

PUBLIC HEARING-COUNTY COMMISSION MEETING

DECEMBER 5, 1994

Amendments To Zoning Resolutions (and comments concerning them.)
Rezone Property on Richey Road
Rezone property on Roberson Springs Road and Holt Drive
(Comments)
Rezone property at 15222, Highway 70E

CALL TO ORDER (Call to Order, Invocation, Roll Call)

READING AND ACCEPTANCE OF MINUTES (December 5, 1994)
Amendment of Minutes (Comm. Duff and Bivens)

1. No Visitors Comments
2. Nomination and confirmation of appointment of Mr. Richmond Kennedy to fill constable vacancy in District 2.
3. Report concerning selection and confirmation of name from Courthouse Annex Committee.
4. Appointment of Commissioner Bivens and Mr. Sidney Mayes to the Loudon County Solid Waste Disposal Commission.
5. Appointment of Mr. Bobby Lewis to the E-911 Board.
6. Appointment of Commissioner Ledbetter to the Loudon County Chamber of Commerce.
7. Permission from Commission to draft Resolution withholding money from State of Tennessee for new National Guard Armory.
8. Resolution to correct County Commission Meeting of Sept. 13, 1994 Re: Solid Waste 10 Year Plan.
9. Appointment of Committee to study possibility of scheduling a City/County Conference.
10. Nancy Richesin--No additional recommendations from Budget Committee.
11. Attorney Sproul--report on resolved lawsuit involving County.
12. Building Commissioner--Doug Lawrence's report
13. Mr. Pat Phillips reports on:
Amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Richey Road referenced by Tax Map 64, Parcels 13.03 and 13.04, from A-2, Rural Residential, to O-1, Office Professional.
14. Consideration of amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Roberson Springs Road and Holt Drive referenced by Tax Map 52, Parcel 4.01, and Tax Map 43-M, Parcel 19, from A-2, Rural Residential, to R-1, ~~Suburban~~ Residential and to include the R-E, Single Family Exclusive Overlay.
15. Consideration of amendment to the Zoning Regulations of Loudon County, Tennessee, to rezone property at 15222 Hwy 70E, referenced by Tax Map 8, Part of Parcel 45, from R-1, Suburban Residential to C-2, General Commercial.
(Recommended by the Lenoir City Planning Commission and County Regional Planning Commission to rezone to O-1, Office Professional.)

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16. Don Palmer, Road Commissioner--Closing of 240 Ft.--Huffs Ferry Road.
17. Howard Luttrell--Purchasing Agent--Report on Sound System.
18. Doug Berry--Industrial Dev.--Approval to sale 2.1 acres at Blair Bend Industrial Park to Lockhart Aluminum.
19. Permission to move zoning issues to beginning of agenda.
20. Moving of Jan. 2, 1995, County Commission Meeting to Jan. 9, 1995.
21. Bond Applications
22. Notary approvals
23. Adjournment

PUBLIC HEARING
COUNTY COMMISSION MEETING

DECEMBER 5, 1994

A Public Hearing was held at the Loudon County Courthouse on December 5, 1994, 7:00 P.M. for the purpose of:

AMEND. TO
ZONING RES.
RICHEY RD.

Amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Ritchey Road referenced by Tax Map 54, Parcels 13.03 and 13.04 from A-2, Rural Residential, to 0-1, Office Professional. There was no comment on this issue.

AMEND. TO
ZONING RES.
ROBERSON SP.
RD. & HOLT D.

Amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Roberson Springs Road and Holt Drive referenced by Tax Map 52, Parcel 4.01, and Tax Map 43-M, Parcel 19, from A-2, Rural Residential, to R-1, Suburban Residential.

COMMENTS-
CITIZENS
ABOVE ZONING
CHANGES
(ROBERSON SP.
& HOLT DR.

Mr. C. Downey, developer, and Mr. Ward of M.J. Ward and Assoc. both addressed the Commission to speak in favor of the proposed Amendment to the Zoning Resolution. Mr. Downey assured homeowners in the area that houses would be of at least 1400 square feet and told of other amenities that would be provided by the developer. Mr. Ward assured property owners that sewer service, size of homes, traffic problems had been addressed by the developers. He discussed potential water problems (water run-off) and assured property owners that the problem has been addressed.

Mr. Rick Snider, Mr. Ted Sitzler, Ms. Terry Snider and Mr. Terry Barnes addressed the Commission with their concerns about: downsizing of lots, water runoff problems, potential road congestion, size of homes in relation to lot size, and other concerns that would result if the zoning regulations are amended.

AMEND. TO
ZONING RES.
15222 HWY.
70 E.

Amendment to the Zoning Regulations of Loudon County, Tennessee, to rezone property at 15222 Hwy 70E, referenced by Tax Map 8, Part of Parcel 45, from R-1, Suburban Residential to C-2, General Commercial.

COMMENTS-
CITIZEN ON
ABOVE

Mr. John Marius, owner of the property, addressed the Commission to explain that at this time the property was rezoned residential but he would like to have it changed for future development plans. He stated the notice to rezone had been posted since October 1994, with no objection from anyone.

PUB. HEAR.
ADJORNED

There being no one else wishing to speak, the Public Hearing was adjourned.

COUNTY COMMISSION MEETING

Be it remembered that the Loudon County Legislative Body met in regular session on December 5, 1994 with the Chairman, Roy Bledsoe presiding, County Court Clerk, Riley D. Wampler, and County Executive, George M. Miller were present whereupon Sheriff Tim Guider opened Court, led the pledge of Allegiance to the Flag and presented Mr. Jim Akins who gave the Invocation.

On Roll Call the following Commissioners were present:

Bledsoe
Bivins
Randolph

Maples
Ledbetter
Masingo

Park
Duff
Twiggs

AMENDMENT OF
MINUTES-CO.
COMM. MEET.
11-7-94

The minutes of November 7, 1994 were adopted with the following amendments: Commissioner Duff requested the minutes reflect, on initial Roll Call of the Commissioners, that he was present. Commissioner Bivens asked that the minutes be amended to show that she had objected to a vote being taken before a public hearing was held on the removal of the Flowage Easement at Sugar Limb Industrial Park. She also requested that it be noted that Attorney Sproul stated that the land could not be sold without County Commission approval.

(1)
NO CIT. SPEAK

No citizens wished to address the Commission.

(2)
CONFIRM. OF
R. KENNEDY TO
CONSTABLE -
DIST. 2

Mr. George Miller, County Executive, announced that there was a vacancy in the office of Constable from the second Legislative District (due to the resignation of Mr. Tony McCarrell). He asked the Commissioners if anyone had a candidate's name that they would like to submit. Commissioner Ledbetter stated that she would like the Commission to consider appointing Mr. Richmond Kennedy to fill the vacancy, and made that motion with Commissioner Maples seconding the motion. There being no further nominations, the vote was taken with all commissioners voting in favor.

(3)
COURTHOUSE
ANNEX NAME
SELECTION

Mr. Miller then requested a report from the committee appointed to recommend a name for the new courthouse annex. Commissioner Maples, Chairperson, (Commissioners Park and Twiggs also served on the Committee) reported the name the Committee suggests is "Loudon County Courthouse Annex". Commissioner Maples made the motion to accept the name selected, with Commissioner Park seconding the motion. The results of a roll call vote being:

Bivins	Yes	Park	Yes	Masingo	No
Randolph	No	Twiggs	No	Bledsoe	Yes
Maples	Yes	Ledbetter	Yes	Duff	Yes

Motion carried: Yes--6 No--3

(4)
APPT. OF
COMM. BIVENS
AND SIDNEY
MAYES TO
SOLID WASTE
DISPOSAL
COMMISSION

Mr. Miller requested the Commission consider two appointments to the Loudon County Solid Waste Disposal Commission, one created by the resignation of Mr. Frank Kamel. Mr. Miller suggested the Commission consider his nomination of Commissioner Twiggs (Mr. Twiggs had earlier resigned his position on the Solid Waste Commission--as a County Commission representative.) After much discussion Mr. Miller agreed, if it be the wish of the Commission, to submit another name. He presented the name of Mr. Sidney Mayes for their consideration(a citizen from district five). Commissioner Twiggs made the motion that he be approved, with a second from Commissioner Maples. The result of the roll call vote to appoint Mr. Mayes was:

Randolph	No	Bledsoe	Yes	Park	Yes
Bivens	No	Maples	Yes	Duff	Yes
Ledbetter	Yes	Masingo	Yes	Twiggs	Yes

Mr. Miller nominated Commissioner Randolph to fill the unexpired term of Commissioner Twiggs. Commissioner Randolph declined the appointment, at the present time. Commissioner Twiggs suggested to the Commission that Commissioner Bivens be appointed, and made that motion, which was seconded by Commissioner Maples.

The results of a roll call vote:

Bivens	Yes	Ledbetter	Yes	Duff	Yes
Randolph	Yes	Masingo	Yes	Bledsoe	Yes
Maples	Yes	Park	No	Twiggs	Yes

Motion carried--8-Yes, 1 No.

Mr. Miller communicated to the Commission his concern that the appointment of Commissioner Bivens to this Committee should have, according to the intergovernmental agreement, been made by the County Executive. He agreed, since it was the apparent wish of the Commission to appoint Commissioner Bivens, that he was willing to nominate her for this position. Commissioner Twiggs made a motion that the Commission accept his recommendation with Commissioner Maples seconding the motion. All voted in favor.

Attached as Resolution# 125-94 Exh.# A.

(5)
APPT. OF
BOBBY LEWIS
TO E-911
BOARD

Mr. Miller appointed Mr. Bobby Lewis to the E-911 Board. He will be replacing Mr. Howard Luttrell. Commissioner Park made the motion that Mr. Lewis be accepted with Commissioner Maples adding a second to the motion. All voted in favor. Hereby attached as Resolution # 125-94, Exhibit # B.

(6)
APPT. OF
COMMISSIONER
LEDBETTER TO
CH. OF COMM.

The next item on the agenda was the appointment of Commissioner Ledbetter as the Commission Chamber of Commerce representative. She is replacing Commissioner Randolph (who had earlier declined the appointment). The motion that she be appointed was made by Commissioner Masingo, and seconded by Commissioner Park. All voted yes.

Hereby attached as Resolution # 125-94, Exhibit # C.

(7)
RES. TO
WITHHOLD
MONEY FROM
STATE FOR NEW
NAT. GUARD
ARMORY

The Commission agreed to draft a Resolution, to be attached to the minutes, concerning the new National Guard Armory. The Resolution would basically state Loudon County's position in withholding an amount sufficient to fund payment to Mr. Jim Miller, an environmental contractor. He was hired by the County to clean-up the fuel oil spill that occurred during construction. The resulting cleanup expense was approximately \$40,000. The County is withholding this amount from the \$150,000 they owe the State of Tennessee for the County's initial agreement of its contribution to the construction. Since the spill was due to the negligence of the contractor, the County feels justified in deducting those funds necessary to pay the cleanup contractor.

Commissioner Park made the motion that the County withhold funds (as per the Budget Committee's recommendation) for the cleanup cost and send the remainder of the money to State of Tennessee, and that a Resolution be drawn to state the Commission's position. The motion was seconded by Commissioner Duff. On roll call, all Commissioners voted in favor.

Randolph	Yes	Masingo	Yes	Park	Yes
Bivens	Yes	Bledsoe	Yes	Twiggs	Yes
Maples	Yes	Ledbetter	Yes	Duff	Yes

The above drafted Resolution is attached as # 125-94, Exhibit# D.

(8)
RES. TO CORR.
MINUTES OF
9-13-94- RE:
SOLID WASTE
10 YR. PLAN

Due to and error in the minutes of the September 13, 1994, County Commission Meeting, it was brought to the attention of the County Executive, that the minutes of the meeting stated the Solid Waste 10 Year Plan had been discussed rather than approved. The following Resolution was submitted, and a motion that it be accepted was made by Commissioner Twiggs with Commissioner Ledbetter seconding the motion. All voted in favor of the Resolution attached here as:

125-94, Exhibit E.

- (9) COMMITTEE FORMED TO STUDY CITY/CO. CONFERENCE Commissioner Park inquired as to the results of scheduling a City and County Conference. Mr. Miller appointed a committee comprised of: Commissioner Park (Chairman), and Commissioners Ledbetter and Randolph. Their duty is to discuss plans for a City/County Conference, and schedule a time it is to be held.
- (10) N. RICHESIN RE. Nancy Richesin, Director of Budget and Accounts, had no report for the Commission.
- (11) ATTY. SPROUL-REPORT ON CO. LAWSUIT Attorney Sproul informed the Commission that a lawsuit involving the Loudon County Board of Zoning Appeals, ongoing for approximately 3 years, (the suit involved zoning use regulations.) had been resolved. The property owners had corrected the problem.
- (12) D. LAWRENCE BLD. COMM. REPORT Doug Lawrence, Building Commissioner
Permits-----44 Fees-----\$3,331.00
Estimated value----\$1,763,000 New Taxes-----\$11,000.00
- (13) PHILLIPS-REZONING OF PROP. ON RICHEY RD. Pat Phillips, Director of Planning and Community Development---
Amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Richey Road referenced by Tax Map 64, Parcels 13.03 and 13.04, from A-2, Rural Residential, to 0-1, Office Professional. (Approved by the Loudon County Planning Commission.) Commissioner Duff moved that this be approved and Commissioner Bivens seconded the motion. All in favor. Attached as Resolution # 12-5-94, Exhibit # F.
- (14) REZONING OF PROPERTY AT ROBERSON SP. RD. & HOLT DR. Consideration of amendment to the Zoning Resolution of Loudon County, Tennessee, to rezone property on Roberson Springs Road and Holt Drive referenced by Tax Map 52, Parcel 4.01, and Tax Map 43-M, Parcel 19, from A-2, Rural Residential, to R-1, Suburban Residential and to include the R-E, Single Family Exclusive Overlay. (Unanimously approved by the Loudon City and Loudon County Planning Commissions.) Commissioner Bivens made the motion that the Resolution be accepted, it was seconded by Commissioner Twiggs. Roll call Vote:
Randolph No Ledbetter Yes Duff Yes
Bivens Yes Masingo Yes Park Yes
Maples No Bledsoe Yes Twiggs Yes
- Motion Carried--7--Yes 2--No
Resolution hereby attached as # 12-5-94, Exhibit# H
- (15) REZONING OF PROPERTY AT 15222 HWY. 70 E. Consideration of amendment to the Zoning Regulations of Loudon County, Tennessee, to rezone property at 15222 Hwy 70E, referenced by Tax Map 8, Part of Parcel 45, from R-1, Suburban Residential to C-2, General Commercial. (Recommended by the Lenoir City Planning Commission and County Regional Planning Commission to rezone to 0-1, Office Professional.) Commissioner Twiggs made the motion to accept the Resolution, with Commissioner Duff seconding the motion. All Commissioners voted in favor of the Resolution, which is attached as # 12-5-94, Exhibit# H.
- (16) RD. COMM.-PER. TO CLOSE 240 FT. HUFF FERRY RD. Road Commissioner, Mr. Don Palmer, asked the Commission to agree to close 240 feet at the end of Huffs Ferry Road. Commissioner Park made the motion and Commissioner Duff seconded it. All Commissioners voted in favor.

(17)
H. LUTTRELL
REP. ON
SOUND SYS.

Mr. Howard Luttrell, Purchasing Agent, informed the Commission that he is continuing to study the sound system, as previously requested by the Commission.

(18)
D. BERRY-
PER. TO SALE
2.1 ACRES AT
B.B. IND. P.
TO LOCKHART
ALUM.

Mr. Doug Berry, Industrial Developer, asked that the Commission approve the sale of 2.1 acres, and possible option on additional acreage at the Blair Bend Industrial Park. The land would be sold to Lockhart Aluminum. This company is a distributor of sheet aluminum. Commissioner Ledbetter made the motion the Commission approve the sale to this property with Commissioner Maples seconding the motion. All Commissioners voted in favor.

(19)
PER. TO MOVE
ZON. ISSUES

Commissioner Twiggs, for the convenience of citizens attending, asked if zoning issues be could be moved up on the agenda.

(20)
RESCH. JAN.
CO. COMM. M.

Mr. George Miller, County Executive, asked that the January 2, 1995 meeting of County Commission be moved to January 9, 1995. This motion was made by Commissioner Twiggs and seconded by Commissioner Ledbetter. All in favor.

(21)
BOND APP.

Commissioner Masingo made the motion these bond applications be accepted, seconded by Commissioner Park: All in favor.
Phyllis J. Brewster Lewis Moore

(22)
NOTARIES

Commissioner Masingo presented these motion these notaries be approved or renewed: Seconded by Commissioner Duff. All in favor.

Rhonda Courtney
R. Sonnenfeldt
Donna M. Leydorf

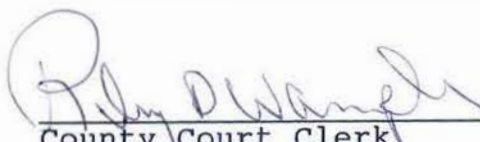
Eloise S. Jacob
Sheri C. Allen
Kristi D. Bolton

Glynis C Moore
Wanda F. Curtis

(23)
ADJORNMENT

Motion made by Commisioner Park seconded by Commissioner Randolph to adjorn.


County Executive


County Court Clerk

LOUDON COUNTY COMMISSION

RESOLUTION NO. 12-5-94 Ex = B

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:

EMERGENCY 9-1-1 BOARD

(Name of Committee or Board)

Appointee	Term Expiration
<u>Bobby Lewis (panel B)</u>	<u>2-5-96</u>
<u>(EMS Director)</u>	<u></u>

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 5th day of December 1994 hereby approves or acknowledges (as appropriate), the said appointment(s).

COUNTY CHAIRMAN

ATTEST:

APPROVED:


COUNTY CLERK


COUNTY EXECUTIVE

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

Appointee	Term Expiration
<u>Panel(A)</u>	
<u>Tim Guider(Sheriff)</u>	<u>2-5-95</u>
<u>Bill Grimes</u>	<u>2-5-95</u>
<u>Larry Horian</u>	<u>2-5-95</u>
<u>Panel (B)</u>	
<u>Earl Hall (LCPD)</u>	<u>2-5-96</u>
<u>David Denton</u>	<u>2-5-96</u>
<u>Panel (C)</u>	
<u>Rondall Branam</u>	<u>2-5-97</u>
<u>Ron Willis</u>	<u>2-5-97</u>
<u>John Parris</u>	<u>2-5-97</u>

Ex = B

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RESOLUTION NO.

12-5-94 Ent = C

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:

LOUDON COUNTY CHAMBER OF COMMERCE
(Name of Committee or Board)

Appointee

Term Expiration

Lee Eblen Ledbetter

~~83795~~

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 5th day of December 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:

Appointee

Term Expiration

see attachment

$$\Sigma \mu = C$$

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**1994 LOUDON COUNTY CHAMBER OF COMMERCE
BOARD OF DIRECTORS**

CATE, LARRY- VICE CHAIR
L C OFFICE SUPPLY
120 W. BROADWAY
LENOIR CITY, TN 37771
986-6388
1994

KIRBY, STEVE-TREASURER
KIRBY MANUFACTURING
P.O. BOX 483
LENOIR CITY, TN 37771
986-6102
1994

MORTON, MIKE
THE LOG CABIN
10058 HWY 72 NORTH
LOUDON, TN 37774
458-2465
1994

NICHOLS, GERRY
CIRCUIT COURT CLERK
P.O. BOX 160
LOUDON, TN 37774
458-2042
1994

BEATY, NANCY, SPECIAL EVENTS COUNCIL
FIRST CENTRAL BANK
P.O. BOX 230
LENOIR CITY, TN 37771
986-1300
1995

BEHM, SANDRA- EDUCATION COUNCIL
SANDY BEHM, CPA
P.O. BOX 504
LOUDON, TN 37774
458-3495
1995

MARTIN, BRUCE- SECRETARY
BRUCE MARTIN-STATE FARM INSURANCE
P.O. BOX 309
LENOIR CITY, TN 37771
986-6577
1995

MCGILL, JUDY- CHAIRMAN
IMAGES PUBLICATIONS
P.O. BOX 474
LOUDON, TN 37774
458-3580
1995

RENO, SHIRLEY
SMOKY DISTRIBUTING
710 W. FIRST AVE.
LENOIR CITY, TN 37771
986-6338
1995

HINTON, ROBERT- COMMUNITY DEVEL. COUNCIL
SPOUL & HINTON ATTORNEYS AT LAW
P.O. BOX 444
LENOIR CITY, TN 37771
986-8054
1996

LANE, WILMA
BUSINESS SOLUTIONS
P.O. BOX 1111
LENOIR CITY, TN 37771
988-6355
1996

LITTLETON, GRAYLING
FULL-LINE INSURANCE
P.O. BOX 169
LOUDON, TN 37774
458-2035
1996

SPURRIER, ART- MEMBERSHIP COUNCIL
RETIRED
311 CHUNILOTI CIRCLE
LOUDON, TN 37774
458-3628
1996

WRATHER, BOB- BUSINESS & ECONOMIC COUNCIL
THIRD NATIONAL BANK
P.O. BOX 160
LENOIR CITY, TN 37771
988-7220
1996

ANDERSON, ROBERT
GREENBACK REPRESENTATIVE
429 MCTEER ST
GREENBACK, TN 37742
856-3202
APPOINTED

AYERS-MORTON, KARI
LOUDON REPRESENTATIVE
P.O. BOX 413
LOUDON, TN 37774
458-4371
APPOINTED

CONNER, BABE
LENOIR CITY REPRESENTATIVE
P.O. BOX 445
LENOIR CITY, TN 37771
986-2715
APPOINTED

PRICE, JIM
COUNTY COMMISSION
P.O. BOX 61
LENOIR CITY, TN 37771
986-0072
APPOINTED

BAKER, BARRY
LOUDON CITY MANAGER
P.O. BOX 169
LOUDON, TN 37774
458-2033
EX-OFFICIO

BERRY, DOUG
LO. CO. INDUSTRIAL COMMITTEE OF 100
P.O. BOX 909
LOUDON, TN 37774
458-2067
EX-OFFICIO

EBLEN, CHARLES
MAYOR OF LENOIR CITY
P.O. BOX 445
LENOIR CITY, TN 37771
986-3552
EX-OFFICIO

LETTERMAN, SARAH
MAYOR OF PHILADELPHIA
701 SPRING STREET
PHILADELPHIA, TN 37846
458-5183
EX-OFFICIO

MILLER, GEORGE
COUNTY EXECUTIVE
100 RIVER ROAD, BOX 106
LOUDON, TN 37774
458-4664
EX-OFFICIO

PATRICK PHILLIPS
OFFICE OF PLANNING & COMMUNITY DEVEL.
274 BLAIR BEND DR.
LOUDON, TN 37774
458-3880
EX-OFFICIO

PEELER, TOM
MAYOR OF GREENBACK
P.O. BOX 40
GREENBACK, TN 37742
856-2224
EX-OFFICIO

ROBBY HALL
L.M.P.O.A.
P.O. BOX 909
LOUDON, TN 37774
458-9020
EX-OFFICIO

SWINEY, INKY
MAYOR OF LOUDON
101 HARRISON BEND
LOUDON, TN 37774
458-4666/8-2310
EX-OFFICIO

SPROUL, HARVEY. PAST CHAIRMAN
SPROUL & HINTON ATTORNEYS AT LAW
P.O. BOX 444
LENOIR CITY, TN 37771
986-8054
NOTERM

PURDY, JIM- TOURISM COUNCIL
PURDYBROS. TRUCKING
P.O. BOX 901
LOUDON, TN 37774
458-4842
NO-TERM

LOUDON COUNTY COMMISSION

RESOLUTION NO. 12-5-94 *Exh-D*

RESOLUTION DIRECTING COUNTY EXECUTIVE TO WITHHOLD A PORTION
OF THE NATIONAL GUARD ARMORY CONSTRUCTION PAYMENT

WHEREAS, Loudon County and the City of Lenoir City several years ago entered into an agreement for the construction of a new National Guard Armory in the Eatons Community of Loudon County, with Loudon County acting as agent in the project, and the Armory recently has been completed and dedicated; and

WHEREAS, Loudon County's responsibility (along with the City of Lenoir City), as a part of the agreement with the State of Tennessee, was to pay to the State of Tennessee as its part of the agreement One Hundred Fifty Thousand Dollars (\$150,000.00), and that payment now is due; and

WHEREAS, near the end of the construction, the contractor determined that there were heating fuel tanks located on the property unbeknownst to any of the parties, and it was the position of the National Guard Administration that the removal of these tanks was the responsibility of Loudon County (which had the responsibility of preparation of the site); and

WHEREAS, after notification by the National Guard as to finding the tanks, at the National Guard's instruction Loudon County was awaiting further instructions as to removal of the tanks; and

WHEREAS, heavy rains came, causing a kerosene spill at the site, apparently caused by the contractor's failure to properly reclose and/or supervise the tank or tanks that had been opened by the contractor, causing the tanks to fill with water, and allowing the toxic fuel to overflow and spread over the general area; and

WHEREAS, because of the emergency situation, Loudon County was forced to immediately locate an environmental contractor who cleaned up the toxic spill and at the same time went ahead to remove the tanks; and

WHEREAS, Loudon County has become directly responsible to the "clean-up" contractor, and has had to pay for the emergency

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cleanup and removal, resulting in a total bill of Forty Four Thousand Five Hundred Seventy-Five Dollars and Seventy-Three Cents (\$44,575.73), with the primary cost being involved the cleanup of the toxic spill, the removal of the tanks having cost Three Thousand Six Hundred Dollars (\$3,600.00) (the preparation of the site being the responsibility of Loudon County under the agreement with the Tennessee National Guard), the remaining part being caused by the apparent negligence of the contractor; and

WHEREAS, the County Commission feels that the money spent on the cleanup of the toxic spill was caused by the negligence of the construction contractor, and the amount expended for the cleanup should be deducted from the amount owed by Loudon County to the State;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular assembled this 5th day of December, 1994, that the County Executive is authorized to proceed with payment of Loudon County's portion of the construction contract for the new National Guard Armory at Eatons Crossroads, but that the County Executive is instructed to deduct from the amount being sent to the State that amount of funds that was incurred and expended by Loudon County in cleaning up the creeks and surrounding countryside involved in the toxic spill.

CHAIRMAN

APPROVED:

George M. Miller
COUNTY EXECUTIVE

ATTEST:

Billy Wampler
COUNTY CLERK

PREPARED BY:

Harvey Sprad
COUNTY ATTORNEY

$\Sigma H = D$

LOUDON COUNTY COMMISSION

RESOLUTION NO. 12-5-94 Expb = E

RESOLUTION CORRECTING MINUTES OF SEPTEMBER 13, 1994
COMMISSION MEETING PERTAINING TO APPROVAL OF SOLID WASTE
TEN-YEAR PLAN

WHEREAS, after considerable study and evaluation, the Loudon County Solid Waste Disposal Commission (LCSWDC) recommended to the Loudon County Commission that it adopt a ten year plan, and this was presented at the September meeting of the Loudon County Commission; and

WHEREAS, the minutes of that County Commission meeting, as approved, erroneously only indicates that the Solid Waste Ten-Year Plan was "discussed" and that a committee was appointed to make a study as to a "local approval" process, when in fact the action of the County Commission was to approve the plan.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 5th day of December, 1994, that the minutes of the September 13, 1994 County Commission meeting are hereby corrected, in reference to the ten-year solid waste plan, by deleting all the wording presently shown in the September minutes, and substituting the following:

Upon motion by Commissioner Twiggs, seconded by Commissioner Sarah Simpson Bivens, the Ten-Year Plan proposed by the Loudon County Solid Waste Disposal Commission, was adopted unanimously with an additional provision that a committee be formed to investigate the possibility of creating a local approval or recommendation process for any new applications for industrial or commercial waste streams that require State approval.

COUNTY CHAIRMAN

APPROVED:

George M. Miller
COUNTY EXECUTIVE

ATTEST:

R. D. W. W. W.
COUNTY CLERK

PREPARED BY:

James L. Spraul
COUNTY ATTORNEY

Expb = E

RESOLUTION

12-5-94 EHL = F

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 ON RITCHEY ROAD REFERENCED BY TAX MAP 64, PARCELS 13.03 AND 13.04, BE REZONED FROM A-2, RURAL RESIDENTIAL, TO O-1, OFFICE PROFESSIONAL

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 property on Ritchey Road referenced by Tax Map 64, Parcels 13.03 and 13.04, be rezoned from A-2, Rural Residential, to O-1, Office Professional, as represented on the attached map; said map being part of this resolution (located in the 4th Legislative District).

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


ATTEST


LOUDON COUNTY EXECUTIVE

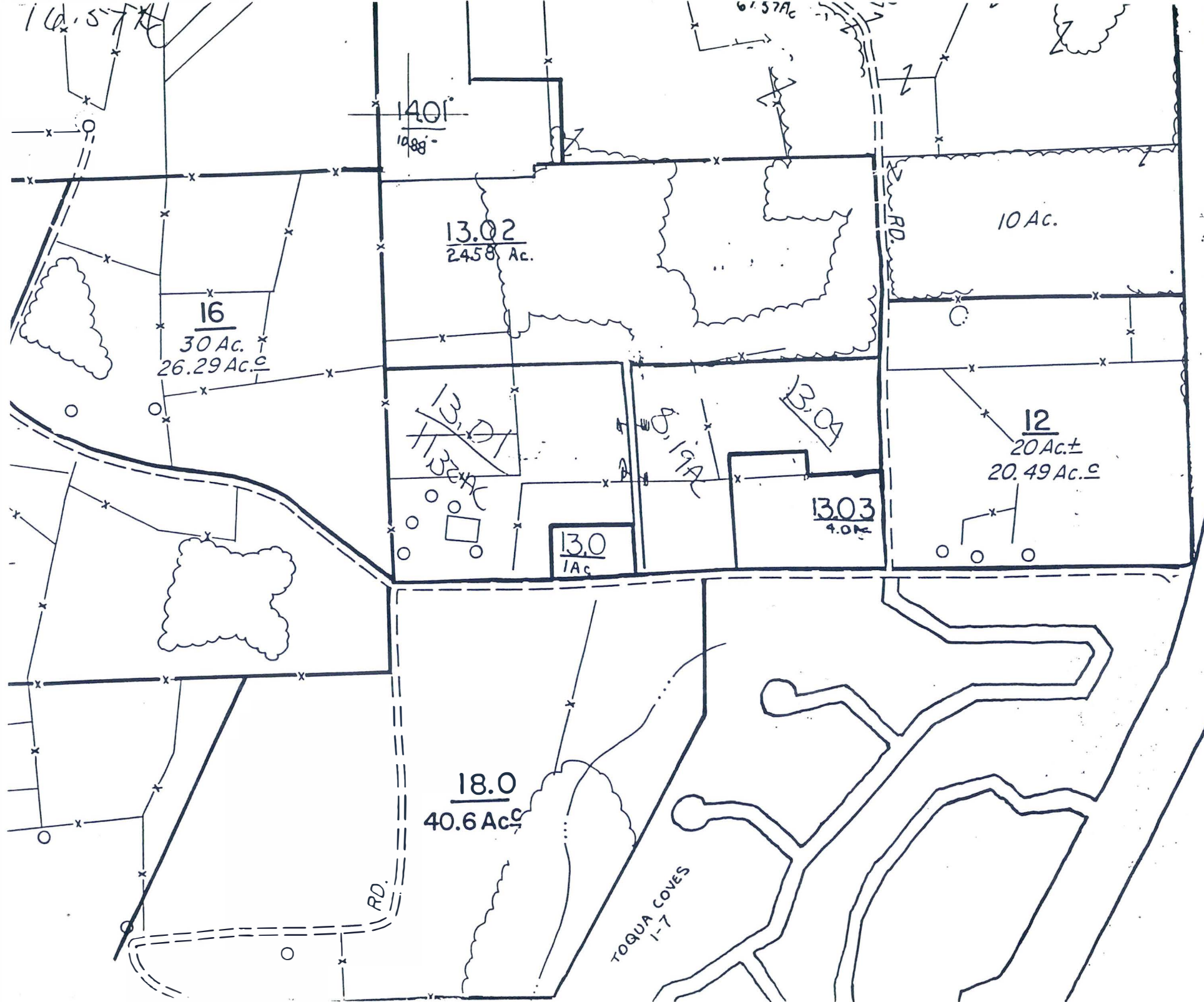
December 5, 1994

DATE

RES10

EHL = F

271



TELLICO PI

RESOLUTION 12-5-94 ghl = A

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 ON ROBERSON SPRINGS ROAD AND HOLT DRIVE REFERENCED BY TAX MAP 52, PARCEL 4.01, AND TAX MAP 43-M, PARCEL 19, FROM A-2, RURAL RESIDENTIAL, TO R-1, SUBURBAN RESIDENTIAL AND TO INCLUDE THE R-E, SINGLE FAMILY EXCLUSIVE OVERLAY

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 property on Roberson Springs Road and Holt Drive referenced by Tax Map 52, Parcel 4.01, and Tax Map 43-M, Parcel 19, be rezoned from A-2, Rural Residential, to R-1, Suburban Residential, and to include the R-E, Single Family Exclusive Overlay, as represented on the attached map; said map being part of this resolution (located in the 1st Legislative District).

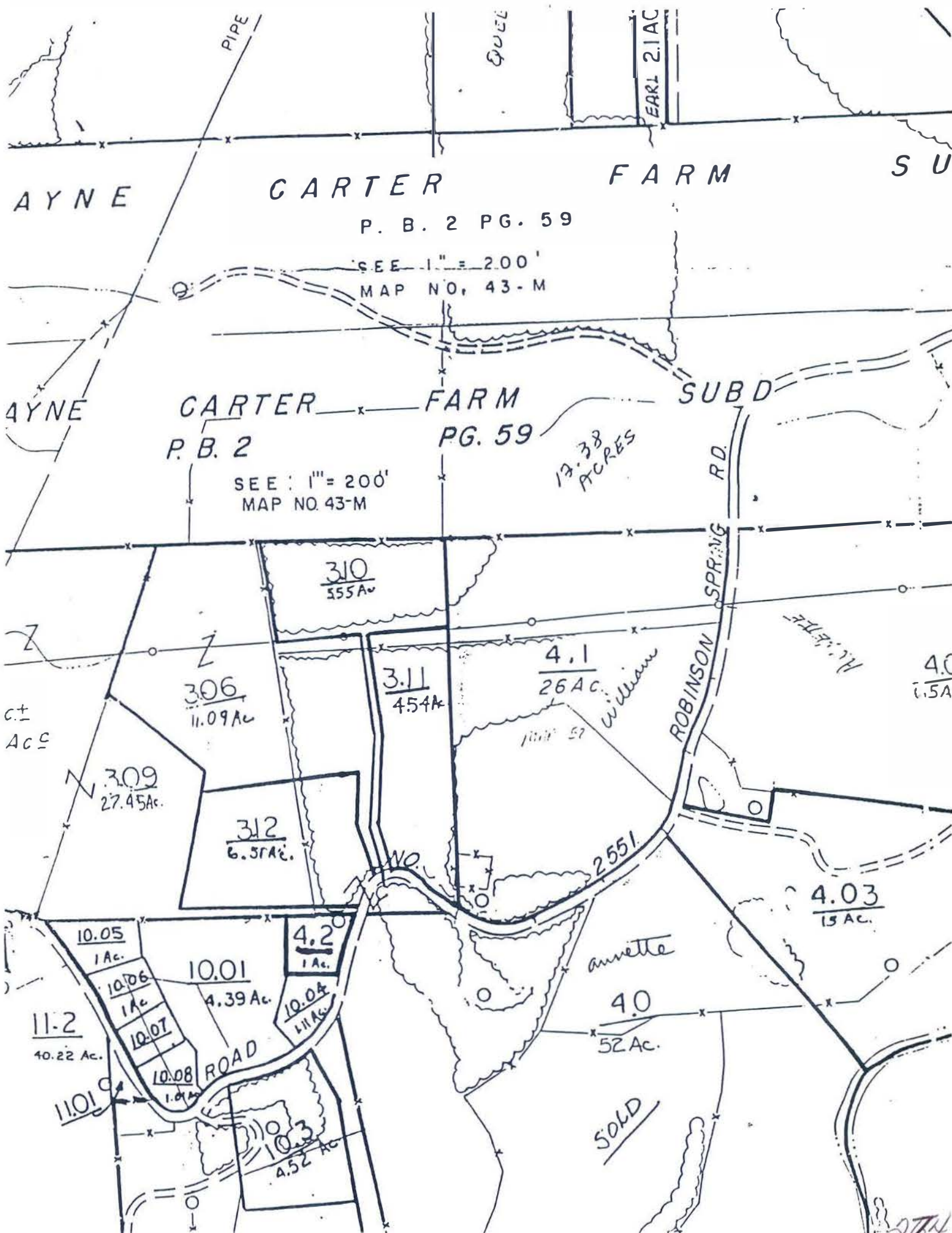
BE IT FINALLY RESOLVED, that this resolution shall take effect immediately, the public welfare requiring it.


ATTEST


LOUDON COUNTY EXECUTIVE

December 5, 1994
DATE

ghl = 29



RESOLUTION 12-5-94 E/H = H

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 AT 15222 HWY. 70 E., REFERENCED BY TAX MAP 8, PART OF PARCEL 45, FROM R-1, SUBURBAN RESIDENTIAL, AND C-2, GENERAL COMMERCIAL, TO O-1, OFFICE-PROFESSIONAL

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 property at 15222 Hwy. 70 E., referenced by Tax Map 8, a portion of Parcel 45, be rezoned from R-1, Suburban Residential, and C-2, General Commercial, to O-1, Office-Professional as represented on the attached map; said map being part of this resolution (located in the 6th Legislative District).

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


ATTEST


LOUDON COUNTY EXECUTIVE

December 5, 1994
DATE

E/H = H

