

LOUDON COUNTY COMMISSION
REGULAR MEETING
March 1, 1999

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Motion to roll items from the agenda
5. Motion passed to amend previous motion
6. Original motion passed as amended
7. Motion **passed** to adopt Agenda as amended
8. Minutes of February 8, 1999 Adopted
9. Audience Comments on Agenda Items
10. Audience Comments on Non-Agenda Items
11. Report on hospital lease negotiations
12. Report on U.S. Army Corps of Engineers tour of County flood areas
13. Report on Eaton Forest Sewer Project
14. Report on Acquisition of property on Hickory Creek Road
15. Motion **passed** to adopt A Resolution Requesting Changes To State Law Concerning Sales Tax Refunds
16. Motion **passed** to adopt a Resolution To Express Opposition To Any Change By The General Assembly In The Commission Of The County Trustee Provided For In T.C.A. §8-11-110
17. Motion **passed** to adopt a Resolution Authorizing Transfer Of Title To City Of Loudon For Property Needed For Water Plant Improvement
18. Request for volunteers to serve on a committee to work with the Economic Development Agency on the acquisition of Industrial development property
19. Motion **passed** to approve the appointment to the Solid Waste Commission
20. Motion **passed** to authorize purchasing agent to bid out removal of boiler
21. Motion **passed** to authorize purchasing agent to bid out clean up of old convenience center site
22. Motion **passed** to release escrow funds to Matlock Bend Development, Inc.
23. Motion **passed** to approve payment of invoice from Loudon Utilities
24. Motion **passed** to approve funds for advertisement in Loudon County Heritage Book
25. Motion **passed** to approve funds for contribution to the American Red Cross
26. Motion **passed** to rezone property located on Hwy. 70, Parcel 54.00
27. Motion **passed** to rezone property located on Hwy. 70, Parcel 54.03
28. Motion **passed** to deny rezoning of property on Cloyds Creek Road
29. Building Commissioner's Report
30. Purchasing Agent's Report
31. Bonds approved
32. Notaries approved
33. Adjournment

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

PUBLIC HEARING

March 1, 1999

6:00 PM

- 1) Rezoning request for property located on Highway 70 East, located in the Sixth District, referenced by Tax Map 8, Parcel 54.03, from R-1, Suburban District, to C-2, General Commercial District.
Mr. John Johnson came forward to speak in favor of rezoning so that business improvements could be done.
Mr. Wayne Gardin with the Planning Commission came forward and explained why the Planning Commission did not recommend rezoning this property.
Mr. Don Dickinson came forward and spoke in opposition of rezoning.
- 2) Rezoning request for property located on Highway 70 East, located in the Sixth District, referenced by Tax Map 8, Parcel 54.00, from R-1, Suburban Residential District, to C-2, General Commercial District.
Mr. John Johnson, Contractor for Graves Trucking, came forward and spoke in favor of rezoning.
Mr. Wayne Gardin came forward to explain that the Planning Commission declined recommending this property be rezoned because it did not meet the requirements of the growth plan.
- 3) Rezoning request for property located on Highway 70 East, located in the Sixth District, referenced by Tax Map 8, Parcel 54.01, from R-1, Suburban Residential District, to C-2, General Commercial District.
Mr. Wayne Gardin came forward to explain that the Planning Commission declined recommending this property be rezoned because it is going to be used as a "junkyard".
- 4) Rezoning request for property located on 1438 Cloyds Creek Road, located in the Third District, referenced by Tax Map 57, Parcel 23.04, from A-1, Agriculture-Forestry District, to R-1, Suburban Residential District.
Mr. Danny Kelly came forward and spoke in favor of rezoning.
Mr. Russ Newman came forward to explain that the Planning Commission approves the rezoning of this property.
Ms. Karen Lester came forward to speak in opposition of rezoning.

REGULAR MEETING

BE IT REMEMBERED that the Commission of Loudon County convened in regular session in Loudon, Tennessee on the 1st day of March 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, Masingso, Duff, Park, and Hargis (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 March 1, 1999 agenda be adopted.

Commissioner Randolph requested the item D. 2 regarding the 1% fee collected by the Trustee's Office from the Solid Waste Commission be pulled from the agenda.

Executive Miller requested that the Planning Commission appointments be deleted from the agenda and rolled until next month and also the consideration of request regarding driving school be deleted from the agenda and referred the Intergovernmental Affairs Committee. **Executive Miller** also requested that a report from the U.S. Army Corps of Engineers and the Eaton Forest sewer project be added to the agenda under his part.

Commissioner Harold requested the three items, #1, #2, and #3, up for rezoning on Hwy. 70 be rolled until next month.

Commissioner Duff objected to #1 and #3 of these items being items rolled. He would like for those items to remain on the agenda for consideration.

A motion was made by **Commissioner Harold** with a second by **Commissioner Jenkins** to roll item E.-1, rezoning request for rezone property on Highway 70, East, Tax Map 8 Parcel 54.00, item E-2, rezoning request for rezone property on Highway 70, East, Tax Map 8 Parcel 54.01, and Item E-3, rezoning request for rezone property on Highway 70, East, Tax Map 8 Parcel 54.03

A motion was made by **Commissioner Duff** with a second by **Commissioner Park** to amend the previous original motion and exclude the items #1 and #3 from the motion of which were to be rolled off the agenda.

Upon voice vote the motion to amend the original motion passed.

Upon voice vote the original motion passed as amended.

A motion was made by **Commissioner Park** with a second by **Commissioner Jenkins** to adopt the agenda as amended.

Upon voice vote the motion was passed.

Chairman Bledsoe requested the minutes of February 8, 1999 be read and accepted.

Commissioner Jenkins had question regarding the vote on the economic development resolution. **Commissioner Harold** requested that sentences on page 4 be checked striking the incorrect wording on that page.

A Motion was made by **Commissioner Park** with second by **Commissioner Harold** to accept the minutes of February 8, 1999 as corrected.

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.

No one came forward.

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.

Executive Miller reported that Martha Chill was named as the new administrator for the hospital. Ms. Chill will be contacting the hospital negotiating committee to set up a meeting to continue negotiations on the lease.

Executive Miller reported that a delegation from the U.S. Army Corps of Engineers toured the flood areas and took pictures of Bat Hollow, Town Creek and Browder/Huntsville Hollow watersheds. The delegation made notes and took pictures and indicated that they would go back and review and make a decision as to whether any or all of these areas qualified for assistance.

(4)
Motion to roll
items from
agenda

(5)
Motion passed
to amend
previous motion

(6)
Original motion
passed as
amended

(7)
Motion passed
to adopt agenda
as amended

(8)
Minutes
Adopted for
Feb. 8, 1999

(9)
Audience
Comments on
Agenda Items

(10)
Audience
Comments on
Non-Agenda
Items

(11)
Report on
Hospital lease
negotiations

(12)
Report on flood
study

(13)
Report on Eaton
Forest project

Executive Miller reported that Eaton Forest sewer project is moving along quite well. The engineering reports for the rights-of-way are expected soon.

(14)
Report on
acquisition of
Hickory Creek
Road property

Executive Miller reported the acquisition of property on Hickory Creek Road has been completed and closed. The safety improvement project for the intersection of Hickory Creek Road and Hwy. 70 can be continued.

(15)
Motion passed
to adopt Sales
Tax Refund
resolution

Executive Miller requested consideration of adopting A Resolution Requesting Changes To State Law Concerning Sales Tax Refunds.

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

Upon voice vote the motion passed unanimously.

Resolution # 030199, Exhibit A

(16)
Motion passed
to adopt trustee
Commission
resolution

Executive Miller requested consideration of adopting a Resolution To Express Opposition To Any Change By The General Assembly In The Commission Of The County Trustee Provided For In T.C.A. §8-11-110.

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

Upon voice vote the motion passed unanimously.

Resolution # 030199, Exhibit B

(17)
Motion passed
to transfer title
of property to
LUB

Executive Miller requested consideration of adopting a Resolution Authorizing Transfer Of Title To City Of Loudon For Property Needed For Water Plant Improvement.

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

Upon voice vote the motion passed unanimously.

Resolution # 030199, Exhibit C

(18)
Request for
industrial
property
acquisition
committee

Executive Miller requested volunteers to serve on a committee to work with the Economic Agency on the acquisition of industrial development property. Hearing no volunteers, Executive Miller asked that Commissioner Park, Commissioner Harold and Commissioner Jenkins. Commissioner Park asked to be replaced on this committee. Executive Miller requested Commissioner Maples to serve on the committee.

(19)
Motion passed –
Solid Waste
appointment

Executive Miller requested consideration of adopting a resolution appointing a member to the Loudon County Solid Waste Disposal Commission. Mr. Ted Sitzlar was recommended to be re-appointed to another term

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

Upon voice vote the motion passed unanimously.

Resolution # 030199, Exhibit D

(20)
Motion passed
to authorize
boiler removal

Commissioner Duff requested consideration of the following item recommended by the Capital Projects Committee:

1) Consideration of authorizing purchasing agent to bid out the removal of boiler behind the County Office Building.

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

Upon voice vote the motion passed unanimously.

(21)
Motion passed
to authorize old
Convenience
center clean up

2) Consideration of authorizing purchasing agent to bid out the clean up of the old convenience center site and the removal of the shack.

A motion was made by **Commissioner Duff** with a second by **Commissioner Harold** to approve this recommendation.

Upon voice vote the motion passed unanimously.

Nancy Richesin, Director of Budgets and Accounts, requested possible action on the following items:

(22)
Motion passed
to release escrow
funds, MBD, Inc.

- 1) Approval of request from Matlock Bend Development, Inc. for distribution of escrow funds and release from future escrow account payments.

A motion was made by Commissioner Park with a second by Commissioner Maples to release funds in the amount of \$74,373.62 to Matlock Bend Development, Inc. upon the recommendation of the 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)**

Resolution # 030199, Exhibit E

(23)
Motion passed
to pay LUB
invoice

- 2) Approving an invoice for \$22,377.30 from Loudon Utilities for sewer service at the Justice Center and Juvenile Center. The Capital Projects Committee and the Budget Committee recommended this request for approval being paid from the Capital Projects funds.

A motion was made by Commissioner Park with a second by Commissioner Jenkins to pay the invoice.

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

The following commissioner voted nay: **Masingo and Duff. (2)**

The following commissioner abstained from voting: **Randolph (1)**

Thereupon the chairman announced the motion **Passed. (6-2-1)**

(24)
Motion passed
to approve
funds to ad in
Heritage Book

- 3) Consideration of approval of funds for a \$200 advertisement in the Loudon County Heritage Book.

A motion was made by Commissioner Randolph with a second by Commission Park to approve this funding.

Upon voice vote the motion **passed.**

(25)
Motion passed
to approve
funds to
American Red
Cross

- 4) Consideration of approval of funds of a \$500 contribution to the American Red Cross. The Budget Committee recommended this request for approval.

A motion was made by Commissioner Harold with a second by Commission Thomas to approve this funding.

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

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

(26)
Motion passed
to rezone Hwy.
70, parcel 54.00
property

- 1) Rezoning request for property located on Highway 70 East, located in the Sixth District, referenced by Tax Map 8, Parcel 54.00, from R-1, Suburban Residential District, to C-2, General Commercial District. The Planning Commission denied recommendation of rezoning this property by a 6-3 vote.

A motion was made by Commissioner Duff with a second by Commissioner Park to rezone this property.

Upon voice vote the motion **passed.**

Resolution # 030199, Exhibit F

(27)
Motion passed
to rezone Hwy.
70, parcel 54.03
property

- 2) Rezoning request for property located on Highway 70 East, located in the Sixth District, referenced by Tax Map 8, Parcel 54.03, from R-1, Suburban Residential District, to C-2, General Commercial District. The Planning Commission denied recommendation of rezoning this property by a 6-3 vote.

A motion was made by Commissioner Duff with a second by Commissioner Park to rezone this property.

Upon voice vote the motion **passed.**

Resolution # 030199, Exhibit G

(28)
Motion passed
to deny rezoning
of Cloyds Creek
Road property

- 3) Rezoning request for property located on 1438 Cloyds Creek Road, located in the Third District, referenced by Tax Map 57, Parcel 23.04, from A-1, Agriculture-Forestry District, to R-1, Suburban Residential District. The Planning Commissioner unanimously recommended this property be rezoned

A motion was made by Commissioner Masingo with a second by Commissioner Jenkins to deny the rezoning of this property.

Upon voice vote the motion **passed.**

Resolution # 030199, Exhibit H

Attorney Harvey Sproul had no report.

Doug Lawrence, Building Commissioner, reported the totals for February 1999:

Permits issued:	41	Est. Value:	\$2,270,000
Amount collected:	\$3,738	New taxes:	\$11,976

Don Palmer, Road Commissioner, had no report.

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

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

K. Rene Anderson	Rebecca M. Willis
Terry C. McGill	Amy M. Millsaps
Margie Kirkland	

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

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

Deborah Ervin	Faye Everett
B. Salyers	Margie Kirkland

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

A **Motion** being duly made and seconded, the March 1, 1999 meeting stood adjourned at 7:45 p.m.

ATTEST:


CHAIRMAN


COUNTY COURT CLERK


COUNTY EXECUTIVE

LOUDON COUNTY COMMISSION

RESOLUTION NO. 030199-A

**A RESOLUTION REQUESTING CHANGES TO STATE LAW CONCERNING
SALES TAX REFUNDS**

WHEREAS, a recent state audit of a Blount County business resulted in a \$2.9 million sales tax refund to the business; and

WHEREAS, as a result of the confidentiality requirements of state law and Tennessee Department of Revenue policy, local governments of Blount County were given no notice about the refund and the resulting \$782,000 revenue shortfall; and

WHEREAS, despite the fact that the sales tax overpayments were made over four years, the refund was taken out of the local government's budget in one lump sum; and

WHEREAS, the refund has been extremely detrimental to the budgets of the locals governments of Blount County, especially the school system; and

WHEREAS, without changes to the state law, refunds of revenues could be reduced in Loudon County under similar circumstances in which revenues in Blount County were reduced; and

WHEREAS, a similar occurrence would be extremely detrimental to the budget of Loudon County including the school systems; and

NOW, THEREFORE, BE IT RESOLVED that the County Commission of Loudon County, Tennessee meeting in regular session on this 1st day of March, 1999,

1. That the legislative delegation representing Loudon County be requested to introduce legislation which would require the Department of Revenue to notify as soon as possible affected local governments whenever audits or rulings result in refunds that would come from tax payments to the governments; and
2. That the legislative delegation also introduce legislation to allow the refunding of tax overpayments over a period of time; and
3. That a copy of this resolution be sent to the members of the Tennessee General Assembly representing the people of Loudon County.

BE IT FURTHER RESOLVED that this resolution take effect from and after adoption, the public welfare requiring it.

Adopted this 1st day of March 1999.

APPROVED:


County Executive

ATTEST:

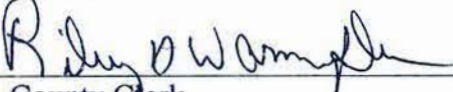

County Clerk

Exhibit = A

**LOUDON COUNTY COMMISSION
RESOLUTION NO. 030199-B**

**A RESOLUTION TO EXPRESS OPPOSITION TO ANY CHANGE BY THE
GENERAL ASSEMBLY IN THE COMMISSION OF THE COUNTY TRUSTEE
PROVIDED FOR IN T.C.A. § 8-11-110**

WHEREAS, pursuant to T.C.A. § 8-11-110 the County Trustee receives commissions for receiving and paying over the various revenues which flow through that office; and

WHEREAS, County Trustees turn over excess commissions which ensure to the benefit of the county; and

WHEREAS, T.C.A. § 67-6-712(b)(1) provides that in counties with a population in excess of 700,000 according to the 1980 census, the trustee, and therefore the county, shall not receive these commissions subject to approval by a two-thirds vote of the county legislative body; and

WHEREAS, the Tennessee Municipal League has expressed opposition to this commission of the trustee and has lobbied the legislature to take this money away from the counties; and

WHEREAS, there are numerous significant inequities in the distribution of state monies to local government, with one of the most glaring examples being the fact that municipalities receive a share of the state sales tax of which the counties receive nothing; and

WHEREAS, we believe that it is unwise and unjust to consider altering one aspect of this complex distribution of funds without examining the balance of the overall scheme; and

WHEREAS, we believe counties are mandated with providing most essential services to citizens of this state and it is of vital importance to preserve all funding sources for county governments.

NOW, THEREFORE, BE IT RESOLVED that the County Commission of Loudon County, Tennessee meeting in regular session on this 1st day of March, 1999, that the Tennessee General Assembly is strongly urged NOT to change the Tennessee Code relative to the commissions received by the County Trustee on monies received by that office and turned over to municipalities.

BE IT FURTHER RESOLVED that the county clerk shall mail certified copies of this resolution to the members of the Tennessee General Assembly representing the people of Loudon County.

Adopted this 1st day of March 1999.

APPROVED:


County Executive

ATTEST:

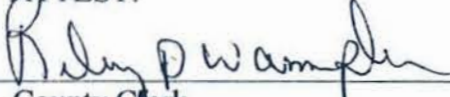

County Clerk

Exhibit - B

LOUDON COUNTY COMMISSION

RESOLUTION NO. 030199-C

RESOLUTION AUTHORIZING TRANSFER OF TITLE TO CITY OF LOUDON
FOR PROPERTY NEEDED FOR WATER PLANT IMPROVEMENT

WHEREAS, it is the desire of Loudon County to cooperate with its cities to help enhance the level of public services, and to work toward the safety and welfare of all mutual constituents; and

WHEREAS, it is necessary for Loudon Utilities to expand its Water Treatment facility, and a small additional parcel of land adjacent to the facility, apparently owned by Loudon County, is required for an expansion to the plant; and

WHEREAS, the Loudon County Commission, at its January 4, 1999 meeting approved the recommendation of the Capital Projects and Budget Committees authorizing the City of Loudon to proceed with the necessary research to get a survey for the property needed and to determine whether or not it is legally necessary, or desirable, for Loudon County to convey this property; and

WHEREAS, the City of Loudon has done its investigation and continues to request that the county transfer title to a 0.46 acre parcel as newly surveyed, immediately adjacent to the City of Loudon existing water plant property, and it further has agreed that should the property ever cease to be used as a part of the water treatment facility operation, the title to the property would revert back to Loudon County.

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission, in regular session assembled on this 1st day of March, 1999, a quorum being present and a majority voting in the affirmative, hereby authorizes the transfer to the City of Loudon any interest the county may have in the aforesaid 0.46 acre parcel of land for the purpose of expanding its Water Treatment facility, it to be specifically provided in the deed that the property shall revert to Loudon County if the property should cease to be used for Water Treatment facility purposes.

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


COUNTY CHAIRMAN

APPROVED:


COUNTY EXECUTIVE

ATTEST:

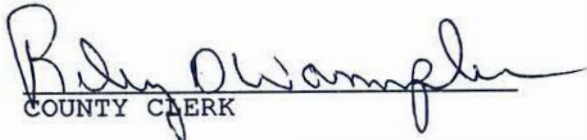

COUNTY CLERK

Exhibit = C

LOUDON COUNTY COMMISSION

RESOLUTION NO. 030199 - D

**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
SOLID WASTE DISPOSAL COMMISSION**

Appointee

Panel A
Ted Sitzlar


Term Expiration

March 2005

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 1st day of March, 1999 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

Panel A

Sally Proaps (Lenoir City)
Robert Harrison (Loudon)

Term Expiration

March 1999
March 1999

Panel B

Al Jordan
Wayne Tolbert

March 2003
March 2003

Panel C

Benny Surret
Sidney Mayes

March 2001
March 2001

Exhibit = D

LOUDON COUNTY COMMISSION

RESOLUTION NO. 030199-E

RESOLUTION AUTHORIZING SETTLEMENT AND REFUND TERMINATING THE AGREEMENT
BETWEEN LOUDON COUNTY AND MATLOCK BEND DEVELOPMENT, INC.

WHEREAS, by agreement dated June 12, 1989, between Matlock Bend Development, Inc. (MBD, Inc.), and Loudon County (approved by Resolution No. 14-89), a participation agreement was made as a part of constructing improvements into the Matlock Bend area of Loudon County; and

WHEREAS, the agreement included the establishment of an interest-bearing escrow account to be held by the county wherein MBD, Inc. would pay fifteen percent (15%) of the sales price or One Thousand Dollars (\$1,000.00) per acre, whichever was greater, for each property sale made by MBD, Inc., with the payments to go toward the county's principal and interest payments for the construction bonds that were issued by the county to fund the improvements, with the payments to be taken from any escrow funds each year and paid on the principal and interest (except under certain circumstances), with payments into the escrow fund to cease upon the reaching of certain conditions; and

WHEREAS, the county has maintained the escrow fund during the term of the agreement, but as a practice no payments were withdrawn from the escrow fund toward the payment of the principal and interest as allowed by the agreement, but money was available in the escrow account, and payments would have been authorized to be paid from the fund each year for several years; and

WHEREAS, in 1996, because of accumulated new development and new industries that have located in the Matlock Bend area covered by the agreement, including the large industrial plants of John Deere, Inc. and Honda, the new taxes received by the county became more than sufficient to make the bond payments on an annual basis, but MBD, Inc. has continued to pay into the escrow fund after each sale; and

WHEREAS, there continues to be questions between the parties as to various matters concerning the interpretation of the agreement, and the events surrounding the agreement at the beginning, as well as at the present time; and

WHEREAS, it is for the benefit of both parties that a final agreement to close the escrow account be made so as to satisfy between the parties all claims, questions and interpretations arising out of the agreement, and MBD, Inc. has agreed to release the county from any such potential claims on its part upon the refund of Seventy-Four Thousand Dollars (\$74,000.00) by the county to MBD, Inc., which is a rough calculation of the amount MBD, Inc. has paid into the escrow fund from 1996 to date; and

WHEREAS, it is specifically understood that this agreement does not affect any regular ad valorem county taxes that might be owed by MBD, Inc. and its owners or officers, or does not include other matters that might exist between MBD, Inc., its owners, agents, and officers, and the county, but would only settle any and all matters relating to the agreement dated June 12, 1989;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled on this 1st day of March, 1999, that the Loudon County Executive be authorized to proceed to settle all matters with MBD, Inc. concerning the escrow agreement dated June 12, 1989, by the payment of Seventy-Four Thousand Dollars (\$74,000.00) to MBD, Inc., upon receipt of the proper papers and releases discharging and releasing Loudon County from any liability arising out of said agreement, in full settlement of all such matters, it then being the responsibility of the county to file a proper release with the Register of Deeds of Loudon County indicating a full release and discharge of all matters relating to the escrow agreement, it further being specifically understood that MBD, Inc., from the date of this Resolution, has no responsibility for the filing with the county of any additional payments into the escrow fund.

Exhibit = E

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


COUNTY CHAIRMAN

APPROVED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

Exhibit E

030199 - F

RESOLUTION

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 HIGHWAY 70, EAST LOCATED IN THE SIXTH LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 8, PARCEL 54.00, FROM R-1, SUBURBAN RESIDENTIAL DISTRICT, TO C-2, GENERAL COMMERCIAL 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 February 1, 1999, 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 Highway 70, located in the Fifth Legislative District, referenced by Tax Map 8, Parcel 54.00, be rezoned from R-1, Suburban Residential District, to C-2, General Commercial 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: 3-1-99

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

APPROVED: 4

DISAPPROVED: _____

APPROVED: 46 3 per T.B.

DISAPPROVED: 36

ATTEST: SECRETARY, LENOIR CITY REGIONAL
PLANNING COMMISSION
DATE: FEBRUARY 2, 1999
FILES #99-18-RZ-CO

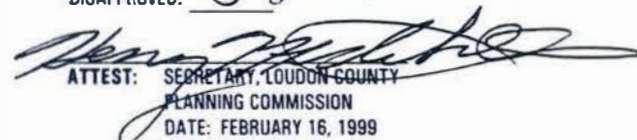
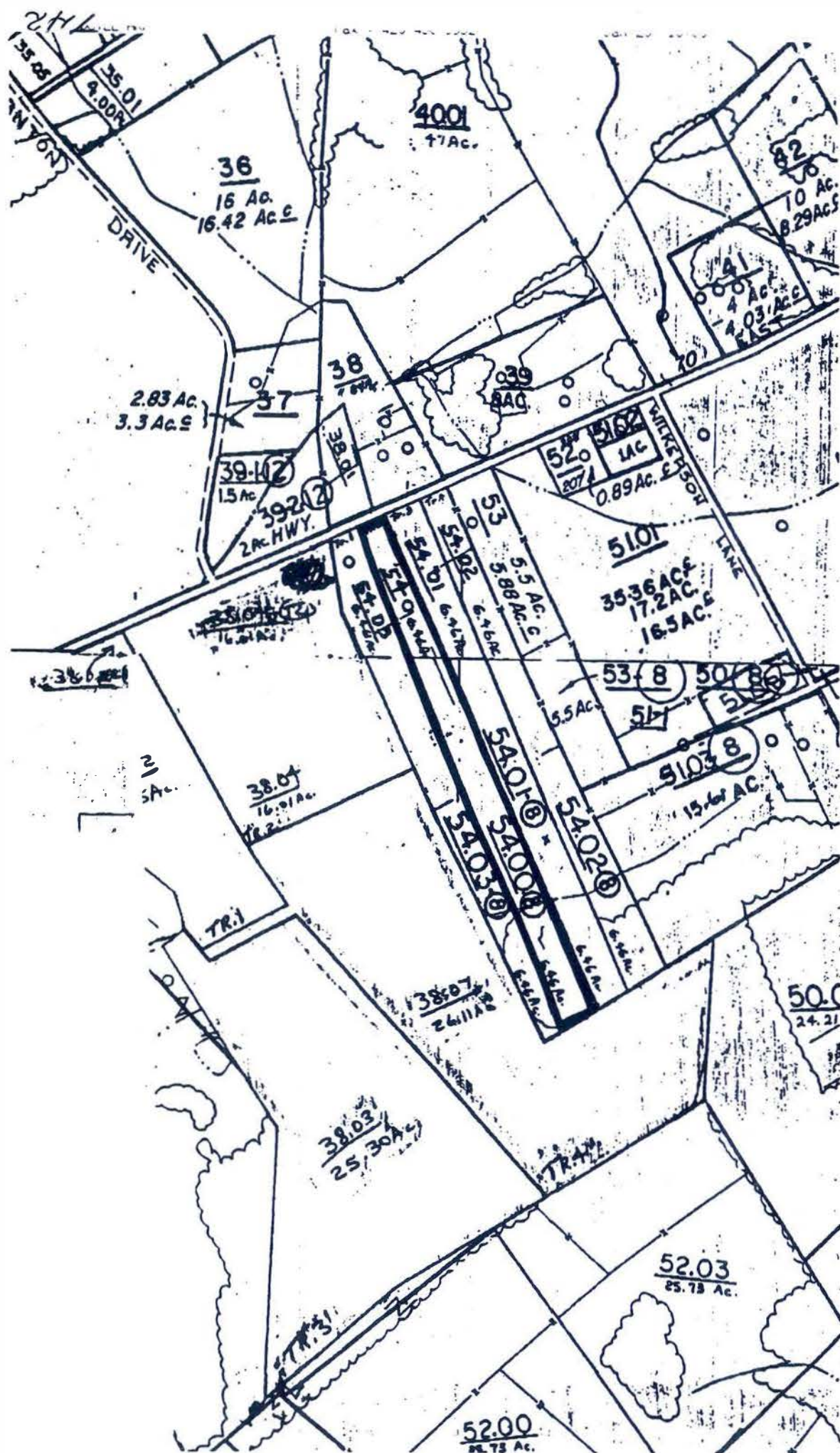

ATTEST: SECRETARY, LOUDON COUNTY
PLANNING COMMISSION
DATE: FEBRUARY 16, 1999

Exhibit - F

741



Denied Rezoning

RESOLUTION
030199-G

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 HIGHWAY 70, EAST LOCATED IN THE SIXTH LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 8, PARCEL 54.03 FROM R-1, SUBURBAN RESIDENTIAL DISTRICT, TO C-2, GENERAL COMMERCIAL 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 February 1, 1999, 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 Highway 70, located in the ^{Sixth} ~~Fifth~~ Legislative District, referenced by Tax Map 8, Parcel 54.03 be rezoned from R-1, Suburban Residential District, to C-2, General Commercial 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

LOUDON COUNTY CHAIRMAN

DATE:

APPROVED: LOUDON COUNTY EXECUTIVE

3-1-99

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

APPROVED: 4

APPROVED: 6 ³

DISAPPROVED: _____

DISAPPROVED: 3 ¹

ATTEST: SECRETARY, LENOIR CITY REGIONAL
PLANNING COMMISSION
DATE: FEBRUARY 2, 1999
FILES #99-19-RZ-CO

ATTEST: SECRETARY, LOUDON COUNTY
PLANNING COMMISSION
DATE: FEBRUARY 16, 1999

030199-H

-Served

RESOLUTION

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 1438 CLOYDS CREEK ROAD, LOCATED IN THE THIRD LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 57, PARCEL 23.04, 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 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 February 11, 1999, 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 1438 Cloyds Creek Road, located in the Third Legislative District, referenced by Tax Map 57, Parcel 23.04, 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

LOUDON COUNTY CHAIRMAN

DATE: 3-1-99

APPROVED: LOUDON COUNTY EXECUTIVE

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: FEBRUARY 16, 1999
FILE #99-2-18-RZ-CO

744