

LOUDON COUNTY COMMISSION
REGULAR MEETING
January 5, 1998

1. Opening of Meeting
2. Roll Call
3. Motion to amend agenda
4. Amended agenda accepted
5. Minutes of December 1, 1997 Adopted
6. Audience Comments on Agenda Items
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8. Motion to adopt A Resolution From The Board Of Education
9. Update on Personnel Policies and Wage and Hour Study
10. Update on Gentry Drive sewer project
11. Motion to give County Executive authority to pay \$500 for Health Department Study
12. Motion to adopt board appointment resolution
13. Motion to reschedule County Commission meeting in February
14. Motion to amend budget for Register of Deed's office
15. Motion to enter agreement with Blount County to use software
16. Capital Projects Committee report
17. Motion to adopt A Resolution Encouraging Passage Of the Anti-Corridor Annexation Legislation
18. Motion to adopt A Resolution Requesting State Assistance For Old Highway 95 and Harrison Avenue
19. County Attorney Sproul's Report
20. Building Commissioner's Report
21. Road Commissioner's Report
22. Purchasing Agent's Report
23. Bonds approved
24. Notaries approved
25. Adjournment

**LOUDON COUNTY COMMISSION
REGULAR MEETING
January 5, 1998**

**STATE OF TENNESSEE
COUNTY OF LOUDON**

BE IT REMEMBERED, that the Commission of Loudon County, convened in regular session in Loudon, Tennessee on the 5th day of January 1998.

The meeting was called to order by **Chairman Roy Bledsoe**.

(1)
Opening Of
Meeting

Sheriff Tim Guider opened Court and led the Pledge of Allegiance to the Flag of the United States of America.

Hank McGee, Loudon County Assistant Superintendent of Schools, gave the Invocation.

(2)
Roll Call

Present and presiding was the **Honorable Roy Bledsoe** and the following Commissioners: **Randolph, Bivens, Ledbetter, Maples Masingo, Bledsoe, Duff, Park, and Twiggs (9)**

Thereupon **Chairman Bledsoe** announced the presence of a quorum. Also present were **Honorable George Miller**, County Executive, **Harvey Sproul**, Attorney and **Riley Wampler**, County Court Clerk.

(3)
Motion passed
to Amend
Agenda

Commissioner Park requested the agenda be amended to include discussion and possible action to reschedule the February 2 meeting to be discussed under Executive Miller's portion of the agenda.

(4)
Amended
Agenda
Accepted

Motion was made by **Commissioner Park** with a second by **Commissioner Ledbetter** to accept the agenda with the amendment.

Upon voice vote the motion was **passed** unanimously.

(5)
Minutes
Adopted for
Dec. 1, 1997

Motion was made by **Commissioner Park** with second by **Commissioner Twiggs** to adopt the minutes of December 1, 1997.

Upon voice vote the motion **passed** unanimously.

(6)
Audience
Comments on
Agenda Items

Chairman Bledsoe asked for any visitor wishing to address the commission regarding items on the planned agenda to come forward.

Mr. John Roberts came forward to address the commission regarding the sales tax resolution requested by the Board of Education and also regarding the intersection at Old Hwy. 95 and Town Creek Rd.

Mr. Paul Baird addressed the Commission regarding the sales tax resolution from the Board of Education.

(7)
Audience
Comments on
Non-Agenda
Items

Chairman Bledsoe asked for any visitor wishing to address the commission regarding items not on the planned agenda to come forward.

Mr. John Roberts addressed the commission regarding the jurisdiction of the Regional Planning Commission.

(8)
Motion passed
to adopt
Resolution from
Board of
Education

County Executive, George Miller, requested discussion and possible action on A RESOLUTION FROM THE BOARD OF EDUCATION. Commissioner Twiggs asked Executive Miller to read the resolution. Commissioners Bivens, Randolph and Twiggs commented on the resolution.

A **motion** was made by **Commissioner Duff** with second by **Commissioner Randolph** to adopt A RESOLUTION FROM THE BOARD OF EDUCATION.

Upon roll call vote the following commissioners voted Aye: **Randolph, Bivens, Maples, Ledbetter, Masingo, Bledsoe, Duff, and Park (8)**.

The following commissioners voted Nay: **Twiggs (1)**.

Thereupon the chairman announced the motion **Passed (8-1)**.

Resolution #010598, Exhibit A

(9)
Update on
Personnel
Policies and
Wage and Hour
Study

Executive Miller gave an update on the Personnel Policies and the Wage and Hour Study. Two businesses have turned in proposals to do the study. There should be more to report at the next workshop meeting.

(10)
Update on
Gentry Drive
sewer project

Executive Miller gave an update on the Gentry Drive sewer Project. He reported that the CDGB grant application has been approved by ETDD. C. E. Designers has been contracted to oversee the grant for this project. Executive Miller asked the commission to grant him authority to pay the health department \$500.00 to do study on the Gentry Drive property.

(11)
Motion passed
to give County
Executive
authority

A motion was made by **Commissioner Park** with second by **Commissioner Duff** to give the County Executive the authority to spend \$500 for the Health Department Study.

Upon roll call vote the following commissioners voted Aye: **Randolph, Bivens, Maples, Ledbetter, Masingo, Bledsoe, Duff, Park and Twiggs (9).**

Thereupon the chairman announced the motion **Passed** unanimously.

(12)
Motion passed
to adopt board
appointment
resolution

Executive Miller requested consideration of adopting A RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR COMMITTEE APPOINTMENT BY COUNTY EXECUTIVE. This resolution is to re-appoint Mr. David Read to the Loudon County Cable Television Authority.

A motion was made by **Commissioner Duff** with second by **Commissioner Park** to adopt the resolution.

Upon voice vote the motion **Passed** unanimously.

Resolution # 013598, Exhibit B

(13)
Motion passed
to Reschedule
County
Commission
Meeting

Executive Miller asked that the County Commission to vote on rescheduling the February meeting from February 2 to February 9. This change is due to the attendance of himself and some of the commissioners at County Government Day held in Nashville.

A motion was made by **Commissioner Park** with second by **Commissioner Maples** to change the February meeting date from the 2nd to the 9th.

Upon voice vote the motion **passed** unanimously.

(14)
Motion Passed
to amend budget

Executive Miller asked to present the budget portion of the agenda in the absence of Nancy Richesin, Budget Director. No objections were made. Executive Miller reported that the Register of Deeds, Bonnie Wear, came before the Budget Committee to request an amendment to his year's budget for \$12,000. This money was part of the \$30,000 budgeted for the Register of Deed's office last fiscal year but was not used.

A motion was made by **Commissioner Park** with second by **Commissioner Twiggs** to amend the budget up to \$12,000 for the Register to Deeds Office.

Upon roll call vote the following commissioners voted Aye: **Randolph, Bivens, Maples, Ledbetter, Masingo, Bledsoe, Duff, Park and Twiggs (9).**

Thereupon the chairman announced the motion **Passed** unanimously.

(15)
Motion Passed
to enter
agreement with
Blount County

Executive Miller asked County Commission to consider entering into an agreement with Blount County to use the software developed by the Blount County Register of Deeds Office. Loudon County may obtain this software in its present form for a fee of \$1500. A Memorandum of Understanding and Mutual Aid Agreement between Blount County and Loudon County was read at the request of **Commissioner Park**.

A motion was made by **Commissioner Park** with second by **Commissioner Twiggs** to enter into this agreement with Blount County for use of their software for a fee if \$1500.

Upon roll call vote the following commissioners voted Aye: **Randolph, Bivens, Maples, Ledbetter, Masingo, Bledsoe, Duff, Park and Twiggs (9).**

Thereupon the chairman announced the motion **Passed** unanimously.

(16)
Capital Projects
Committee
Report

Commissioner Duff had no report from the Capital Projects Committee

(17)
Motion passed
to adopt
resolution on
Anti-Corridor
Annexation
Legislation

Commissioner Twiggs brought before the County Commission consideration of adopting A Resolution Encouraging Passage Of The Anti-Corridor Annexation Legislation. After reading the resolution, a **motion** was made by **Commissioner Twiggs** to adopt A Resolution Encouraging Passage Of The Anti-Corridor Annexation Legislation with a second by **Commissioner Maples**.

Upon voice vote the motion **passed** unanimously
Resolution #010698, Exhibit C

(18)
Motion Passed
to adopt
resolution for
State assistance
for Old Hwy. 95
and Harrison
Ave.

Commissioner Ledbetter brought before the County Commission consideration of adopting A Resolution Requesting State Assistance For Old Highway 95 and Harrison Avenue Intersection. A **motion** was made by **Commissioner Ledbetter** with a second by **Commissioner Park** to adopt this resolution.

Upon voice vote the motion **passed** unanimously
Resolution #010598, Exhibit D

(19)
County
Attorney
Sproul's Report

Attorney Sproul gave an update on the Eatonwood Sewer Project. The contractor will begin next week to negotiate with the property owners.

Attorney Sproul asked to postpone the issue regarding the resolution amendment to correct designation of parcels in the Eatonwood Subdivision. **Attorney Sproul** would like to wait until all designation of parcels can be put into one resolution.

Attorney Sproul commented on the issue concerning the Maddox vs. BZA and the court ruling regarding this case.

Attorney Sproul also reported on the status of the County obtaining the property located on Hackberry Street next to the courthouse annex. This property should be in the possession of the County soon.

(20)
Building
Commissioner's
Report
(21)
Road
Commissioner's
Report

Doug Lawrence, Building Commissioner, gave the report totals for December:

Permits issued:	37	Est. Value:	\$1,160,500
Amount collected:	\$2,763	New taxes:	\$6,121

Don Palmer, Road Commissioner, had no report.

(22)
Purchasing
Agent's Report

Howard Luttrell, Purchasing Agent, requests the commission to consider approval of lease agreement for a postage meter for the Circuit Court Clerk's Office. Monthly lease cost for the appropriate machine is \$111.37 including maintenance for 51 months.

A **Motion** was made by **Commissioner Park** with a second by **Commissioner Maples** to approve lease agreement.

Upon roll call vote the following commissioners voted Aye: **Randolph, Bivens, Maples, Ledbetter, Masingo, Bledsoe, Duff, Park and Twiggs (9)**.

Thereupon the chairman announced the motion **Passed** unanimously.

Mr. Luttrell also passed out a work order report for December.

(23)
Bonds
Approved

A **Motion** was made by **Commissioner Masingo** with a second by **Commissioner Ledbetter** to approve the following bonds:

Teresa Flagg

Lonnita H. Biggs

LaGonda N. Norwood

Judith Ann Smith

The motion **Passed** unanimously upon voice vote

(24)
Notaries
Approved

A **Motion** was made by **Commissioner Masingo** with a second by **Commissioner Maples** to approve the following notaries.

Teresa Flagg

Josh W. Chumley

LaGonda N. Norwood

Judith Ann Smith

Jim Buttram

Lonnita H. Biggs

Nicole Crisp

James R. Thomason

The motion **Passed** unanimously upon voice vote.

(25)
Adjournment

A **Motion** being duly made and seconded, the January 5, 1998 meeting stood adjourned at 7:10 p.m.

ATTEST:


CHAIRMAN

COUNTY COURT CLERK


COUNTY EXECUTIVE

**LOUDON COUNTY COMMISSION
RESOLUTION NO. 010598**

A RESOLUTION FROM THE LOUDON COUNTY BOARD OF EDUCATION

BE IT RESOLVED by the Loudon County Legislative Body, meeting in January 5, 1998, a quorum being present and a majority voting in the affirmative, that a referendum be held in conjunction with the May 5, 1998 Loudon County primary election.

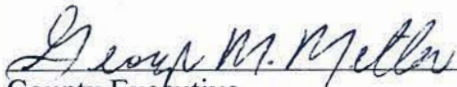
WHEREAS, the ballot referendum will read as follows:

Shall the local option sales tax be increased effective July 1, 1998 from the current rate of 1.5 cents to a rate of 2 cents with all the proceeds from this local option sales tax being designated as revenue for the Loudon County Schools

Adopted this 5th day of January 1998.

APPROVED:

ATTEST:


County Executive

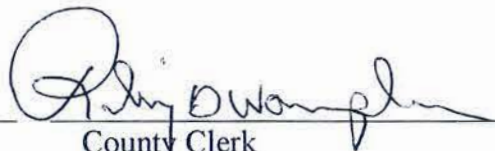

County Clerk

Exhibit = A

LOUDON COUNTY COMMISSION

RESOLUTION NO. 010598

**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

**LOUDON COUNTY
CABLE TELEVISION AUTHORITY**

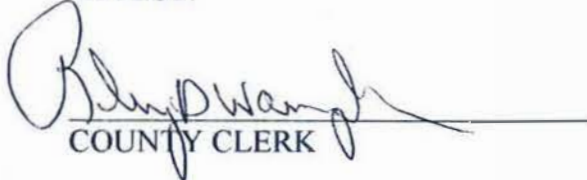
Appointee
David Read

Term Expiration
12-31-2000

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 5th day of January, 1998 hereby approves and acknowledges (as appropriate), the said appointment(s).


COUNTY CHAIRMAN

ATTEST:


COUNTY CLERK


COUNTY EXECUTIVE

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

<u>Appointee</u>	<u>Term Expiration</u>
Glenn McNish (Lenoir City)	12-31-98
Lynn Mills (Loudon City)	12-31-99

Exhibit = B

507

LOUDON COUNTY COMMISSION

RESOLUTION NO. 010598

RESOLUTION ENCOURAGING PASSAGE OF THE
ANTI-CORRIDOR ANNEXATION LEGISLATION

WHEREAS, Loudon County and other counties in the State of Tennessee have suffered from excessive "corridor" or "finger" annexation, wherein municipalities have annexed thin strips of land or roadways far into the County in order to take by annexation sales-tax revenue producing properties; and

WHEREAS, such "corridor" or "finger" annexations clearly do not meet any rational definition of "orderly and planned growth" for any municipality; and

WHEREAS, such "corridor" or "finger" annexations cause tremendous dislocation and confusion in the provision of various governmental services throughout the cities and counties where they occur; and

WHEREAS, such "corridor" or "finger" annexations generally are transparently a device used by municipalities to increase their revenues without having to provide any meaningful services to the area annexed; and

WHEREAS, such annexations tend to increase taxes for all the citizens, inside and outside of cities, and lessen the efficiency of the provision of government services for all citizens, inside and outside of cities, and have a real and substantial negative effect wherever they are commonly practiced;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 5th day of January, 1998, that the Loudon County Commission congratulates the Tennessee Senate for the passage of SB 1841, which substantially limits or prohibits the ability of municipalities to engage in "corridor" or "finger" annexation.

BE IT FURTHER RESOLVED, that the Loudon County Commission urges and encourages the Tennessee House of Representatives to pass HB 1873, the companion House Bill which also would prohibit or greatly restrict "corridor" or "finger" annexations.

BE IT FURTHER RESOLVED, the Loudon County Commission further encourages Governor Don Sundquist immediately to sign and implement SB 1841 and HB 1873 upon final passage by the Tennessee Legislature.

BE IT FURTHER RESOLVED, that the County Clerk is directed to forward a copy of this Resolution to all members of the Loudon County Legislative Delegation and to the Office of Governor Don Sundquist.

BE IT FURTHER RESOLVED, if any notifications are to be made to effectuate this Resolution, then the County Clerk is hereby requested to forward a copy of this Resolution to the proper authority.

E. J. Whit = C

508

BE IT FURTHER RESOLVED, this Resolution take effect from and after its passage, as provided by the Charter of Loudon County, Tennessee, the public welfare requiring it.


COUNTY CHAIRMAN

ACCEPTED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK



LOUDON COUNTY COMMISSION

RESOLUTION NO. 0105 98

RESOLUTION REQUESTING STATE ASSISTANCE FOR
OLD HIGHWAY 95 AND HARRISON AVENUE INTERSECTION

WHEREAS, there exists in Lenoir City, Tennessee, a dangerous intersection located at Old Highway 95 and Harrison Avenue at the corner of Lenoir City High School, and one block from the Lenoir City Middle School; and

WHEREAS, this dangerous intersection lies partly within the municipal boundaries of Lenoir City, and is partially under Loudon County jurisdiction; and

WHEREAS, this intersection creates a hazard to the safety and health of our school children as well as the community at large; and

WHEREAS, the Lenoir City Schools and the City of Lenoir City lack the economic and technical resources to enable to remedy this dangerous intersection; and

WHEREAS, it is felt that an engineering study could reveal the most economical and technically suitable alternative to remedy this dangerous intersection; and

WHEREAS, within its various departments, the State of Tennessee has the required expertise to assist the local governments; and

WHEREAS, the Loudon County Commission supports the request for assistance of the Lenoir City Schools, and the City of Lenoir City;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 5th day of January, 1998, that it supports the request of the Lenoir City Schools and the City of Lenoir City, Tennessee, for technical and economic assistance from the State of Tennessee, and that our State Representatives be requested all possible aid and assistance in furtherance of this objective.

This resolution shall take effect upon adoption.


COUNTY CHAIRMAN

ACCEPTED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

Exhibit - D