

LOUDON COUNTY COMMISSION

REGULAR MEETING

November 2, 1998

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Request to amend agenda
5. Motion to adopt Agenda as amended
6. Minutes of October 5, 1998 Adopted
7. Audience Comments on Agenda Items
8. Audience Comments on Non-Agenda Items
9. Motion passed to purchase web site pages
10. Motion passed to adopt A Resolution Authorizing Action To Negotiate The Lease Of Loudon County Memorial Hospital
11. Motion passed to adopt A Resolution Urging All Employees To Participate In Contributing To The United Way Campaign
12. Discussion of withholding funds from Committee of 100
13. Jail committee report
14. Request concerning invoices from BWS&C
15. Motion passed to restructure jail committee
16. Motion passed to transfer \$100,000 from general operating fund to capital projects fund
17. Motion passed to defer resolution accepting private drive off of Big Sandy Road into county roadway system
18. Motion passed to refer resolution regarding establishment of Loudon County Wastewater Authority to Intergovernmental Affairs Committee
19. Attorney's report on current litigation
20. Building Commissioner's Report
21. Road Commissioner's Report
22. Purchasing Agent's Report
23. Bond Approved
24. Notaries approved
25. Motion passed to approve state plans of completing four-laning of Hwy.321 from the Blount County line to SR 95
26. Adjournment

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

**PUBLIC HEARING
November 2, 1998
6:00 PM**

**(1)
Public Hearing**

- 1) Discussion and consideration of adopting a Resolution accepting a private drive into the county roadway system off Big Sandy Road, located in the First Legislative District
No one came forward to speak.

**REGULAR MEETING
November 2, 1998**

BE IT REMEMBERED that the Commission of Loudon County convened in regular session in Loudon, Tennessee on the 2nd day of November 1998.

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

Chief Tony Aikens opened Court, led the Pledge of Allegiance to the Flag of the United States of America.

Mr. Wayne Gardin gave the invocation.

Present and presiding was the **Honorable Roy Bledsoe** and the following Commissioners: **Randolph, Jenkins, Maples, Masingo, Duff, Park, and Harold (8)**
Absent: **Thomas (1)**

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.

Chairman Bledsoe requested the November 2, 1998 agenda be adopted.

Executive Miller requested to accept an amendment to the agenda adding discussion and consideration of a resolution regarding state improvements completion plans of four-laning Highway 321 from Blount County line to State Route 95.

A motion was made by **Commissioner Harold** with a second by **Commissioner Randolph** to adopt the agenda with the requested amendment.

Upon voice vote the motion was passed.

Chairman Bledsoe requested the minutes of October 5, 1998 be read and accepted.

A Motion was made by **Commissioner Harold** with second by **Commissioner Randolph** to adopt the minutes of October 5, 1998 amending the minutes to specify the board appointment was to the Library Board.

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.

Russ Lewis came forward to request the commission to review and reconsider the 1989 agreement with Matlock Bend Development, Inc.

Ms. Ann Hammontree, Director of the Beautification Board, came forward to invite the commission and the public to the open house at the Lenoir City Convenience Center on November 19th.

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

(9)
Motion passed
to purchase web
pages

George Miller, County Executive, requested discussion and possible action on the purchase of web pages under the Loudon County local government web site. The cost will be \$2,500 for 30 pages.

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, Maples, Jenkins, Masingo, Bledsoe, Duff, Park and Harold (8)**.

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

Executive Miller appointed a committee to oversee the development of the web site pages. The committee is as follows: Lisa Lanter, Carolyn Harper, Jeremy Stratton, Chairman and Commissioner Park.

(10)
Motion passed
to adopt
resolution
hospital lease
negotiations

Executive Miller requested discussion and possible action on A Resolution Authorizing Action To Negotiate The Lease Of Loudon County Memorial Hospital.

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

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

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

Resolution # 100598, Exhibit A

(11)
Motion passed
to adopt
resolution on
United Way
campaign

Executive Miller requested discussion and possible action on A Resolution Urging All Employees To Participate In Contributing To The United Way Campaign.

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

Upon voice vote the motion passed unanimously.

Resolution # 100598, Exhibit B

(12)
Discussion of
withholding
funds from
Committee of
100

Commissioner Park requested discussion and consideration of withholding \$27,000 from Industrial Committee of 100 until all entities have participated in the sharing of commercial hiring. **Executive Miller** reported that as of this afternoon all entities are up to date on their contributions.

(13)
Jail Committee
Report

Commissioner Park reported that the minutes from the jail committee meeting have been distributed and announced that a tour of the Blount County jail will be scheduled in the near future for any of the member of the jail committee or other commissioners who like to attend.

(14)
Request
concerning
BWS&C
invoices

Commissioner Maples requested that the County Executive contact BWS&C and request itemized statements for the invoiced that have already been paid to them on the jail expansion project.

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A motion was made by Commissioner Randolph with a second by Commissioner Maples to restructure the jail committee by having the Chairman of County Commission appoint two additional commissioners to the committee.

Upon voice vote the motion passed unanimously.

Commissioner Randolph pointed out that Executive Miller is an ex-officio of the jail committee and has a vote on the committee. Also Commissioner Randolph requested Ms. Nancy Richesin to attend the jail committee meetings.

Chairman Bledsoe appointed Commissioner Harold and Commissioner Jenkins to serve on the jail committee.

Nancy Richesin, Director of Budgets and Accounts, reported that a financial report has been made available for review.

A motion was made by Commissioner Randolph with a second by Commissioner Harold to transfer of \$100,000 from the County General Operating Fund to the County General Capital Projects Fund.

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

The following commissioners voted nay: Masingo and Park. (2)

Thereupon the chairman announced the motion Passed. (6-2)

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

- 1) Discussion and consideration of adopting a Resolution accepting a private drive into the county roadway system off Big Sandy Road, located in the First Legislative District

A motion was made by Commissioner Randolph with a second by Commissioner Harold to defer this item until the planning commission has had an opportunity to study private drives in the county.

Upon voice vote the motion passed unanimously.

Resolution # 100598, Exhibit C

Attorney Sproul requested consideration of adoption of a resolution regarding the establishment of Loudon County Wastewater Authority.

A motion was made by Commissioner Jenkins with a second by Commissioner Maples to refer this item to the Intergovernmental Affairs Committee for review.

Upon voice vote the motion passed unanimously.

Attorney Sproul reported on current litigation.

- 1) A new lawsuit has been filed, Robert L. Dixon v. the City of Lenoir City and Loudon County. This suit claims the county was involved in causing flooding.
- 2) The McCloud case has been settled.
- 3) There have been no changes in the American Promotional suit.
- 4) No suit has yet been filed in the Powell v. Click case. A claim has been filed with EEOC. A suit is expected to be filed within the next 30 days.
- 5) The Jack Bolton suit is pending before the state claims commission. This suit has been dismissed against the county but can be filed again later.

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

Permits issued:	68	Est. Value:	\$2,542,000
Amount collected:	\$4887.94	New taxes:	\$13,000

Don Palmer, Road Commissioner, had no report.

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

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(15)
Motion passed to restructure jail committee

(16)
Motion passed to transfer funds to Capital Projects fund

(17)
Motion passed to defer accepting private drive

(18)
Motion passed to refer resolution Loudon County Wastewater Authority

(19)
Attorney's report on current litigation

(20)
Building Commissioner's Report

(21)
Road Commissioner's Report

(22)
Purchasing Agent's Report

(23)
Bond Approved

A Motion was made by Commissioner Masingo with a second by Commissioner Duff to approve the following Bond:

Terry Vann

The motion Passed unanimously upon voice vote.

(24)
Notaries
Approved

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

Kenneth G. Wilson	Donna Louise Goforth
Barbara Ann LeRoy	Wendy L. Sumners
Renee. Sonnenfeldt	Charlotte Sandidge
Melody Musick	

The motion Passed unanimously upon voice vote.

(25)
Motion passed
to approve state
plans for Hwy.
321

Executive Miller requested consideration of approving the state plans of completing four-laning of Hwy. 321 from the Blount County line to State Route 95. Prints are at the County Executive's office to be viewed.

A motion was made by Commissioner Duff with a second by Commissioner Harold to approve the plans of the completion of Hwy. 321.

The motion Passed unanimously upon voice vote.

(26)
Adjournment

A Motion being duly made and seconded, the November 2, 1998 meeting stood adjourned at 8:05 p.m.



CHAIRMAN

ATTEST:



COUNTY COURT CLERK



COUNTY EXECUTIVE

LOUDON COUNTY COMMISSION

RESOLUTION NO. 110298-A

RESOLUTION AUTHORIZING ACTION TO NEGOTIATE THE LEASE OF LOUDON COUNTY MEMORIAL HOSPITAL

WHEREAS, the second five-year term of the lease of the Loudon County Memorial Hospital by the Fort Sanders Alliance came under consideration by Fort Sanders earlier this year for renewal, and Fort Sanders did not allow their automatic option to extend the lease for an additional five years, but has given notice that it wants to renegotiate the lease; and

WHEREAS, at the October, 1998 regular meeting of the County Commission, the County Commission adopted a motion, requesting Fort Sanders-Loudon Medical Center to extend the existing lease one (1) year to allow more time for renegotiations; and

WHEREAS, after the County Executive had sent a letter requesting the extension, upon advice of Counsel, the County Executive then sent a letter withdrawing the request; and

WHEREAS, upon recommendation of the County Attorney, the County Commission desires to ratify the action of the County Executive in withdrawing the request for extension; and

WHEREAS, the negotiation of a renewal of the lease has many aspects and is specialized because of changing laws and the change of economic dynamics in providing health care services, and involves the need for Loudon County to make decisions as to the type and quality of hospital and health care services that are desired, and at the same time area economically feasible in Loudon County; and

WHEREAS, in addition, it would be of great assistance to the committee to have professional advice and assistance in helping to obtain information to gather information and statistics and documentation concerning the operation of the Loudon County Memorial Hospital as Ft. Sanders-Loudon Medical Center, and investigate the opportunities as to other hospitals interested in the possibility of leasing the Loudon County Memorial Hospital building, and to evaluate the information and to generally advise the committee and the County Commission.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 2nd day of November, 1998, as follows:

1. The action of the County Commission requesting a one-year extension to the hospital lease is hereby rescinded, and the action of the County Executive in withdrawing the request for a one (1) year extension in the existing lease with Fort Sanders-Loudon Medical Center (Covenant Health) is ratified
2. The hiring of G. Gay Hamilton, former administrator of Loudon County Memorial Hospital, a professional who has been involved in the health care field for more than 25 years, as a consultant, on an independent contractor basis, is hereby authorized for a contract price of twenty-five hundred dollars (\$2,500).
3. A committee to carry out the purpose and functions as outlined herein is hereby appointed as follows:
 - County Executive
 - County Attorney
 - County Director of Accounts and Budgets
 - County Purchasing Agent
 - Chairman of the County Commission Capital Projects Committee (Harold Duff)

This resolution shall take effect upon adoption, the public welfare requiring it.


County Chairman

ACCEPTED:


County Executive

ATTEST:


County Clerk

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LOUDON COUNTY COMMISSION

RESOLUTION NO. 110298-B

A RESOLUTION URGING ALL EMPLOYEES TO PARTICIPATE IN CONTRIBUTING TO THE 1998-1999 UNITED WAY CAMPAIGN

WHEREAS, United Way serves many agencies in Loudon County; and

WHEREAS, Many citizens of the county benefit from these agencies; and

WHEREAS, In the absence of United Way there would likely be no other means to support these agencies; and

WHEREAS, The Loudon County United Way campaign is now underway with a goal of \$181,000; and

WHEREAS, Loudon County employees may contribute to United Way through an already established payroll deduction plan or by direct contribution.

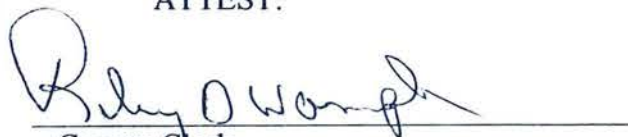
NOW, THEREFORE, BE IT RESOLVED by the Loudon County Legislative Body, meeting November 2, 1998, a quorum being present and a majority voting in the affirmative, that the Loudon County Commission urges all Loudon County employees to participate in contributing to the 1998-1999 United Way campaign.

Adopted this 2nd day of November 1998.


County Chairman

APPROVED:

ATTEST:


County Clerk


County Executive

110298-C
RESOLUTION

A RESOLUTION ADOPTED BY THE LOUDON COUNTY COMMISSION ACCEPTING A CERTAIN DRIVE INTO THE PUBLIC ROADWAY SYSTEM LOCATED OFF BIG SANDY ROAD IN THE FIRST 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, to adopt policies and standards for the acceptance of new roads and to reopen previously closed county roads; and

WHEREAS, the Loudon County Regional Planning Commission has received a request from residents abutting and impacted by a private easement, requesting the acceptance of a private drive into the county public road system; and

WHEREAS, said driveway, measuring approximately 1500' in length and 9' in width, consists of a mixed stone and dirt base, absent shoulders or drainage structures; and

WHEREAS, the cost to improve this drive for public road purposes is estimated at \$75,000, based on \$50.00 per linear foot for grading, drainage, base and paving; and

WHEREAS, the Loudon County Regional Planning Commission has reviewed the applicant's request and has recommended that the drive not be accepted into the County's Roadway System based on the existing conditions and cost benefit based on the anticipated improvement and function of the road in the transportation network.

NOW, THEREFORE, BE IT RESOLVED, that the Loudon County Commission considers the acceptance of this private drive to be in the public benefit and that said road be accepted into the County's roadway system as indicated 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.

This Resolution adopted November 2, 1998


Attest, County Court Clerk


Loudon County Chairman


Approved: Loudon County Executive

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

APPROVED: 9
DISAPPROVED: 0

ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
OCTOBER 20, 1998
FILE #98-9-98-TR-CO

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110298-C
RESOLUTION

A RESOLUTION ADOPTED BY THE LOUDON COUNTY COMMISSION ACCEPTING A CERTAIN DRIVE INTO THE PUBLIC ROADWAY SYSTEM LOCATED OFF BIG SANDY ROAD IN THE FIRST 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, to adopt policies and standards for the acceptance of new roads and to reopen previously closed county roads; and

WHEREAS, the Loudon County Regional Planning Commission has received a request from residents abutting and impacted by a private easement, requesting the acceptance of a private drive into the county public road system; and

WHEREAS, said driveway, measuring approximately 1500' in length and 9' in width, consists of a mixed stone and dirt base, absent shoulders or drainage structures; and

WHEREAS, the cost to improve this drive for public road purposes is estimated at \$75,000, based on \$50.00 per linear foot for grading, drainage, base and paving; and

WHEREAS, the Loudon County Regional Planning Commission has reviewed the applicant's request and has recommended that the drive **not be accepted** into the County's Roadway System based on the existing conditions and cost benefit based on the anticipated improvement and function of the road in the transportation network.

NOW, THEREFORE, BE IT RESOLVED, that the Loudon County Commission considers the acceptance of this private drive to be in the public benefit and that said road be accepted into the County's roadway system as indicated 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.

This Resolution adopted November 2, 1998



Attest, County Court Clerk



Loudon County Chairman

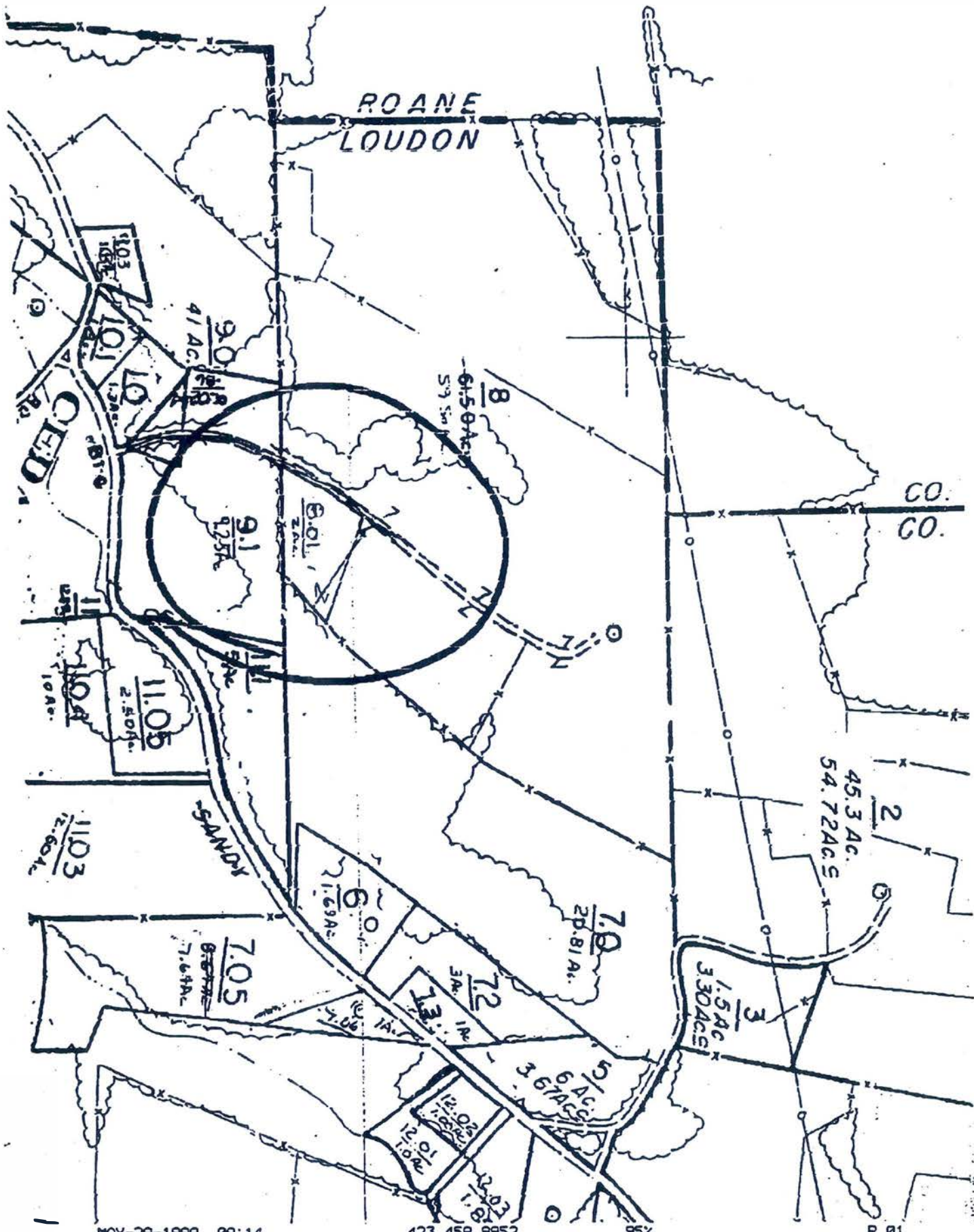

Approved: Loudon County Executive

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

APPROVED: 0
DISAPPROVED: 9

ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
OCTOBER 20, 1998
FILE #98-9-98-TR-CO

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