

LOUDON COUNTY COMMISSION

REGULAR MEETING

October 5, 1998

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Request to amend agenda
5. Motion to adopt Agenda as presented
6. Minutes of September 14, 1998 Adopted
7. Audience Comments on Agenda Items
8. Audience Comments on Non-Agenda Items
9. Motion passed to adopt a resolution to appoint Library Board Member
10. Motion passed to adopt A Resolution Setting A Public Hearing To Discuss The Desirability Of Establishing A Loudon County Water And Wastewater Treatment Authority
11. Discussion concerning invoices from BWS&C and jail committee meeting
12. Motion passed to defer Halls Ferry Road property consideration back to Capital Projects Committee
13. Motion passed to lease property on Poplar Springs Road to Poplar Springs Church.
14. Consideration of property to be leased or sold to LUB deferred
15. Motion passed to request a one-year extension on lease of hospital to Ft. Sanders
16. Motion failed to fund Sheriff's vehicles
17. Motion passed to approving funding for General Sessions Judge assistant
18. Motion passed to rezone property on Huffs Ferry Road
19. Motion passed to rezone property on Davis Ferry Road
20. Motion passed to rezone property on Hwy. 95
21. Motion passed to close abandoned road bed located off of McKelvey Road
22. Motion passed to adopt resolution accepting and naming certain roads
23. Motion passed to adopt A Resolution Adopting Tennessee Code Annotated §54-10-216 As The Procedure For Closing Public Roads In Loudon County
24. Motion passed to approve Attorney Sproul to offer and additional settlement in the McCloud case
25. Motion passed to give authorize the insurance attorney to negotiate in the Sowards case
26. Building Commissioner's Report
27. Notaries approved
28. Adjournment

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE
COUNTY OF LOUDON

PUBLIC HEARING

October 5, 1998

6:00 PM

(1)
Public Hearing

- 1) Rezoning request for property located off Huffs Ferry Road, North, located in the Fifth Legislative District, referenced by Tax Map 28, Parcel 45.04, from A-1, Agricultural-Forestry District, to R-1, Suburban Residential District.
Mr. Stan Delewsky came forward and spoke in favor of rezoning this property.
- 2) Rezoning request for property at 4100 Davis Ferry Road, located in the Fourth Legislative District, referenced by Tax Map 54, Parcel 55.00, from C-1, Rural Center District, to R-1, Suburban Residential District.
No one came forward to speak.
- 3) Rezoning request for property on Highway 95, located in the Fifth Legislative District, referenced by Tax Map 11, Part of Parcel 131.00, consisting of approximately six acres, from R-1, Suburban Residential District, to O-1, Office Professional District.
Mr. Jim Burger came forward and spoke in favor of rezoning this property.

REGULAR MEETING

October 5, 1998

(2)
Opening Of
Meeting

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

The meeting was called to order by the **Honorable Roy Bledsoe**.

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

(3)
Roll Call

Present and presiding was the **Honorable Roy Bledsoe** and the following Commissioners: **Randolph, Thomas, Jenkins, Maples, Masingo, Duff, Park, and Harold (9)**

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

(4)
Request to
amend agenda

Chairman Bledsoe requested the October 5, 1998 agenda be adopted.

A **motion** was made by **Commissioner Park** that Item 6 be moved to the end of the agenda and a report from the jail committee be added to the agenda. The motion was declared dead due to lack of a second.

(5)
Motion passed
to adopt agenda

A **motion** was made by **Commissioner Randolph** with a second by **Commissioner Maples** to accept the agenda as presented.

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

(6)
Minutes
Adopted for
September 14,
1998

Chairman Bledsoe requested the minutes of September 14, 1998 be read and accepted.
A **Motion** was made by **Commissioner Masingo** with second by **Commissioner Harold** to adopt the minutes of September 14, 1998.
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.
No one came forward to speak.

(8)
Audience
Comments on
Non-Agenda
Items

Chairman Bledsoe asked for any visitor wishing to address the commission regarding items not on the agenda.
No one came forward to speak.

(9)
Motion passed
to adopt
resolution
Library Board
appointment

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 discussion and possible action on A Resolution Approving Or Acknowledging Board Or Committee Appointment By County Executive. This resolution appoints Eleanor Campbell to the County Library Board completing the unexpired term of Nat Campbell whose term expires June 30, 2000.
A **motion** was made by **Commissioner Randolph** with a second by **Commissioner Thomas** to adopt this resolution.
Upon voice vote the motion was **passed** unanimously.
Resolution # 100598, Exhibit A

(10)
Motion passed
to adopt
resolution on
Wastewater
Treatment
Authority

Executive Miller requested discussion and possible action on A Resolution Setting A Public Hearing To Discuss The Desirability Of Establishing Of A Loudon County Water And Wastewater Treatment Authority.
A **motion** was made by **Commissioner Park** with a second by **Commissioner Harold** to adopt this resolution as presented and read.
Upon voice vote the motion was **passed** unanimously.
Resolution # 100598, Exhibit B

(11)
Discussion on
invoices and jail
committee

Commissioner Maples requested reports and discussion concerning invoices received from BWS&C. **Commissioner Maples** also requested a jail committee meeting with the CTAS Criminal Justice advisor Mr. Paul Jennings. **Commissioner Jenkins** requested that John Headrick with CTAS also be in attendance at this meeting. A meeting will be scheduled as soon as possible and a report will be given to the commission at the next meeting.

(12)
Motion passed
to defer Hall
Ferry Road
property

Commissioner Harold Duff, Chairman of the Capital Projects Committee, requested discussion and possible action of a lease of property on Halls Ferry Road to the City of Lenoir City for the purpose of developing a recreation area and playground for area residents.
A **motion** was made by **Commissioner Duff** with a second by **Commissioner Park** to defer this item back to the Capital Projects Committee to consider a possible sale to Lenoir City.
Upon voice vote the motion was **passed** unanimously.

(13)
Motion passed
to lease Poplar
Springs
property

Commissioner Duff requested discussion and possible action on leasing the Poplar Springs School property owned by the county to Poplar Springs Baptist Church. Attorney Sproul presented to the commission a lease agreement to be considered.
A **motion** was made by **Commissioner Randolph** with a second by **Commissioner Thomas** to accept the agreement and authorize the lease agreement to be signed.
Upon voice vote the motion was **passed** unanimously.

(14)

657

(14)
Consideration
deferred to lease
property to LUB

Commissioner Duff requested the item regarding a possible lease of 1/10 of an acre for purchase or lease by Loudon Utilities be deferred until a survey is completed.

(15)
Motion passed
to request
extension on
hospital lease

Commissioner Duff requested discussion and possible action on the current lease of the hospital to Fort Sanders. The Capital Projects Committee recommends that a 1-year lease extension be requested.

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Randolph** to ask for a 1-year extension on the current lease.

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

(16)
Motion failed to
fund Sheriff's
vehicles

Nancy Richesin, Director of Budgets and Accounts, requested discussion and possible action of funding three vehicles for the Sheriff's Department amending the budget by \$69,000.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Thomas** to approve the \$69,000 request for three vehicles for the Sheriff's department.

Upon roll call vote the following commissioners voted Aye: **Thomas, Park and Harold. (3)**

The following commissioners voted nay: **Randolph, Maples, Jenkins, Masingo, Bledsoe, and Duff. (6)**

Thereupon the chairman announced the motion **Failed. (3-6)**

(17)
Motion passed
approving funds
for General
Sessions Judge
assistant

Nancy Richesin requested discussion and possible action for request of approximately \$24,000 for an assistant for the General Sessions Judge.

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

Upon roll call vote the following commissioners voted Aye: **Randolph, Thomas, Maples Jenkins, Masingo, Bledsoe, Park and Harold. (8)**

The following commissioner voted nay: **Duff (1)**

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

(18)
Motion passed
to rezone Huffs
Ferry Rd.
property

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

- 1) Rezoning request for property located off Huffs Ferry Road, North, located in the Fifth Legislative District, referenced by Tax Map 28, Parcel 45.04, from A-1, Agricultural-Forestry District, to R-1, Suburban Residential District

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Thomas** to accept the recommendation of the planning commission and rezone the property.

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

Resolution #100598, Exhibit C

(19)
Motion passed
to rezone Davis
Ferry Rd.
property

- 2) Rezoning request for property at 4100 Davis Ferry Road, located in the Fourth Legislative District, referenced by Tax Map 54, Parcel 55.00, from C-1, Rural Center District, to R-1, Suburban Residential District

A **motion** was made by **Commissioner Randolph** with a second by **Commissioner Maples** to accept the recommendation of the planning commission and rezone the property.

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

Resolution #100598, Exhibit D

(20)
Motion passed
to rezone
property on
Hwy. 95

- 3) Rezoning request for property on Highway 95, located in the Fifth Legislative District, referenced by Tax Map 11, Part of Parcel 131.00, consisting of approximately six acres, from R-1, Suburban Residential District, to O-1, Office Professional District

A **motion** was made by **Commissioner Park** with a second by **Commissioner Duff** to accept the recommendation of the planning commission and rezone the property.

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

Resolution #100598, Exhibit E

(21)
Motion passed
to close
abandoned
Road bed off
McKelvey Rd.

- 4) Discussion and consideration of adopting a Resolution vacating a certain abandoned road bed located off McKelvey Road, bisecting Parcel 29.00, Tax Map 55, located in the Third Legislative District

A motion was made by **Commissioner Masingo** with a second by **Commissioner Harold** to accept the recommendation of the planning commission and close the road.

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

Resolution #100598, Exhibit F

(22)
Motion passed
to adopt
resolution
accepting and
naming certain
roads

- 5) Discussion and consideration of adopting a Resolution accepting and naming certain roads, pursuant to Loudon County Road Acceptance Standards, Section I & II, and Regional Subdivision Regulations for Loudon County

A motion was made by **Commissioner Harold** with a second by **Commissioner Masingo** to accept the recommendation of the planning commission and adopt the resolution.

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

Resolution #100598, Exhibit G

(23)
Motion passed
to adopt
resolution on
procedure to
close county
roads

Attorney Sproul requested consideration of A Resolution Adopting Tennessee Code Annotated 54-10-216 As The Procedure For Closing Public Roads in Loudon County.

A motion was made by **Commissioner Jenkins** with a second by **Commissioner Randolph** to adopt this resolution as presented and read.

Upon roll call vote the following commissioners voted Aye: **Randolph, Thomas, Maples Jenkins, Masingo, Bledsoe, Duff and Harold. (8)**

The following commissioner voted nay: **Park (1)**

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

Resolution #100598, Exhibit H

(24)
Motion passed
to approve offer
of settlement -
McCloud

Attorney Sproul requested consideration to approve a possible offer of settlement in the McCloud case. A settlement of an additional \$2,500 may be offered if approved.

A motion was made by **Commissioner Randolph** with a second by **Commissioner Harold** to approve this recommendation of the Attorney Sproul to offer an additional \$2,500 to settle the case.

Upon roll call vote the following commissioners voted Aye: **Randolph, Thomas, Maples, Jenkins, Masingo, Bledsoe, Duff, Park and Harold (9).**

Thereupon the chairman announced the amendment to the motion **Passed. (9-0)**

(25)
Motion passed
to authorize
settlement -
Sowards

Attorney Sproul requested consideration to authorize the insurance attorney and adjuster to negotiate in the Sowards case if a settlement might be desired.

A motion was made by **Commissioner Jenkins** with a second by **Commissioner Harold** to approve this recommendation by Attorney to give authorization to the insurance attorney to negotiate a settlement if in the best interest of the county.

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

(26)
Building
Commissioner's
Report

Doug Lawrence, Building Commissioner, gave the report totals for August 1998:

Permits issued:	36	Est. Value:	\$1,150,600
Amount collected:	\$2,463	New taxes:	\$6,000

Don Palmer, Road Commissioner, had no report.

Howard Luttrell, Purchasing Agent, in his absence due to illness, had a work order report that was handed out to the commissioners.

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

Elizabeth Ann Williams	Donna M. Rhea
June S. Lail	Janet Elaine Thomas
Phyllis J. Brewster	Susan B. Lawson
Anita F. Wilson	John L. Brown

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

A **Motion** being duly made and seconded, the October 5, 1998 meeting stood adjourned at 8:11 p.m.

ATTEST:


CHAIRMAN


COUNTY COURT CLERK


COUNTY EXECUTIVE

LOUDON COUNTY COMMISSION

RESOLUTION NO. 100598-A

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 members of the

LOUDON COUNTY LIBRARY BOARD

Appointee

Eleanor Campbell
(Replacing Nat Campbell)

Term Expiration

June 30, 2000

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 5th day of October, 1998 hereby approves or 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

Ms. Billie Snow
Ms. Sylvia Sproul
Mr. Bob Gibson
Ms. Melissa Shirk
Ms. Micki Harrison
Mr. John Manning

Term Expiration

June 30, 1999
June 30, 1999
June 30, 2000
June 30, 2001
June 30, 2001
June 30, 2001

LOUDON COUNTY COMMISSION

RESOLUTION NO. 100598- B

RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE
DESIRABILITY OF ESTABLISHMENT OF A LOUDON COUNTY WATER AND
WASTEWATER TREATMENT AUTHORITY

WHEREAS, Loudon County is undergoing an extraordinary increase of residential growth, currently being the ninth fastest growing county in the State; and

WHEREAS, much of the soil in Loudon County is not suited for the installation of concentrated numbers of septic tanks and underground sewage disposal systems; and

WHEREAS, the Loudon County Commission has become involved in assisting subdivisions and communities in the construction of sanitary sewer lines as a matter of public safety and convenience as the county continues a high rate of growth; and

WHEREAS, the State legislature has adopted certain statutes which authorize the formation of a Water and Wastewater Treatment Authority which, if established, has most of the powers of a governmental agency, and which could be a facilitating agency to extend sewer to the county areas that have been and are projected to be within the county's plans as residential growth areas; and

WHEREAS, the statute authorizing the creation of a Wastewater Treatment Authority, provides that a public hearing must first be held to give the citizens and the public a chance to comment and discuss this option before a decision is made by the county legislative body.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 5th day of October, 1998, as follows:

That it be the intent of the county to look into the creation of such an Authority, as provided under T.C.A. 68-221-601 et seq.; and that under 68-221-604, a public hearing is called on the question of creating a Water and Wastewater Treatment Authority with the hearing to be on Dec. 1, 1998 at the Loudon County Annex at 6:00 p.m.; and

BE IT FURTHER RESOLVED that the notice of the date, hour, place and purpose of the hearing be published at least once each week for two consecutive weeks in a newspaper of general circulation in Loudon County, with the last publication to be at least one (1) week prior to the hearing.


COUNTY CHAIRMAN

ATTEST:


COUNTY CLERK

APPROVED:


COUNTY EXECUTIVE

RESOLUTION 100598-C

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 HUFFS FERRY ROAD, NORTH, LOCATED IN THE FIFTH LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 28, PARCEL 45.04, FROM A-1, AGRICULTURE-FORESTRY DISTRICT, TO R-1, SUBURBAN RESIDENTIAL DISTRICT

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 Commissions have forwarded recommendations regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on August 20, 1998, consistent with the provisions of Tennessee Code Annotated, Section 13-7-105,

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

1. That property on Huffs Ferry Road, located in the Fifth Legislative District, referenced by Tax Map 28, Parcel 45.04, be rezoned from A-1, Agriculture-Forestry District, to R-1, Suburban Residential District, as represented on the attached map; said map being part of this Resolution.

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


ATTEST

APPROVED; LOUDON COUNTY EXECUTIVE


LOUDON COUNTY CHAIRMAN
DATE: 10/5/98

The vote on the question of approval of this Resolution by the Planning Commissions is as follows:

APPROVED: 10

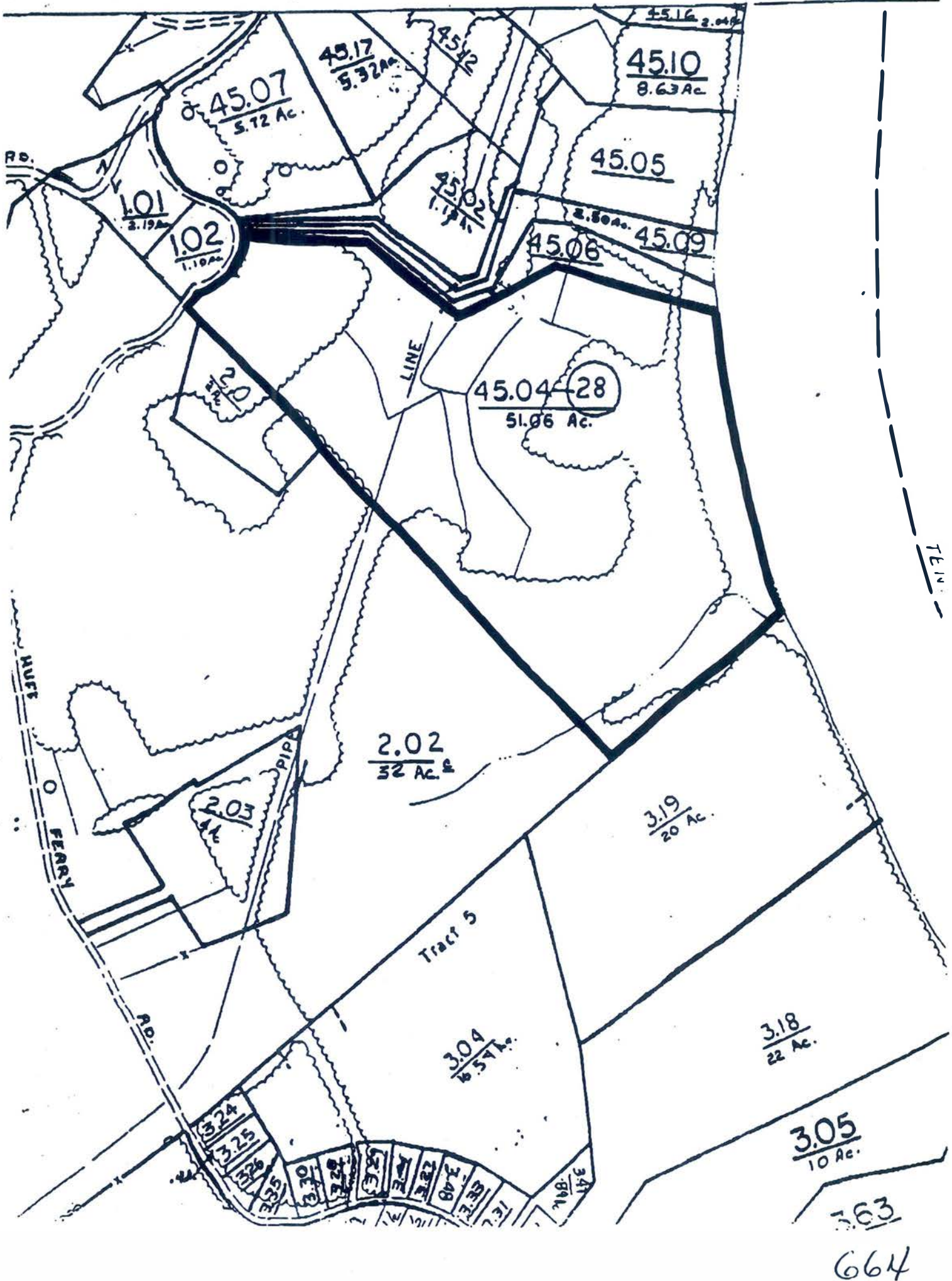
DISAPPROVED: _____


ATTEST: SECRETARY, LOUDON REGIONAL
PLANNING COMMISSION
DATE: 9/2/98
FILE #98-8-88-RZ-CO

APPROVED: 9

DISAPPROVED: _____


ATTEST: SECRETARY, LOUDON COUNTY
PLANNING COMMISSION
DATE: 9/15/98



RESOLUTION 100598 - D

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 4100 DAVIS FERRY ROAD, LOCATED IN THE FOURTH LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 54, PARCEL 55.00, FROM C-1, RURAL CENTER DISTRICT, TO R-1, SUBURBAN RESIDENTIAL DISTRICT

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 Commissions have forwarded recommendations regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on August 20, 1998, consistent with the provisions of Tennessee Code Annotated, Section 13-7-105,

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

1. That property at 4100 Davis Ferry Road , located in the Fourth Legislative District, referenced by Tax Map 54, Parcel 55.00, be rezoned from C-1, Rural Center District, to R-1, Suburban Residential District, as represented on the attached map; said map being part of this Resolution.

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


ATTEST

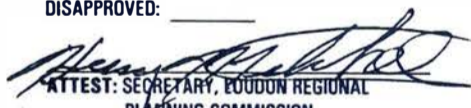

APPROVED: LOUDON COUNTY EXECUTIVE


LOUDON COUNTY CHAIRMAN
DATE: 10/5/98

The vote on the question of approval of this Resolution by the Planning Commissions is as follows:

APPROVED: 16

DISAPPROVED: _____


ATTEST: SECRETARY, LOUDON REGIONAL
PLANNING COMMISSION
DATE: 9/2/98
FILE #98-8-89-RZ-CO

APPROVED: 9

DISAPPROVED: _____


ATTEST: SECRETARY, LOUDON COUNTY
PLANNING COMMISSION
DATE: 9/15/98

RESOLUTION 100598-E

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 OLD HIGHWAY 95, LOCATED IN THE FIFTH LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 11, PART OF PARCEL 131, CONSISTING OF APPROXIMATELY SIX ACRES, FROM R-1, SUBURBAN RESIDENTIAL DISTRICT, TO O-1, OFFICE PROFESSIONAL DISTRICT

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 recommendations regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on September 10, 1998, consistent with the provisions of Tennessee Code Annotated, Section 13-7-105,


NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

1. That property on Old Highway 95, located in the Fifth Legislative District, referenced by Tax Map 11, Part of Parcel 131, consisting of approximately 6 acres, be rezoned from R-1, Suburban Residential District, to O-1, Office-Professional District, as represented on the attached map; said map being part of this Resolution.

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


ATTEST

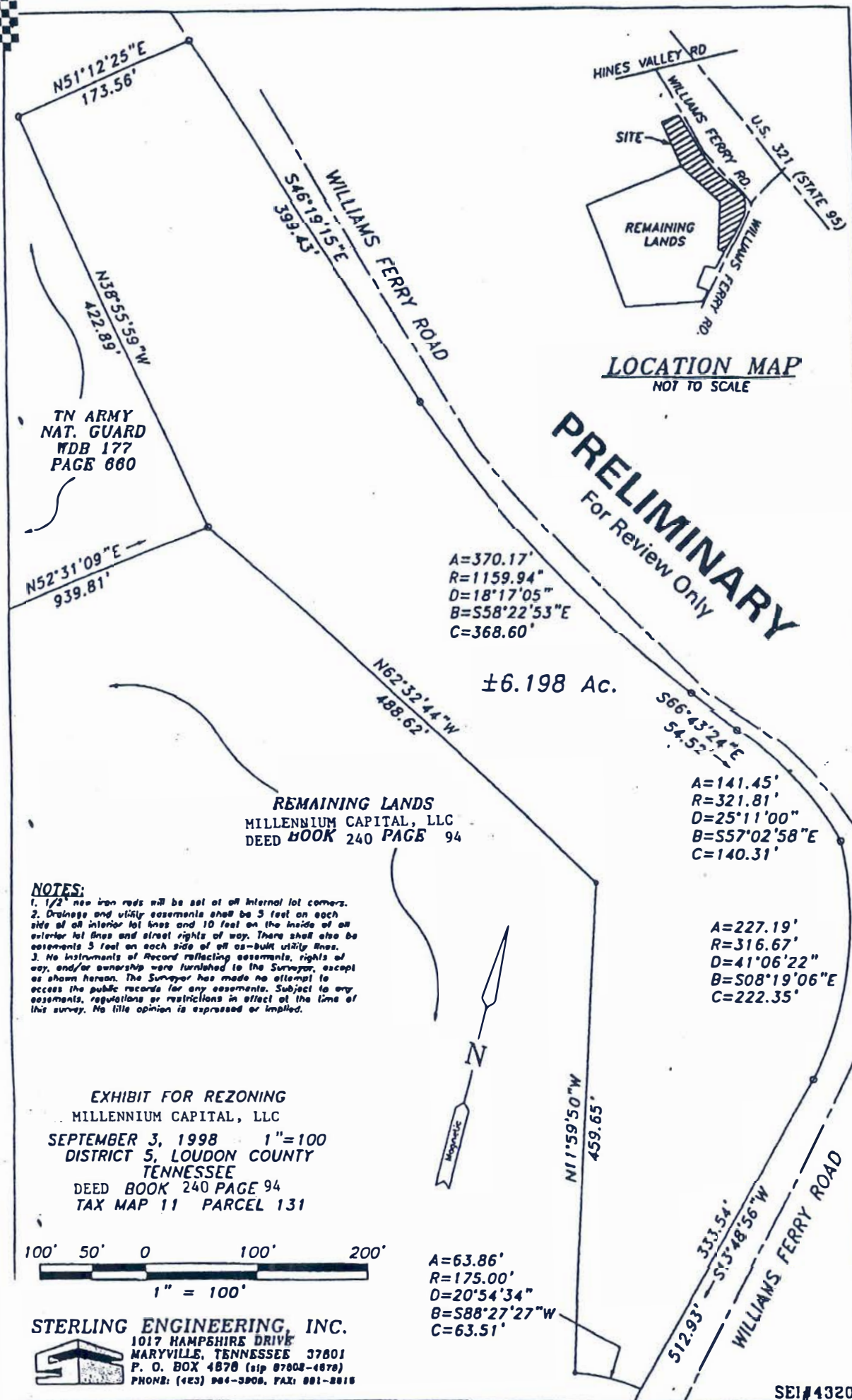

APPROVED: LOUDON COUNTY EXECUTIVE


LOUDON COUNTY CHAIRMAN
DATE: 10/5/98

The vote on the question of approval of this Resolution by the Planning Commissions is as follows:

APPROVED: 9
DISAPPROVED:


ATTEST: SECRETARY, LOUDON COUNTY REGIONAL
PLANNING COMMISSION
DATE: SEPTEMBER 15, 1998
FILE #98-9-93-RZ-CO



RESOLUTION

100598 - F

**A RESOLUTION ADOPTED BY THE LOUDON COUNTY COMMISSION VACATING A CERTAIN
ABANDONED ROAD BED LOCATED OFF McKELVEY ROAD BISECTING PARCEL 29.00, TAX MAP
55 IN THE THIRD LEGISLATIVE DISTRICT OF LOUDON COUNTY, TENNESSEE**

Whereas, the chief legislative body of the county has the authority, under Tennessee Code Annotated, to accept the dedication of roads, vacate existing roads and rights of way, adopt standards for the acceptance of new roads and reopening of previously closed or abandoned roads; and

Whereas, the Loudon County Regional Planning Commission has received a request from the property owner affected by the abandoned road requesting the vacating of that segment which directly affects Parcel 29.00, Tax Map 55; and

Whereas, applicant desires to remove any encumbrance caused by the presence of the road bed which may lessen property values; and

Whereas, the vacating of this portion of road will only affect the property owner and not adjoining property owners; and

Whereas, the Loudon County Regional Planning Commission has reviewed this matter and recommends that the vacating of said road and corresponding right of way will not adversely affect property or function of the County's roadway system and recommends that said right of way be vacated as follows:

Section 1. Beginning at a point on McKelvey Road, being a common point with Parcel 29.00 and 28.00, Tax Map 55, and continuing in a southeasterly direction for a distance of 500' +/-; thence in a northeasterly direction for a distance of 800' +/- to a point of intersection of the abandoned road bed with McKelvey Road.

Now, Therefore, Be It Resolved, that the Loudon County Commission considers the vacating of the preceding right of way not to be detrimental to the community or function of the existing roadway system and that the aforementioned section of right of way for this unnamed abandoned road bed be vacated and interest in the right of way relinquished.

Be It Further Resolved, that the Loudon County Commission hereby authorizes the execution, by the County Attorney and County Executive, of a quitclaim deed for that portion of right of way dividing Parcel 29.00, Tax Map 55 and more specifically shown on the attached map, said map being a part of this Resolution

Now, Therefore, Be It Finally Resolved, that this Resolution shall take effect immediately the public welfare requiring it.

RESOLUTION VACATING ABANDONED ROAD BED
MCKELVEY ROAD
PAGE 2

This Resolution adopted Oct 5, 1998


Attest, County Court Clerk


Loudon County Chairman


Loudon County Executive

The vote on the question of approval of this Resolution by the Planning Commission is as follows:

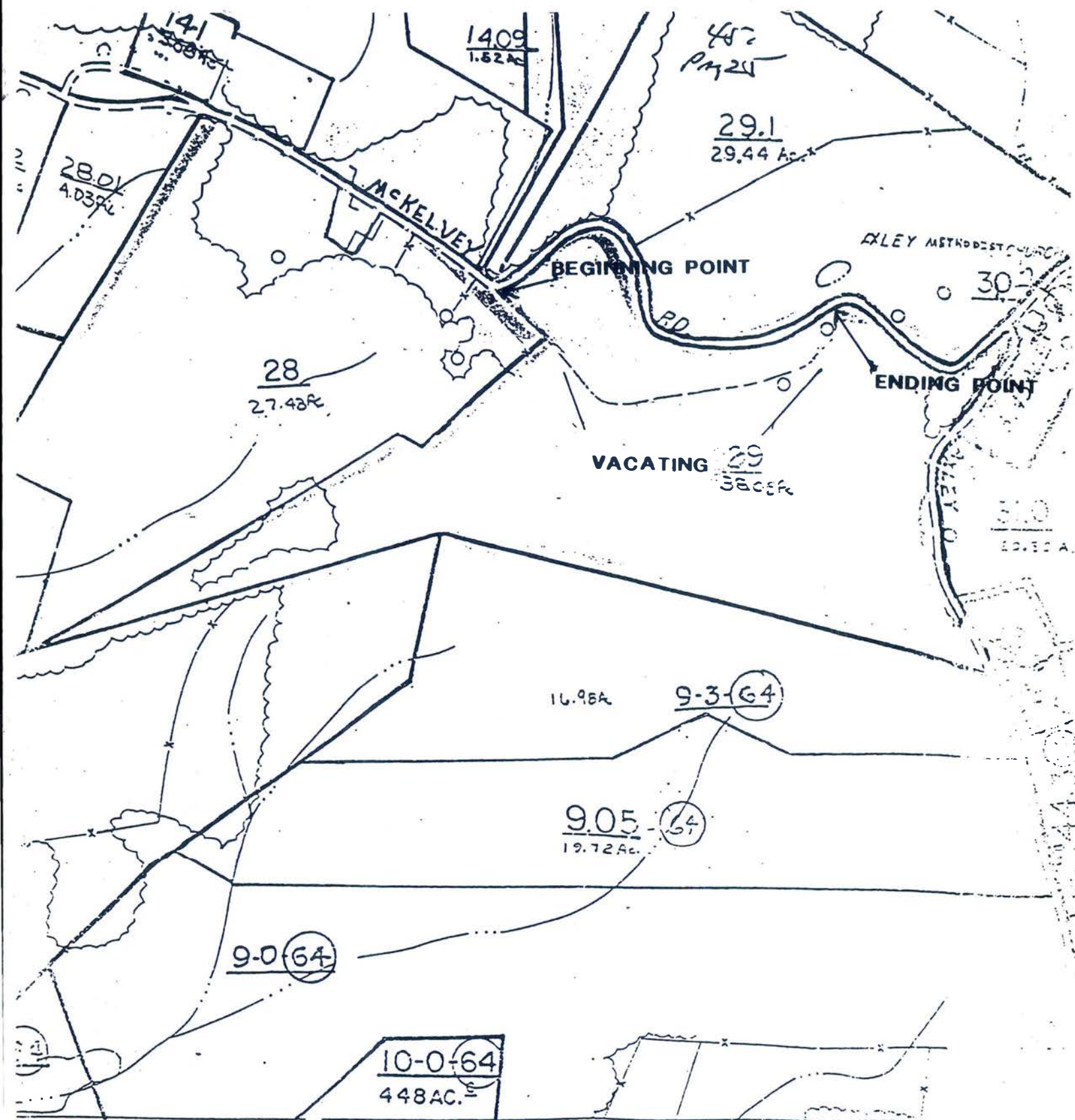
APPROVED: 9

DISAPPROVED: _____


ATTEST: SECRETARY, LOUDON COUNTY REGIONAL
PLANNING COMMISSION
DATE: 9/15/98

FILE #98-9-103-TR-CO

671



RESOLUTION 100598-6

A RESOLUTION ACCEPTING AND NAMING CERTAIN ROADS IN LOUDON COUNTY, TENNESSEE BY THE LOUDON COUNTY COMMISSION, PURSUANT TO LOUDON COUNTY ROAD ACCEPTANCE STANDARDS, SECTION 1 & II, AND REGIONAL SUBDIVISION REGULATIONS FOR LOUDON COUNTY

WHEREAS, the Loudon County Commission is vested with the authority to accept the dedication of roads and rights of way for public use; and

WHEREAS, the Regional Planning Commission has recommended the naming and or acceptance of the proceeding rights of way being designed, constructed and platted pursuant to the County's road acceptance standards and subdivision regulations; and

WHEREAS, the following roads and corresponding rights of way been reviewed and approved by the Road Superintendent for Loudon County, Tennessee; and

WHEREAS, the approval by the Regional Planning Commission and Road Superintendent involves the dedication of roads through the subdivision platting process;

NOW, THEREFORE, BE IT RESOLVED that the following rights of way and corresponding road names herein dedicated for public use as approved by the Regional Planning Commission and Road Superintendent be accepted into the County's roadway system:

Section 1. Acceptance of dedicated rights of way in ConKinnon Pointe Subdivision in the Third Legislative District, **Glen Mar Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 81, recorded 5-12-98.

Section 2. Acceptance of dedicated rights of way in Williamsburg Subdivision in the Third Legislative District, **Williamsburg Drive** shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 69, recorded 10-29-97

Section 3. Acceptance of dedicated rights of way in Miller's Landing Subdivision in the Third Legislative District, **Lake Harbor Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 64, recorded 9-22-97.

Section 4. Acceptance of dedicated rights of way in Avalon Subdivision Unit 6 in the Fifth Legislative District, **Westchester Court** and **Cardinal View Court** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 63, recorded 9-17-97.

Section 5. Acceptance of dedicated rights of way in Avalon Subdivision Unit 7 in the Fifth Legislative District, **Windswept Drive** and **Chelsea Circle** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 63, recorded 9-17-97.

Section 6. Acceptance of dedicated rights of way in The Villas At Avalon Unit 2 in the Fifth Legislative District, **Valley View Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 60, recorded 8-20-97.

Section 7. Acceptance of dedicated rights of way in Riversbend Subdivision Unit 2 in the Fifth Legislative District, **Rivers Edge Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 59, recorded 8-12-97.

Section 8. Acceptance of dedicated rights of way in ConKinnon Pointe Subdivision Unit 2 in the Third Legislative District, **Red Grouse Drive** and **Glen Mar Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 54, recorded 6-17-97.

Section 9. Acceptance of dedicated rights of way in Cordova Subdivision in the Fifth Legislative District, **Cordova Lane** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 51, recorded 5-27-97.

Section 10. Acceptance of dedicated rights of way in Avalon Subdivision Unit 4 in the Fifth Legislative District, **Timberline Drive**, **Barclays Court** and **Downing Court** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 47, recorded 3-19-97.

Section 11. Acceptance of dedicated rights of way in Avalon Subdivision Unit 3 in the Fifth Legislative District, **Oak Chase Blvd.** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 44, recorded 1-6-97.

Section 12. Acceptance of dedicated rights of way in Oakwood Estates Subdivision Unit 3 in the Sixth Legislative District, **Estate Drive**, **Whitney Drive**, **Casey Lane** and **Cameron Lane** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 42, recorded 11-26-96.

Section 13. Acceptance of dedicated rights of way in ConKinnon Pointe Subdivision Unit 1 in the Third Legislative District, **ConKinnon Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slides 37, 38 and 39, recorded 11-20-96.

Section 14. Acceptance of dedicated rights of way in The Villas At Avalon Unit 1 in the Fifth Legislative District, **Skyview Drive** and **Valley View Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 28, recorded 4-12-96.

Section 15. Acceptance of dedicated rights of way in Avalon Subdivision Unit 1 in the Fifth Legislative District, **Oak Chase Blvd.**, **Windswept Drive**, **Skyview Drive**, **Lennox Court**, **Timberline Drive**, **Fountain Head Court**, **Deerfield Court**, **Pembrook Court**, **Grape Tree Court**, **Westchester Court**, and **Cardinal View Court** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 22, recorded 12-6-95.

Section 16. Acceptance of dedicated rights of way in Brentwood Subdivision in the Sixth Legislative District, **Brentwood Place Road** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 17, recorded 10-20-95.

Section 17. Acceptance of dedicated rights of way in Roberson Springs Subdivision Unit 1 in the First Legislative District, **Hillvale Lane** and **Hillview Lane** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 18, recorded 11-6-95.

Section 18. Acceptance of dedicated rights of way in Griffitts Keep Subdivision in the Third Legislative District, **Griffitts Keep Court** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 15, recorded 9-13-95.

Section 19. Acceptance of dedicated rights of way in Leeper's Crossing Subdivision in the Third Legislative District, **Windridge Road** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 15, recorded 9-7-95.

Section 20. Acceptance of dedicated rights of way in Avalon Subdivision Unit 1 in the Fifth Legislative District, **Oak Chase Blvd.**, **Skyview Drive**, **Lennox Court** and **Windswept Drive** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slides 12 & 13, recorded 9-1-95

Section 21. Acceptance of dedicated rights of way in Duff-Turner Estates Subdivision in the Fifth Legislative District, **Columbus Drive**, **Ridgeview Drive**, **Old Farm Road** and **Turner Lane** as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slides _____, recorded _____.

Be It Finally Resolved that this Resolution shall take effect immediately the public welfare requiring it.

Oct 5, 1998
Date Adopted

Riley D. Wampler
Attest
George M. Miller
Loudon County Executive

LOUDON COUNTY COMMISSION

RESOLUTION NO. 100598-H

RESOLUTION ADOPTING TENNESSEE CODE ANNOTATED 54-10-216
AS THE PROCEDURE FOR CLOSING PUBLIC ROADS IN LOUDON COUNTY

WHEREAS, over many years, the statutory method of closing public roads by the county legislative bodies in Tennessee has been confusing and vague as to the procedures to be followed; and

WHEREAS, in Loudon County, likewise, the procedures followed by the Highway Superintendent and the County Commissions have been inconsistent, and on at least one occasion, has resulted in a lawsuit contesting the validity of the closing of a road; and

WHEREAS, the Tennessee General Assembly in recent years has enacted a new statute which, if approved and ratified by a two-thirds (2/3) majority of the county legislative body, establishes precise and definite procedures in closing roads, which includes an investigation, and notification of all parties who might have an interest in particular roads that are being considered for closing; and

WHEREAS, it is the desire of the Loudon County Commission to establish a specific uniform procedure for the closing of public roads in Loudon County.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 5th day of October, 1998, as follows:

1. The provisions of Tennessee Code Annotated 54-10-216 are hereby adopted for the closing of public roads which are not maintained by any other governmental entity.
2. Upon adoption, the provisions as set forth in T.C.A. 54-10-216, and any future amendments of that statute adopted by the Tennessee General Assembly, shall govern all future applications for the closing of public roads in Loudon County.
3. This resolution shall be effective upon passage by a two-thirds (2/3) majority vote of the county legislative body of Loudon County, the public welfare requiring it.


COUNTY CHAIRMAN

APPROVED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

Number of Members: 9

8 Ayes

1 Nays