

**LOUDON COUNTY COMMISSION**

**REGULAR MEETING**

**January 4, 1999**

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Motion to adopt Agenda as amended
5. Minutes of December 7, 1999 Adopted
6. Audience Comments on Agenda Items
7. Audience Comments on Non-Agenda Items
8. Report on Hospital lease negotiations
9. Report on funding of study for flood areas by US Army Corps of Engineers
10. Motion if intention passed to convey property to City of Loudon
11. Motion passed to adopt a Resolution of Acceptance Of The Proposal of The Tennessee Department Of Transportation To Construct A Project Designated As State Project No. 53008-2227-14 U.S. 321 (SR-73) From 125 Km Northwest Of SR-95 To Blount County Line.
12. Motion passed to reschedule February meeting
13. Motion passed to adopt a Resolution Authorizing The Loudon County Commission To Apply For The 1999 Community Development Block Grant Funds Up To The Amount Of \$500,000
14. Report from Jail/Judicial System Facilities Needs Study Committee
15. Request for a report from John Deere
16. Discussion of hiring of Planner
17. Discussion of improvements to intersection of Hwy. 70 and Hickory Creek Road
18. Motion passed to authorize the County Executive to negotiate on purchasing property on Hickory Creek Road
19. Motion passed to amend County Clerk's budget by \$4,000 for technical support contract
20. Motion of intention passed to approve the passing of resolution in February to apply to grant match the 1% fee collected by the Trustee's Office
21. Motion passed to approve the purchase of a new vehicle for County Executive
22. Motion failed to rezone property at 174 Hickory Creek Road
23. Motion passed to sell .22 acres of industrial property
24. Building Commissioner's Report
25. Motion passed to adopt a Resolution Requesting The Cities In Loudon County To Inform The Loudon County Highway Department Of Any Roads Annexed Into Their Cities
26. Motion passed to adopt a Resolution Approving the Loudon County Road List Recommended To The County Commission By The Chief Administrative Officer Of The Loudon County Highway Department For The Year Of 1999
27. Purchasing Agent's Report
28. Notaries approved
29. Motion declared dead due to lack of second on acquiring an appraisal of Hickory Creek Road property
30. Adjournment

# LOUDON COUNTY COMMISSION

STATE OF TENNESSEE  
COUNTY OF LOUDON

## PUBLIC HEARING

January 4, 1999

3:00 PM

- 1) Rezoning request for property at 174 Hickory Creek Road, located in the Fifth Legislative District, referenced by Tax Map 11-K, Group F, Parcel 2.00, from R-1, Suburban Residential District, to O-1, Office-Professional District.  
No one came forward

(1)  
Public Hearing

## REGULAR MEETING

January 4, 1999

**BE IT REMEMBERED** that the Commission of Loudon County convened in regular session in Loudon, Tennessee on the 4<sup>th</sup> day of January 1999.

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

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

**Howard Luttrell**, Purchasing Agent, gave the invocation.

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.

**Chairman Bledsoe** requested the January 4, 1999 agenda be adopted.

**Commissioner Park** requested amending the agenda by correcting of the wording of item #3 on his portion of the agenda. The item was regarding an article in the News-Herald, not an editorial. **Executive Miller** requested to remove item #4 (Consideration and possible action on request by Greenback Crushed Stone, Inc.) and refer it to the January workshop.

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

Upon voice vote the motion was passed.

**Chairman Bledsoe** requested the minutes of December 7, 1998 be read and accepted.

A Motion was made by **Commissioner Park** with second by **Commissioner Thomas** to accept the minutes of December 7, 1998 as presented.

Upon voice vote the motion passed unanimously.

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

Mr. Ted Lynn, Matlock Bend community member, came forward to speak in favor of the proposed water line to the Matlock Bend area and use of the grant for this purpose. Prior to the meeting, Mr. Lynn handed Commissioners a letter concerning this issue.

(2)  
Opening Of  
Meeting

(3)  
Roll Call

(4)  
Motion passed  
to adopt agenda

(5)  
Minutes  
Adopted for  
December 7,  
1999

(6)  
Audience  
Comments on  
Agenda Items



(7)  
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.

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

(8)  
Report on  
Hospital lease  
negotiations

**George Miller, County Executive**, reported on the negotiations of the hospital lease. He reported the hearing on the restraining order, which has been served upon the county to keep the committee from negotiating the lease of the hospital, has been postponed. A date has not yet been set for the hearing. A meeting has been set up for January 8<sup>th</sup> with hospital medical staff to give them an opportunity to convey their concerns to the committee.

(9)  
Report on flood  
study

**Executive Miller** reported that the Army Corps of Engineers will be funding a preliminary study on the flood problem areas in the county. The areas that they will be studying are Bat Hollow watershed, Town Creek watershed and Browder/Huntsville Hollow watershed. The study will begin early to mid January.

(10)  
Motion passed  
Of intention to  
convey property  
to Loudon

**Executive Miller** requested consideration and possible action the conveying of county property located at Grove St. and Highway 72 to the City of Loudon for the purpose of expanding the wastewater treatment plant.

A motion was made by **Commissioner Duff** with a second by **Commissioner Randolph** that the County Commission go on record as intending to comply with the recommendation of the Capital Projects and Budget Committees and authorize the County Executive to instruct the City of Loudon to proceed with the legal research as to whether or not Loudon County can convey this property and if so to prepare the deed and resolution at their expense and bring the resolution back to County Commission for adoption.

Upon voice vote the motion passed unanimously.

(11)  
Motion passed  
to adopt state  
project  
resolution

**Executive Miller** requested discussion and possible action on adopting a Resolution Of Acceptance Of The Proposal Of The Tennessee Department Of Transportation To Construct A Project Designated As State Project No. 53008-2227-14, U.S. 321 (SR-73) From I25 Km Northwest Of SR-95 To Blount County Line. This resolution is necessary for TDOT to continue with this project.

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

Upon voice vote the motion passed unanimously.

**Resolution # 010499, Exhibit A**

(12)  
Motion passed  
to reschedule  
February  
meeting

**Executive Miller** requested discussion and possible action on rescheduling the February County Commission meeting due to County Government Day held on February 1<sup>st</sup> and 2<sup>nd</sup> in Nashville. Several County Commissioners will be attending this conference.

A motion was made by **Commissioner Park** with a second by **Commissioner Duff** to reschedule the February County Commission meeting from February 1<sup>st</sup> to the 8<sup>th</sup>.

Upon voice vote the motion passed unanimously.

(13)  
Motion passed  
to adopt CDGB  
resolution

**Executive Miller** requested discussion and possible action on adopting a Resolution Authorizing The Loudon County Commission To Apply For The 1999 Community Development Block Grant Funds Up To The Amount Of \$500,000. This resolution requires a guarantee of matching funds not to exceed \$160,000 to be collected from the participants. This application is for extension of sewer lines for Gentry Drive, Harmon Drive, and Duggan Road in the Fifth District.

A motion was made by **Commissioner Duff** with a second by **Commissioner Park** to adopt this resolution and that the resolution be read.

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 motion Passed. (9-0)

**Resolution # 010499, Exhibit B**

707

(14)  
Report from jail  
committee

**Commissioner Park** reported that minutes from the December meetings of the Jail/Judicial System Facilities Needs Study Committee were forwarded to the Commissioners in their packets. **Commissioner Park** answered questions from the commission regarding the progress of the Committee and reported that Mr. Jennings from CTAS will have a report and recommendations for the committee in February

(15)  
Request for  
report from  
John Deere

**Commissioner Park** requested a report from the John Deere facility in Loudon County and requested that Executive Miller and Mr. Pat Phillips report to commission in February on the number of employees and the productivity of this plant. **Commissioner Randolph** reported that the Loudon facility has 243 employees and they are looking at a possible expansion.

(16)  
Discussion of  
hiring planner

**Commission Park** commented on the newspaper article in the November 16, 1998 issue of the News-Herald regarding Yale Security in Lenoir City. This article by the Environmental Defense Fund was a news release that reported Yale was named the top area polluter. **Commissioner Park** reported that this group released information that was incorrect and that Yale was never out of compliance with the EPA.

(17)  
Discussion of  
improvements of  
intersection at  
Highway 70 and  
Hickory Creek  
Rd.

**Commissioner Park** questioned the hiring of the new Planner and who has the authority to hire a planner. Executive Miller reported the authority was delegated by a preceding county commission along with the two city councils to the Executive Planning Council on a five-year term agreement. **Commissioner Park** requested this issue be placed on the January workshop agenda and the Intergovernmental Affairs Committee agenda. **Commissioner Jenkins** reported that he is the County Commission representative to the Executive Planning Council. **Commissioner Jenkins** explained the process of hiring the new planner.

(18)  
Motion passed  
on purchasing  
property at  
Hickory Creek  
Road

**Commissioner Duff** requested discussion of improvements to intersection of Hwy. 70 and Hickory Creek Road and the possible purchase of property for the improvements. Executive Miller reported that an appraisal was obtained under the current residential zoning designation. The Planning Commission has recommended rezoning this property to O-1.

A motion was made by **Commissioner Duff** with a second by **Commissioner Park** to authorize the County Executive to negotiate with the property owners on purchasing this property.

Upon voice vote the motion passed unanimously.

(19)  
Motion passed  
to amend  
County Clerk's  
Budget

**Nancy Richesin**, Director of Budgets and Accounts, requested possible action on amending the County Clerk's budget by \$4,000 for technical support contract. This was recommended by the Budget Committee.

A motion was made by **Commissioner Thomas** with a second by **Commissioner Park** to amend the County Clerk's budget by \$4,000.

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 motion Passed. (9-0)

(20)  
Motion passed  
of intentions to  
apply 1% fee

**Mrs. Richesin** requested possible action to apply the 1% fee paid by the Solid Waste Commission collected by the Trustee's office, with the exception of \$5,000 to be retained by the County, to the financing of grant match for the Matlock Bend area water line.

A motion was made by **Commission Randolph** with a second by **Commissioner Thomas** to approve the intention of passing a resolution in February to apply the 1% fee, with the exception of \$5,000, toward the help finance the grant match of the Matlock Bend area waterline.



(21)  
Motion passed  
to purchase  
vehicle

Mrs. Richesin requested possible action to authorize a vehicle transfer from the County Executive to the Juvenile Department and to authorize the purchase of a new vehicle for the County Executive not to exceed \$16,000.

A motion was made by Commissioner Park with a second by Commissioner Thomas to authorize the transfer and the purchase not to exceed \$16,000.

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 motion **Passed. (9-0)**

Mrs. Richesin passed out a written report on Y2K compliance by the county and reported she attended a conference in Nashville regarding this issue and that all Loudon County department's technical equipment is in compliance.

(22)  
Motion passed  
to rezone  
property at  
Hickory Creek  
Rd.

Mr. Pat Phillips, President of the Industrial Committee of 100 and representing the 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) Rezoning request for property at 174 Hickory Creek Road, located in the Fifth Legislative District, referenced by Tax Map 11-K, Group F, Parcel 2.00, 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 approve the recommendation of the Planning Commission and rezone this property.

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

The following Commissioners voted Naye: **Randolph, Maples, Jenkins, Masingo, and Harold (5).**

The following Commissioner abstained from vote: **Thomas (1)**

Thereupon the chairman announced the motion **Failed. (3-5-1)**

(23)  
Motion passed  
to sell industrial  
property

- 2) Consideration of request by Mike Hedgecock with Eagle Racing Co. to purchase .22 acres of property. The Blair Bend Industrial Committee recommended this property be sold at a \$15,000/acre price.

A motion was made by Commissioner Jenkins with a second by Commissioner Masingo to authorize the sale of .22 acres as recommended by the Blair Bend Industrial Committee.

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 motion **Passed. (9-0)**

(24)  
Building  
Commissioner's  
Report

Doug Lawrence, Building Commissioner, handed out a report for 1998 and reported the totals for December 1998:

Permits issued:	31	Est. Value:	\$941,100
Amount collected:	\$2087.00	New taxes:	\$5,000

(25)  
Motion passed  
to adopt  
resolution on  
annexed roads

Don Palmer, Road Commissioner, requested consideration of a Resolution Requesting The Cities In Loudon County To Inform The Loudon County Highway Department Of Any Roads Annexed Into Their Cities. A copy of this resolution will be forwarded to each city.

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

Upon voice vote the motion passed unanimously.

**Resolution # 010499, Exhibit C**

(26)  
Motion passed  
to adopt  
resolution  
approving  
county road list

Don Palmer, Road Commissioner, requested consideration of a Resolution Approving The Loudon County Road List Recommended To The County Commission By The Chief Administrative Officer Of The Loudon County Highway Department For The Year Of 1999.

A motion was made by Commissioner Harold with a second by Commissioner Jenkins to adopt this resolution.

Upon voice vote the motion passed unanimously.

**Resolution # 010499, Exhibit D**

(27)  
Purchasing  
Agent's Report

**Howard Luttrell**, Purchasing Agent, handed out a work order report to the commissioners.

(28)  
Notaries  
Approved

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

Imogene Tibbs

Larry J. Click

Teresa H. Ryan

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

(29)  
Motion declared  
dead

A **motion** was made by **Commissioner Harold** to authorize the County Executive to acquire an appraisal on the Hickory Creek Road property but the **motion died** due to a lack of a second.

(30)  
Adjournment

A **Motion** being duly made and seconded, the January 4, 1999 meeting stood adjourned at 4:30 p.m.

  
\_\_\_\_\_  
CHAIRMAN

ATTEST:

  
\_\_\_\_\_  
COUNTY COURT CLERK

  
\_\_\_\_\_  
COUNTY EXECUTIVE

# LOUDON COUNTY COMMISSION

RESOLUTION NO. - 010499 -A

**RESOLUTION OF ACCEPTANCE OF THE PROPOSAL OF THE TENNESSEE  
DEPARTMENT OF TRANSPORTATION TO CONSTRUCT A PROJECT  
DESIGNATED AS STATE PROJECT NO. 53008-2227-14, U.S. 321 (SR-73) FROM I-  
25 KM NORTHWEST OF SR-95 TO BLOUNT COUNTY LINE**

**WHEREAS**, the Tennessee Department of Transportation has presented a Proposal to Loudon County, Tennessee concerning State Project No. 53008-2227-14, which involves U.S. 321(SR-73) from I-25 Km Northwest of SR-95 to Blount County line; and

**WHEREAS**, the Loudon County Commission has determined that the above referenced project will benefit Loudon County, Tennessee and the citizens thereof; and

**WHEREAS**, said Proposal is incorporated herein by referenced, the same as if copied herein verbatim, with a copy of as Proposal attached hereto; and

**WHEREAS**, the terms and conditions of said Proposal to Loudon County, Tennessee as submitted by the State of Tennessee, Department of Transportation, are accepted and approved by the Loudon County Commission and Loudon County shall fulfill all obligations concomitant thereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Loudon County Commission, meeting in regular session assembled this Monday, the 4<sup>th</sup> day of January, 1998, that this resolution is duly passed and approved and shall take affect from and after its passage.

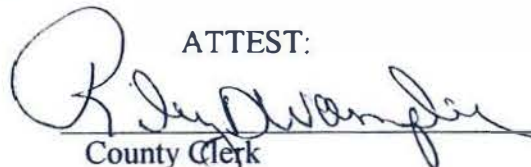
Adopted this 4<sup>th</sup> day of January, 1999

  
County Chairman

APPROVED:

  
County Executive

ATTEST:

  
County Clerk



**LOUDON COUNTY COMMISSION**

**RESOLUTION NO. 010499-B**

**A RESOLUTION AUTHORIZING THE LOUDON COUNTY EXECUTIVE TO  
APPLY FOR THE 1999 COMMUNITY DEVELOPMENT BLOCK GRANT  
FUNDS UP TO THE AMOUNT OF \$500,000**

**WHEREAS**, the Community Development Block Grant (CDBG) Program as administered by the State of Tennessee offers grants to local jurisdictions to fund sewer and water line extensions as well as community livability projects, and

**WHEREAS**, the Loudon County Commissioners want to take advantage of this grant opportunity to better serve the citizens of Loudon County, and

**WHEREAS**, it is the recommendation of the Loudon County Commission that the County apply for a CDBG grant to offer better services to its citizens.

**NOW, THEREFORE BE IT RESOLVED** that the Loudon County Commission authorizes the County Executive to apply for 1999 Community Development Block Grant funds up to the amount of \$660,000 to be used for upgrading of the county services.

**BE IT FURTHER RESOLVED** that the County Commission will provide matching funds not to exceed \$160,000 of the total amount.

**BE IT FURTHER RESOLVED** that Loudon County ask East Tennessee Development District to assist in the application and the administration of the proposed project.

**THIS RESOLUTION ADOPTED THIS 4<sup>th</sup> DAY OF January 1999.**

  
George M. Miller, Loudon County Executive

**ATTEST:**

  
Riley D. Wampler, County Court Clerk



# LOUDON COUNTY COMMISSION

## RESOLUTION NO. 010499-C

### RESOLUTION REQUESTING THE CITIES IN LOUDON COUNTY TO INFORM THE LOUDON COUNTY HIGHWAY DEPARTMENT OF ANY ROADS ANNEXED INTO THEIR CITIES

**WHEREAS**, Loudon County is required under the County Uniform Highway Law to maintain an accurate listing of the roads in the county highway system for the purpose of approving roads for the expenditure of funds by the highway superintendent in the maintenance of the listed roads; and

**WHEREAS**, Loudon County has made an exhausting and diligent effort to produce an accurate and complete listing of the county roads for the purpose of maintenance management of the roads in the highway system; and

**WHEREAS**, Loudon County has a very limited means of knowing when a road has been annexed into a city.

**NOW, THEREFORE, BE IT RESOLVED** by the Loudon County Legislative Body in regular session assembled this 4<sup>th</sup> day of January, 1999, respectfully requests that the cities of Lenoir City, Loudon, Greenback and Philadelphia please submit in writing to the Highway Superintendent of Loudon County, at the time of annexation, the names and lengths of any roads annexed into their cities.

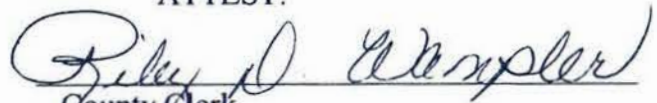
Adopted January 4, 1999.

  
County Chairman

APPROVED:

  
County Executive

ATTEST:

  
County Clerk

# LOUDON COUNTY COMMISSION

## RESOLUTION NO. 010499-D

### RESOLUTION APPROVING THE LOUDON COUNTY ROAD LIST RECOMMENDED TO THE COUNTY COMMISSION BY THE CHIEF ADMINISTRATIVE OFFICER OF THE LOUDON COUNTY HIGHWAY DEPARTMENT FOR THE YEAR OF 1999

**WHEREAS**, Substantial and extensive effort has been made to compile an accurate and complete listing of the county roads previously approved and/or adopted into the Loudon County Highway System; and

**WHEREAS**, the Road Superintendent has the duty to bring forward any road names, discovered missing from the attached list he believes to have been accepted or adopted, prior to any funds being used for the maintenance of such; and

**WHEREAS**, the Loudon County Office of Planning is current with it's recommendations for adoption any roads dedicated in newly accepted platted subdivisions and those plats being recorded in the County Register's Office; and

**WHEREAS**, the attached list includes addendum, to correct and show changes from previous lists, necessary to bring the list to current status, and render a list viable for planning and managing road maintenance; and

**WHEREAS**, the County Legislative Body has the assigned duty to designate public roads of the county that are to be maintained by the county; and

**WHEREAS**, the attached list of designated public roads is the authority for the Road Superintendent's use in expending funds to maintain those listed roads.

**NOW, THEREFORE, BE IT RESOLVED** by the Loudon County Legislative Body in regular session assembled this 4<sup>th</sup> day of January, 1999, that:

Section 1: The attached list of roads designated as county roads are to be maintained by the Chief Administrative Officer of the Loudon County Highway Department.

Section 2: This resolution shall take effect upon becoming a law, the public welfare requiring it.

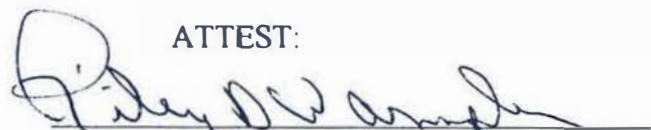
Adopted January 4, 1999.

  
County Chairman

APPROVED:

  
County Executive

ATTEST:

  
County Clerk