

COUNTY COMMISSION MEETING

MAY 6, 1996

1. Call To Order, Roll Call
2. Changes or corrections in proposed agenda
3. Minutes of April 1, 1996 approved
4. Audience invited to speak
5. New resolution approved--411 Highway
6. Beals Chapel Road Contract again approved
7. Commissioner Park discusses zoning.
8. Tobacco Use in County Buildings--resolution postponed
9. Report on Internedia Cable TV
10. Plans on Highway 321 available for viewing
11. Letter of agreement with City of Loudon (re: C. Reed Davis lawsuit), signed.
12. Budget-County Commission Workshop set
13. Report on Notice of Violation-illegal dump site.
14. Monthly financial report available
15. N. Richesin--no report
16. Attorney Sproul's report.
17. P. Phillips- -no report
18. Building Commissioner's report.
19. Road Commissioner's report--50 feet of Mountain Crest Dr. accepted as county road.
20. H. Luttrell--no report
21. Thank you--McEachern's
22. Minutes of Special Called Meeting of April 22, 1996 approved.
23. Bond approved
24. Notaries approved
25. Adjournment

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**COUNTY COMMISSION MEETING
MAY 6, 1996**

(1)
Call to order,
roll Call

Be it remembered that the Loudon County Legislative Body met in regular session on May 6, 1996 at the Loudon County Courthouse Annex, with the Chairman Roy Bledsoe presiding, County Court Clerk, Riley D. Wampler, and County Executive George Miller were present, whereupon Sheriff Tim Guider opened Court, led the Pledge of Allegiance, and Mr. Howard Luttrell gave the Invocation. On Roll Call all Commissioners were present:

Bivens
Randolph
Bledsoe

Masingo
Maples
Ledbetter

Duff
Park
Twiggs

(2)
Changes to
Proposed
Agenda

Chairman Bledsoe asked if the County Executive had any corrections to the proposed agenda: Mr. Miller noted these changes:

1. Addendum: Possible adoption of Special Called Meeting of April 22, 1996. The minutes sent out earlier have had some corrections, if it is the wish of the Commission, they could be adopted later in the meeting.
2. These two deletions: (1) Item (4-B-b) concerning .25 per sheet charge for County records

(2) Mr. Russ Lewis (4-C-c), who wished to address Commission.

(3)
Minutes
Of April
1, 1996

Commissioner Park made motion that the minutes of April 1, 1996 be approved, and Commissioner Masingo seconded the motion. County Attorney, Harvey Sproul asked the following correction be considered: Mr. Sproul stated that he did not say that the County Commission didn't have the authority to approve zoning requests." The County Commission approves all zoning matters, concerning changes to the zoning map or changes to the regulation, the things that County Commission do not have the authority to do are variances, special exceptions, and interpretation of the Zoning regulations. He is asking that the minutes be revised to reflect this, rather than his previous statement saying County Commission does not have the authority to do zoning requests." Commissioner Park agreed to approve this correction, with Commissioner Masingo also agreeing to the request. Voice vote of the Commission indicated motion carried.

(4)
Aud. Inv.
To speak

Chairman Bledsoe asked if any member of the audience wished to speak, but no one wished to speak at this time.

Mr. George Miller, County Executive, had these items:

(5)
New
Resolution
approved
411-Hwy.

Highway 411 Contract and Resolution. DOT had sent this previously approved resolution back, they requested that a paragraph be omitted in the original resolution. A new resolution is now being presented for County Commission approval. Commissioner Masingo made the motion to approve this new resolution, with Commissioner Twiggs seconding the motion. Voice vote indicated motion carried. Hereby included as resolution # 5069 Exhibit # A.

- (6)
Beals
Chapel Rd.
Contract
Approval
- Clarification of Beals Chapel Road Resolution and Contract with DOT:
The contract was examined by the County Attorney, and he felt this should be brought back to the Commission. According to the Contract the County could incur some liability should the completed highway construction not meet specifications (according to the grant). Road Commissioner, Don Palmer assured the Commissioners that he had always worked closely with the State, and it was unlikely to occur. Mr. Miller asked the Commission to take another vote and authorize the adoption of the contract as per the wording. Commissioner Twiggs made this motion, which was seconded by Commissioner Randolph. Voice vote indicated all in favor.
- (7)
Comm. Park-
Zoning
- Commissioner Park addressed the Commission concerning zoning. The Committee appointed last month has not met, but will soon.
- (8)
Tobacco
Use Res.-
postponed
- Commission Twiggs addressed the Commission. He proposed a resolution which would impose a fine on those persons who violate the Tobacco Use Policy. Commissioner Park opposed this resolution being brought before the Commission because it was not provided in the proper time period, as per County Commission statutes (5 days). Chairman Bledsoe ruled that Commissioner Park's objection was in order. Commissioner Twiggs will bring the resolution back next month.
- (9)
Report
Intermedia
Cable
- Mr. Miller referred to County Attorney, Harvey Sproul, who reported on corporate restructuring of Intermedia Cable Television Company. Mr. Miller also stated that a copy of the proposed contract is available for viewing in his office.
- (10)
Plans-
321 avail.
- Mr. Miller also noted that the planning report from DOT on Highway 321, was now available for anyone who wished to examine it. Also, copies will be sent to the City of Lenoir City, and the Office of Planning and Community Development.
- (11)
Letter-agree.
City of Lo.-
C.R. Davis-law.
- Mr. Miller reported that he had signed the letter of agreement with the City of Loudon concerning the lawsuit involving C. Reed Davis.
- (12)
Budget-
Workshop
set
- He reported to the Commissioners concerning a Budget Committee Meeting on the 20th Monday, at 4:00, and a County Commission Workshop following at 5:30.
- (13)
Report-
Notice Of
Violation
Illegal Dump
Site
- Mr. Miller reported on a Notice of Violation, at an illegal dump site, adjacent to Loudon County Animal Shelter, on Rock Quarry Road. An answer has been filed, and some improvements have been made. Further steps are being taken to clean up this site and a plan will be submitted for approval. Mr. Miller will take this problem to the Capital Projects Committee, and the Budget Committee, to request the necessary funds to make the necessary clean up arrangements for this site.
- (14)
Monthly Fin.
Rep. Avail.
- Mr. Miller stated the monthly financial report is available for anyone who would like to see a copy of this.
- (15)
N. Richesin-
No report
- N. Richesin, Director of Accounts and Budgets, had no report.
- (16)
Atty.
Sproul's report
- Attorney Sproul reported on these items:
1. Update on the Constable Lawsuit. The case is scheduled to be heard on August 27th.

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2. Also on a suit that has been filed on behalf of Loudon City residents on damage that occurred. The County Attorney feels this suit was incorrectly filed and will try to resolve this and get the suit withdrawn.
3. Report on the National Guard Armory--negations are progressing
- (17) P.Phillips-
No report Mr. Pat Phillips, Office of Planning and Community Development--No report.
- (18) Bld. Comm.
Report The Building Commissioner had this report (given by Mr. Phillips):
April 1996--
57 Permits Issued Est. value: \$3,191,500.
Fees Collected: \$6,387.00 Estimated new taxes: \$21,000.
- (19) Road Comm.-
app. Accept.
50 ft. Mt.
Crest Drive Mr. Don Palmer, Road Commissioner, had a request from Mr. Eddie Simpson. Mr. Simpson would asked that the county except 50 feet of roadway on Mountain Crest Drive, in Little Mountain Estates. Commissioner park made the motion this be accepted with Commissioner Duff seconding the motion. Voice vote indicated all in favor. Motion carried.
- (20) Luttrell-No
Report Mr. Howard Luttrell, Purchasing agent had no report.
- (21) Thank-you
to McEach. Commissioner Randolph made the motion that the County executive write a letter to McEachern's and thank them for the picture of the Commissioners. Commissioner Park seconded the motion. Voice vote indicated unanimous approval.
- (22) Minutes
app.-Sp. Call.
Meet. 4-22-96 Commissioner Park made the motion that the minutes of the Special Called Meeting, of April 22, 1996, be approved, with Commissioner Randolph seconding the motion. Voice vote indicated approval, with Commissioner Twiggs abstaining (since he was absent).
- (23) Bond
approvals Commissioner Masingo made the motion, which Commissioner Twiggs seconded approving that the following bond application:
Katherine Ann Baker
Voice vote indicated motion carried.
- (24) Notaries
approved Commissioner Masingo then made the motion that the following notaries be approved, with Commissioner Ledbetter seconding the motion.
Betty C. Galyon Harold Franklin Carpenter
Rachel Walker Toni Shaw
Katherine Ann Baker
- (25) Adjournment Voice vote indicated motion carried.
Meeting adjourned at approximately 8:35P.M.



County Court Clerk

Chairman

County Executive

LOUDON COUNTY COMMISSION
RESOLUTION NO. 050696

**RESOLUTION APPROVING CONTRACT WITH STATE
DEPARTMENT OF TRANSPORTATION -U.S. 411
HIGHWAY FROM EXISTING 4-LANE SECTION NORTH OF
LITTLE TENNESSEE RIVER TO STATE ROUTE 95 NEAR GREENBACK**

WHEREAS, the State of Tennessee Department of Transportation has proposed Federal Project No: STP-NH-33(19), State Project No: 53005-2211-14--Loudon County: U.S Highway 411 SR-33) from existing 4-lane section north of Little Tennessee River to State Route 95 near Greenback.

WHEREAS, prior to the beginning of construction work a written contract between the department and the County is required; and

WHEREAS, the responsibility of the County under this contract basically is to notify the State of any suits that may be filed, to donate any real property owned by the County, if it is required in the project, to move any utilities owned by the County, that may be involved in the project, to move any utilities owned by the County that may be involved in the project, to furnish any traffic control devices required, and to waive enforcement of County setbacks/building lines and ordinances which may be violated as a result of the project; and

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission, in regular session, assembled on the 6th day of May 1996, does hereby approve this project, and incorporated the proposal into this Resolution, a copy of which is attached as an Exhibit hereto, the County Executive being authorized to execute the contract on behalf of the County.

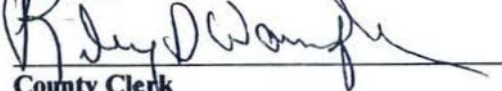


County Chairman

APPROVED:

County Executive

ATTEST:



County Clerk

Exh = A