARD
TO USE COUNTY
ROAD RIGHT-OF-
WAY IN PINEY
AREA APPROVED.

It was moved by Commissioner Williams and seconded by Commissioner Price that a request from Loudon Utility Board to use County Road right-of-way in Piney area be approved. The vote was unanimous.

RESOLUTION
TO APPROVE
NATURAL GAS
DELIVERY
POINT APPROVED

It was moved by Commissioner Williams and seconded by Commissioner Price that a Resolution Consenting To the Construction of a New Natural Gas Delivery Point on Steekee School Road and Extensions of the Natural Gas Distribution System by Loudon Utilities and the City of Loudon Outside the City Limits Within Portions of Loudon County be approved. The vote was unanimous and is attached hereto as Resolution No. 34A-94.

COUNTY BUILD-
ING COMM.
REPORTS

County Building Commissioner's report by Doug Lawrence as follows:

Permits-----	73	Value----	\$3,036,000.00
Fees	\$ 5,317.00	Taxes	\$18,975.00

NOTARIES
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Park that the Election of Notaries be approved. The vote was unanimous and they are: R. Gene Perkins, Janie P. Nagle, Deborah S. Hicks, Tracy L. Young, Walter F. Emmons, Jeanne A. Darnell, Sue W. White, Tammie K. Park, Glenn L. Hall.

There being no further business, Court Adjourned at 7:15 P.M.

County Executive

County Court Clerk

RESOLUTION NO. 31-94

**A RESOLUTION AFFIRMING THE RECOMMENDATION ON THE LOCATION OF
THE COURTHOUSE ANNEX PROPOSED FOR LOCATION ON POPLAR STREET AND
CEDAR STREET**

WHEREAS, funds have been appropriated for the construction of a courthouse annex to serve certain county offices currently residing in the courthouse, and

WHEREAS, the construction of new office facilities is necessary in order to serve the present and future needs of the community, and

WHEREAS, public concern over the encroachment of the annex onto the courthouse square initiated the formation of a committee to review the proposed site and to recommend a suitable location for the annex building, and

WHEREAS, prior to arriving at a recommendation, the committee sought public comment and consultation with the project architect.

NOW THEREFORE BE IT RESOLVED that the Loudon County Commission does hereby accept the recommendation of the courthouse annex committee as follows:

- The annex be located on the corner of Cedar Street and Poplar Street which will avoid any encroachment into the courthouse square nor require the closure of Poplar Street.
- A master plan be developed, collectively with the City of Loudon, to determine the future office space needs of both governments encompassing the area from Poplar Street east to the river.
- The disposition of the Brewer House is left to the discretion of the County Commission since attempts to preserve the structure are no longer an interest of the Heritage Association.

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

County Executive

County Court Clerk

Date

Ex Libit. A

Pat Phillips

RESOLUTION

31^A-94

A RESOLUTION PURSUANT TO TENNESSEE CODE ANNOTATED AMENDING
THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE, ARTICLE 4
SECTION 4.030. TEMPORARY USE REGULATIONS

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, certain necessary or seasonal uses are permitted within the zoning resolution and are permitted to erect temporary structures within the limits of the regulations, and

WHEREAS, the Loudon County Board of Zoning Appeals has interpreted that uses of a similar nature, though not specifically stated, are temporary and are permitted subject to the same provisions of the uses stated, and

WHEREAS, the proliferation of permits for temporary uses and structures have created conflicts with adjacent land use which have decreased the effectiveness of the county's land use regulations, since such uses are not required to comply with the provisions of the zoning resolution

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 4, Supplementary Provisions Applying to Specific Districts, section 4.030. Temporary use regulations be amended as follows:

Section 1. That section 4.030 be amended by amending the last sentence of the first paragraph as follows: *The following temporary uses are all-inclusive and shall be subject to the specific regulations and time limits which follow and to the regulations of any district in which such use is located:*

Section 2. That section 4.030 c. Temporary buildings be amended by adding the following sentence to the end of the paragraph: *In any commercial district a temporary permit may be issued for a temporary structure if said structure is used as an accessory use in conjunction with a permanent business. The structures shall comply with all setback provisions of the district. Permits shall be restricted to not more than two (2) times during the calendar year for periods not to exceed thirty (30) days each.*

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

ATTEST

COUNTY EXECUTIVE

August 31, 1994
DATE

Exhibit B

LOUDON COUNTY COMMISSION

RESOLUTION NO. 33-94

RESOLUTION APPROVING CAPITAL EXPENDITURE BY THE
TELLICO AREA SERVICES SYSTEM FOR WATER LINE
IMPROVEMENTS IN THE TRDA INDUSTRIAL PARK

WHEREAS, the Tellico Reservoir Development Agency (TRDA) has a substantial number of acres designated for industrial use located primarily in Monroe County, the said agency having been in the process of industrial development over a period of years wherein TRDA has constructed a main water line to the first part of the development of the Industrial Park, and has granted that water line to the Tellico Area Services System (TASS); and

WHEREAS, TRDA now has the possibility of a major new industry which would involve a new section of the industrial property which does not have infrastructure, including utilities, etc., and TRDA will have a substantial up-front cost in providing utilities, railroad line extensions, roadways, etc., to develop a new section of the industrial park, and is in need of financial assistance to accomplish these improvements; and

WHEREAS, Loudon County and TASS have been approached, along with others, to assist in the preparation of this new section of the industrial park, comprising more than seventy (70) acres, for future industrial development, which will provide additional taxes to the governments involved and potential water sales to the water system, etc.; and

WHEREAS, the projected cost of providing the additional water line extensions necessary is in the neighborhood of Seventy Thousand Dollars (\$70,000.00); and

WHEREAS, in its early years, TASS was unable to pay the principal and interest on the construction bonds because the system was constructed for a large TVA development (Timberlake), which was postponed and never actually constructed as planned, and Loudon County and Monroe County, as joint owners of TASS, had to subsidize the payment of the bonds during this period of time; and

WHEREAS, the balance of the indebtedness advanced by Monroe County to TASS now is in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00), and in addition to the balance due on its construction bonds, TASS has a significant new indebtedness coming in the near future in the cost of relocation of a significant portion of its main water lines as a part of the widening of U.S. Highway 411; and

WHEREAS, TASS, in making major water line extensions in Monroe County and to the Red Ridge Landfill extension, and in Loudon County in the Greenback/Glendale/Fort Loudoun Dam extension, has been given credit against the indebtedness owed to the two counties in exchange for cash advances to finance those projects, and the present extension into the new TRDA Industrial Park addition falls in the same category of improvements; and

WHEREAS, the TASS Board of Commissioners has authorized the payment of a cash payment of Seventy Thousand Dollars (\$70,000.00) to help finance the cost of infrastructure improvements in the new section of the TRDA Industrial Park, subject to the approval of the Loudon County and Monroe County Commissions, and subject to credit being given on the indebtedness owed by TASS to Monroe County, the new water line facilities then to become a part of TASS, to be operated by TASS; and

WHEREAS, this project would appear to have a favorable significant future impact upon TASS and the provision of water services and revenue which should come from those services;

Ex. Lit. C

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this ____ day of ____, 1994, that the proposed new TASS line extension into the new section of the TRDA Industrial Park, and the capital expenditure of Seventy Thousand Dollars (\$70,000.00) is hereby approved, it being specifically understood that TASS will pay to Monroe County Seventy Thousand Dollars (\$70,000.00), which will be its contribution toward whatever expense is incurred by Monroe County in its commitment to assist and participate with TRDA in this industrial park extension in the provision of substructure items as a part of the project, it being further specifically understood that the Loudon County government incurs no financial responsibility as a part of this project, and that TASS shall be given credit in the amount of Seventy Thousand Dollars (\$70,000.00) on the present indebtedness owed by it to Monroe County, leaving the balance owed to Monroe County as of the date of this resolution, and after payment of the \$70,000.00, as Eighty Thousand Dollars (\$80,000.00).

BE IT FURTHER RESOLVED, that upon payment of the Seventy Thousand Dollars (\$70,000.00) to Monroe County, when taken into consideration in reference to the payment schedule effective after the Red Ridge Landfill advance and the new advance, the next Ten Thousand Dollar (\$10,000.00) annual payment owed by TASS on the Eighty Thousand Dollar (\$80,000.00) balance, shall be during the fiscal year ending in 2003.

BE IT FURTHER RESOLVED, that this resolution shall take effect upon adoption by the Loudon County Commission, the public welfare requiring it.

CHAIRMAN

APPROVED:

COUNTY EXECUTIVE

ATTEST:

COUNTY CLERK

200

A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,
DEPARTMENTS, INSTITUTIONS OFFICES AND AGENCIES OF
LOUDON COUNTY, TENNESSEE, FOR THE
YEAR BEGINNING JULY 1, 1994 AND ENDING JUNE 30, 1995

RESOLUTION NUMBER 34-94

SECTION 1. BE IT RESOLVED by the Board of County Commissioners of Loudon County, Tennessee, assembled in regular session on the 31st day of August, 1994, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Loudon County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the year beginning July 1, 1994 and ending June 30, 1995, according to the following schedule:

GENERAL FUND

County General Fund	\$5,305,361	
Motion By: Park Seconded By: Twiggs		Vote on Roll Call Unanimous
General Purpose School	\$16,357,161	
Motion By: Park Seconded By: Price		Vote on Roll Call Unanimous
School Federal Program	\$692,810	
Motion By: Twiggs Seconded By: Price		Vote on Roll Call Unanimous
Highway Fund	\$1,957,494	
Motion : Twiggs Seconded By: Price		Vote on Roll Call Unanimous
General Debt Fund	\$2,400,000	
Motion: Price Seconded By: Twiggs		Vote on Roll Call Unanimous
Rural School Fund	\$800,000	
Motion: Park Seconded By: Maples		Vote on Roll Call Unanimous
Law Library	\$5,000	
Motion: Twiggs Seconded By: Price		Vote on Roll Call Unanimous
Lenoir City Schools	\$1,800,000	
Motion: Price Seconded BY: Maples		Vote on Roll Call Unanimous

E. H. H. D.

201

SECTION 2. BE IT FURTHER RESOLVED, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and the Sheriff and their officially authorized deputies and assistants may severally be entitled to receive under State laws heretofore or hereafter enacted. Expenditures out of commissions, and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register and the Sheriff may be made for such purposes and in such amount as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the Trustee and converted into the General Fund as provided by law.

BE IT FURTHER RESOLVED, that if any fee officials, as enumerated in Section 8-22-101, T.C.A., operate under provisions of Section 8-22-104, T.C.A., provisions of the preceding paragraph shall not apply to those particular officials

SECTION 3. BE IT FURTHER RESOLVED, that any amendment to the budget shall be approved as provided in Section 5-9-407, T.C.A.

One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED, that any appropriations made by this resolution which cover the same purpose for which specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. the salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amount authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures of any office, agency, institution, division or department for the year ending June 30, 1995. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissions providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the year in which the expenditure is to be made, to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by Section 9-21-403, T.C.A.

SECTION 6. BE IT FURTHER RESOLVED, that the County Executive and County Clerk are hereby authorized to borrow money on revenue anticipation notes, provided such notes are first approved by the Director of Local Finance, to pay for the expenses herein authorized until the taxes and other revenue for the year 1994 - 95 have been collected. The proceeds of loans for each individual fund shall not exceed 60% of the appropriation of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which the money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable section of Title 9, Chapter 21, Tennessee Code Annotated. Said notes shall be signed by the County Executive and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 1995.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 1993 and prior years and the interest and penalty thereon collected during the year ending June 30, 1995 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 1993. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the year shall lapse, and be of no further effect at the end of the year at June 30, 1995.

SECTION 9. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which has heretofore been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 10. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 1994. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 31st day of August, 1994.

LOUDON COUNTY COMMISSION

RESOLUTION NO. 34A-94

RESOLUTION CONSENTING TO THE CONSTRUCTION OF A NEW
NATURAL GAS DELIVERY POINT ON STEEKEE SCHOOL ROAD AND
EXTENSIONS OF THE NATURAL GAS DISTRIBUTION SYSTEM BY LOUDON
UTILITIES AND THE CITY OF LOUDON OUTSIDE THE CITY LIMITS
WITHIN PORTIONS OF LOUDON COUNTY

WHEREAS, Loudon Utilities and the City of Loudon have received requests from county residents for natural gas services; and

WHEREAS, in order to provide the requested service it would be necessary to extend natural gas facilities into unincorporated areas of Loudon County; and

WHEREAS, the Loudon Utility Board commissioned a study by Heath and Associates to determine the best method for extending natural gas service to certain portions of Loudon County; and

WHEREAS, studies and investigations by the Loudon Utility Board with the advice of consulting engineers have stated the site which most adequately meets the requirement for the construction of a new natural gas delivery point lies solely within Loudon County and outside the city limits of the City of Loudon; and

WHEREAS, the said gas delivery point will be located on property located where the East Tennessee natural gas line crosses the Ellis Goble property on the Steekee School Road, and the gas distribution system will be located outside the Cooper Communities boundary lines and in the Piney, Philadelphia and Corinth communities or areas of Loudon County; and

WHEREAS, it is the sense of the County Commission that the construction of the natural gas delivery point and gas distribution system is for the betterment of Loudon County.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled on the 31st day of August, 1994, that consent for the construction of a natural gas delivery point and a natural gas delivery system outside the city limits of Loudon as outlined herein be granted to the City of Loudon and the Loudon Utility Board, all as provided for and authorized under T.C.A. 65-22-103, and any other pertinent statutory provisions.

BE IT FURTHER RESOLVED, that the said Loudon Utilities Board, its successors and assigns, as a condition for the granting of this permission, shall lay, construct, and maintain all gas mains, service lines, fixtures, facilities, and other appliances with the most acceptable engineering practices and in full accord with all applicable engineering codes adopted or approved by the natural gas distribution industry and/or engineering profession, and in accordance with any applicable Statutes of the State of Tennessee and the Rules and Regulations or of any other governmental regulatory commission, board or agency having jurisdiction over LUB;

BE IT FURTHER RESOLVED that, additionally, LUB shall be responsible for all damages, claims, or obligations arising out of its use of said rights-of-ways, including arising from the construction and maintenance of any of its facilities, and otherwise, and shall hold Loudon County, its officials, employees and agents harmless in this regard. LUB shall repair expeditiously any damages to said roads occasioned by the placing or maintenance of its facilities in said rights-of-way to the same condition as said roads were prior to the commencement of said work; and

BE IT FURTHER RESOLVED that Loudon Utilities Board shall hold Loudon County, Tennessee, and its officials, employees and agents, harmless from all liability to Loudon Utilities Board for damage to the company's lines of transmission, equipment or other property, arising out of the County's maintenance of all roads and rights-of-ways under its jurisdiction, unless such negligence is of a gross nature as defined under Tennessee law.

BE IT FURTHER RESOLVED that the Loudon Utilities Board and the City of Loudon by acceptance of this resolution agree to follow the rules and regulations of the Loudon County Highway Department in the construction and maintenance of the natural gas lines and facilities, and to abide by the regulations of the Loudon County Highway Department, including the giving of reasonable notice to the County Highway Superintendent before undertaking any project involving the County roads.

BE IT FURTHER RESOLVED that by the passing of this resolution, Loudon County shall have no financial obligation for this project.

CHAIRMAN

APPROVED:

COUNTY EXECUTIVE

ATTEST:

COUNTY CLERK

PREPARED BY:

COUNTY ATTORNEY