

LOUDON COUNTY COMMISSION
REGULAR MEETING
May 4, 1998

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Request to amend agenda
5. Motion to accept Amended Agenda
6. Minutes of April 6, 1998 Adopted
7. Audience Comments on Agenda Items
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9. Motion passed to adopt resolution congratulating Philadelphia School Basketball teams
10. Discussion on Spring Floods '98
11. Motion passed to approve request for caution light replacement
12. Motion passed to adopt resolution to appoint beer board member – Robert Snodgrass
13. Report on letter from TDOT
14. Motion failed to adjourn
15. Motion passed to request state representatives to attend June meeting to discuss intersection of Hwy. 11 and Shaw Ferry Road
16. Motion passed to replace temporary barricade at Poplar St. and Mulberry St.
17. Motion passed to approve E-911 request for employee
18. Motion passed to approve request for financial report be included in minutes
19. Motion passed to suspend meeting rules to allow subject not on agenda be discussed for possible action on emergency money for Highway Department
20. Motion passed to have necessary documents prepared for loan to Highway Department
21. Motion passed to refer zoning amendment of sexually oriented businesses back to planning commission to revise amendment to prohibit such business
22. Building Commissioner's Report
23. Purchasing Agent's Report
24. Motion passed to authorize purchasing agent to sign copier leases for communication department
25. Bonds approved
26. Notaries approved
27. Adjournment

**LOUDON COUNTY COMMISSION
STATE OF TENNESSEE
COUNTY OF LOUDON**

**PUBLIC HEARING
May 4, 1998
6:00 PM**

(1)
Public Hearing

- 1) Amendment to the Zoning Resolution of Loudon County, Tennessee, Article 5, Section 5.045, C-2, General Commercial District, Article 4, Supplementary Provisions Applying to Specific Districts, adding Section 4.210, Sexually Oriented Adult Businesses, and Article 2, Section 2.020, Definitions of General Terms.
Pat Hunter came forward and spoke in opposition to C-2 zoning.
- 2) Rezoning request for property located on Marble Bluff Road, located in the First Legislative District, referenced by Tax Map 34, Part of Parcels 2.00, consisting of approximately 40.5 acres, from A-1, Agricultural-Forestry District, to A-2, Rural Residential District.
Roy Hicks came forward and spoke in opposition to this rezoning request.
- 3) Rezoning request for property on Paw Paw Plains Road, located in the Fifth Legislative District, referenced by tax Map 3, Parcel 22.00, from A-2, Rural Residential District, to R-1, Suburban Residential District.
Martha Taylor came forward and spoke in opposition to this rezoning request.

**REGULAR MEETING
May 4, 1998**

BE IT REMEMBERED that the Commission of Loudon County convened in regular session in Loudon, Tennessee on the 4th day of May 1998.

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

Deputy Sheriff Ken Shockley opened Court, led the Pledge of Allegiance to the Flag of the United States of America and gave the invocation.

Present and presiding was the **Honorable Roy Bledsoe** and the following Commissioners: **Randolph, Bivens, Maples, Masingo, Duff, Park, and Twiggs (8)**

Absent was Commissioner **Ledbetter (1)**.

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

(4)
Request to
amend agenda

Executive Miller requested the agenda be amended to add under his portion of the agenda discussion and possible action of available grant from the TN Dept. of Labor for flood clean up. **Commissioner Park** and **Commissioner Duff** requested to amend the agenda removing items #3 and #4 under section G., Office of Planning's portion of the agenda and refer those items back to the planning commission and referred back to the county commission in June. **Commissioner Randolph** and **Commissioner Bivens** requested to amend the agenda by removing item #2 under section G., Office of Planning's portion of the agenda and refer it back to the planning commission.

(5)
Motion to accept
amended
agenda

A **Motion** was made by **Commissioner Park** with a second by **Commissioner Randolph** to accept the agenda as amended.

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

(6)
Minutes
Adopted for
April 6, 1998

Chairman Bledsoe requested the minutes of April 6, 1998 be read and accepted.

Commissioner Park requested the minutes be amended by removing the sentence on page 5 regarding the survey being done of Donaldson Light Lane. This item was not approved.

Motion was made by **Commissioner Twiggs** with second by **Commissioner Park** to adopt the minutes of April 6, 1998 with the correction.

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

(7)
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.

Aileen Longmire came forward to ask if her statement in writing from the April 6 meeting will be included with the minutes.

Robert Bolton, a resident of Shaw Ferry Rd., requested the commission address the problem at the intersection of Shaw Ferry Rd. and Hwy. 11.

Gary Wilson, James Ingram, Robert Dixon, Sidney Powers, Charles Giles, Charles Glandon, Maggie Lindsey, Julie Lowe and Jim King all residence of the Huntsville Hollow and Browder Hollow areas, requested the commission to address the flooding problem in these area.

Pat Hunter spoke in concern of present and potential flooding problems in the Chestnut Ridge area.

(8)
Audience
Comments on
Non-Agenda
Items

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

Paul Baird came forward and spoke in disapproval of the methods used by the school system to promote the sales tax referendum. Postcards and letters mailed out to voters were postmarked with non-profit postage.

Pat Phillips came forward to clarify a comment made previously regarding Andover Subdivision. This subdivision was zoned at the lowest density of residential development that Lenoir City planning commission has and the property was engineered by professional engineers and met all hydrology requirements.

Mike Robinson came forward and spoke regarding flooding problems along Huntsville Hollow Rd.

Commissioner David Twiggs spoke regarding the issue of replacing Doug Berry, Industrial Recruiter. Commissioner Twiggs requested the commission to consider in the future doing everything necessary to fund this position to retain the person in this position.

Thereupon no other visitors wished to address the commission, **Chairman Bledsoe** requested **Executive Miller** to continue with the agenda items.

George Miller, County Executive, requested to move item #2 to be addressed at this time. The representatives from Philadelphia School came forward.

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At this time **Chairman Bledsoe** requested to pro-tempore the chair to **Commissioner Maples**.

Executive Miller read and requested commission to adopt A Resolution Recognizing And Congratulating The Philadelphia Elementary School Warriors and Lady Warriors Basketball Teams For Winning The State Championship In 1998.

A motion was made by **Commissioner Bledsoe** with a second by **Commissioner Park** to adopt this resolution.

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

Resolution #050497, Exhibit A

Executive Miller requested discussion on flood problems in the county. Don Palmer, Road Commissioner, came forward and reported on the conditions of the roads in the county since the flood. He reported that FEMA has looked at the area and the Army Corps of Engineers will look at these areas. Mr. Palmer requested that the commission consider a hydrology study on the areas of Browder Hollow, Huntsville Hollow, Highland Park, and Martel Rd. areas.

Executive Miller reported of several meetings with officials, residents and representatives from TEMA and FEMA regarding these problems. A hydrological study has been requested and an engineer from the Nashville office of the Army Corps of Engineers will be sent to the county to determine if a study is necessary. If these areas qualify for a major hydrological study, they will fund the first \$100,000 of the study. Additional amounts exceeding this will be split 50% between the Army Corps of Engineers and Loudon County/Lenoir City. Also if certain criteria are met they would co-fund a remedy for these problems on 65% from Army Corps and 35% from local governments ratio. **Commissioner Twiggs** reported that a study has been done on the Martel Rd. area and requested this report be given to the state.

Executive Miller also reported a grant has been made available through the Tennessee Department of Labor in the amount of \$94,500 to hire employees to assist in the flood clean up.

A motion was made by **Commissioner Twiggs** with a second by **Commissioner Park** to authorize Executive Miller to apply for the grant with the TN Dept. of Labor.

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

Don Palmer, Road Commissioner, made a request for \$3,000 to replace caution light located South of the intersection of Hwy 321 and Hwy 70.

A motion was made by **Commissioner Duff** with a second by **Commissioner Park** to approve this request.

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

Thereupon the chairman announced the motion **Passed. (8-0)**

Executive Miller requested the commission adopt a Resolution Approving Or Acknowledging Board Or Committee Appointment By County Executive. This resolution will appoint Robert Snodgrass to Panel B, representing the 4th district on the Loudon County Beer Board.

A motion was made by **Commissioner Maples** with a second by **Commissioner Randolph** to adopt this resolution.

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

Resolution #050498, Exhibit B

Executive Miller reported on a letter he received from the TN Department of Transportation regarding a radar speed survey on SR73 in Loudon County. Executive Miller will clarify the exact location this letter is referring and report in June

(14)
Motion failed to
adjourn

A motion was made by **Commissioner Bivens** with a second by **Commissioner Park** to adjourn the meeting because the candidates are to inspect the voting machines at this time. Upon voice vote the chairman announced the motion **Failed**.

(15)
Motion passed
to request state
representatives
attend June 1st
meeting

Commissioner Twiggs reported on the intersection of Hwy 11 and Shaw Ferry Rd. Letters and requests have been sent to TDOT to address this matter. He concludes the ultimate solution to this problem is to lower the site distance at this intersection.

A motion was made by **Commissioner Twiggs** with a second by **Commissioner Maples** to request the two State Representatives to attend the June County Commissioner meeting to report on what is being done to reduce accidents at this intersection.

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

(16)
Motion passed
to replace
barricade at
annex

Commissioner Duff reported on the recommendations from the Capital Projects Committee.

A motion was made by **Commissioner Randolph** with a second by **Commissioner Bivens** to replace the temporary barricade at the Courthouse annex on Poplar St. with a guardrail. The city of Loudon has agreed to share 50% of the cost. The amount requested from the county is \$400.

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

Thereupon the chairman announced the motion **Passed. (8-0)**

(17)
Motion Passed
to approve
request from E-
911

Nancy Richisen, Director of Budgets and Accounts, reported the following items recommended by the budget committee.

The E-911 board has requested to hire an additional employee for the purpose of completing the naming and mapping of the roads which was done by Municipal Services in the past. The wages and benefits will be reimbursed to the county from the E-911 Board budget.

A motion was made by **Commissioner Duff** with a second by **Commissioner Randolph** to approve this request.

Upon roll call vote the following commissioners voted Aye: **Randolph, Maples, Masingo, Bledsoe and Duff, (5)**

The following Commissioners voted Nay: **Bivens, Park, and Twiggs**

Thereupon the chairman announced the motion **Passed. (5-3)**

(18)
Motion passed
to approve
request for
financial report
be included in
minutes

Ms. Richesin requested that the financial report to be included with the May 4, 1998 minutes.

A motion was made by **Commissioner Park** with a second by **Commissioner Masingo** to include this report in the minutes.

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

Exhibit _____

(19)
Motion to
suspend meeting
rules

Don Palmer, Road Commissioner, requested emergency funds in the amount of \$200,000 to fund the clean up and repair efforts due to the floods. This subject was not on the agenda but is considered an emergency.

A motion was made by **Commissioner Twiggs** with a second by **Commissioner Duff** to suspend meeting rules and allow this subject to be considered.

Upon roll call vote the following commissioners voted Aye: **Randolph, Maples, Masingo, Bledsoe, Duff and Twiggs. (6)**

The following Commissioners voted Nay: **Bivens and Park. (2)**

Thereupon the chairman announced the motion **Passed** by 2/3 majority vote. (6-2)

(20)
Motion passed
to have
documents
prepared for
Highway Dept.
note

Ms. Richesin explained the funds can be borrowed from another fund and moneys gained from FEMA or other pledges of revenue can be applied to this note.

A **motion** was made by **Commissioner Twiggs** with a second by **Commissioner Duff** to authorize Ms. Richesin to prepare the necessary documents for this \$200,000 note to the Highway Department.

Upon roll call vote the following commissioners voted Aye: **Randolph, Bivens, Maples, Masingo, Bledsoe, Duff and Twiggs. (7)**

The following Commissioners voted Nay: **Park. (1)**

Thereupon the chairman announced the motion **Passed. (7-1)**

Mr. Pat Phillips, Director of Planning and Community Development, requested discussion and possible action on the following items referred to the county commission by the planning commission:

(21)
Motion to refer
zoning
amendment
back to
planning
commission

Amendment to the Zoning Resolution of Loudon County, Tennessee, Article 5, Section 5.045, C-2, General Commercial District, Article 4, Supplementary Provisions Applying to Specific Districts, adding Section 4.210, Sexually Oriented Adult Businesses, and Article 2, Section 2.020, Definitions of General Terms.

A **motion** was made by **Commissioner Randolph** with a second by **Commissioner Park** to refer this back to the planning commission and revise this amendment to prohibit such business in the county.

(22)
Building
Commissioner's
Report

Chris West, Assistant Building Commissioner, gave the report totals for April 1998:

Permits issued:	54	Est. Value:	\$2,940,600
Amount collected:	\$4033	New taxes:	\$15,511

(23)
Purchasing
Agent's Report

Howard Luttrell, Purchasing Agent, passed out a work order report for April.

Mr. Luttrell requested authorization to lease a new copier for the communications department. The lease is for 36 months at \$200.60/month.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Maples** to give Mr. Luttrell the authority to sign the copier lease.

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

Thereupon the chairman announced the motion **Passed** unanimously. **(8-0)**

(24)
Motion to sign
copier leases

(26)
Bonds approved

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

Ann R. Pettit

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

(26)
Notaries
approved

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

Ann R. Pettit

Amy Louise Baker

Jeffery Chumley

Sue A. Julian

Andrew Ogle

Paul Ann Baker

Ted A. Yates

Vangie Cannady

J. Claude Maples

James Henry Harris

Desmond T. Lomax

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

(27)
Adjournment

A **Motion** being duly made and seconded, the May 4, 1998 meeting stood adjourned at 8:20 p.m.


CHAIRMAN

ATTEST:


COUNTY COURT CLERK


COUNTY EXECUTIVE

**LOUDON COUNTY COMMISSION
RESOLUTION NO. 050498-A**

**A RESOLUTION RECOGNIZING AND CONGRATULATING THE
PHILADELPHIA ELEMENTARY SCHOOL WARRIORS AND LADY WARRIORS
BASKETBALL TEAMS FOR WINNING THE STATE CHAMPIONSHIP IN 1998**

WHEREAS, the Warriors basketball team on February 21, 1998 claimed victory in the championship game of the TNT State Tournament; and

WHEREAS, the Warriors completed a very successful season with a record of 21 wins and only 3 losses; and

WHEREAS, Coach Red Waller was named Coach of the Year for the second time; and

WHEREAS, Chad Oody, Josh Kerr, Gabe Curtis, and Joseph Potter were named to the All-State Tournament Team while Cody Gentry received an honorable mention; and

WHEREAS, the Lady Warriors basketball team completed the most successful season since 1973 with a win in the championship game of the TNT State Tournament; and

WHEREAS, the Lady Warriors basketball team completed a very successful season with a record of 23 wins and only 3 losses; and

WHEREAS, Heather Queen, Amy Fritts, Shay Lyle, and Alice Hill were selected to the All-State tournament team while Paige Moore received an honorable mention; and

WHEREAS, the Warriors and Lady Warriors have brought credit to the community of Philadelphia and to Loudon County.

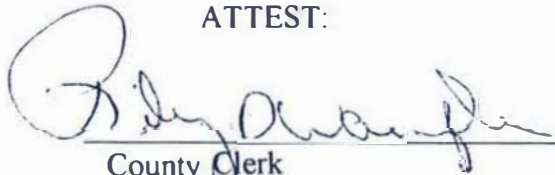
NOW, THEREFORE, BE IT RESOLVED by the Loudon County Legislative Body, meeting May 4, 1998, a quorum being present and a majority voting in the affirmative, that the Loudon County Commission recognizes and congratulates the Warriors and the Lady Warriors for an outstanding basketball season and dedicated effort by the players, coaches, cheerleaders, parents and fans.

Adopted this 4th day of May 1998.


County Chairman

APPROVED:

ATTEST:


County Clerk


County Executive

Exhibit = A

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LOUDON COUNTY COMMISSION

RESOLUTION NO. 050498-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

**LOUDON COUNTY
BEER BOARD**

Appointee

Term Expiration

Panel B

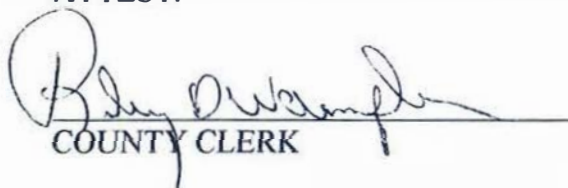
August 31, 1999

Fourth District - Robert Snodgrass

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 4th day of May, 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:

Appointee

Term Expiration

Panel A

August 31, 1998

First District - Rolf Randby

Second District - No Appointee at this time

Panel B

August 31, 1999

Third District - Bobby Brown

Panel C

August 31, 2000

Fifth District - Dana Zehner

Sixth District - James Williamson

Exhibit - B

580

4-6-98 County Commission Meeting

My name is Aileen Longmire, a taxpayer in Loudon County. I am presenting this in writing to be made a part of the original minutes of this meeting. This is the third time I have had to take my time to address the same subject! — A new policy and procedure was enacted in December '97 by Central Accounting and Nancy Richesin. Citizens wishing to obtain public information on county finances had to fill out a request form and wait 1 to 3 days for the information. This new policy was not voted on by County Commission, was not discussed at public meetings nor was there any public notice given to citizens. The County Executive and his office prepare the minutes of County Commission meetings and has failed to record this issue in the last two months minutes. March minutes read: Ms. Aileen Longmire came forward to state her disagreement of the minutes of Feb. 9th because the specific question she asked was not noted in the minutes. Why County Executive George Miller does the minutes deliberately not contain questions raised by citizens concerning county issues whether financial or other? Was this new policy and procedure enacted by Ms. Richesin illegal? Why don't you want a legal record of these questions?

Signed,
Aileen Longmire
Taxpayer 1st District 58