

**LOUDON COUNTY COMMISSION**

**REGULAR MEETING**

**April 5, 1999**

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Motion **passed** to adopt Agenda with requested amendment
5. Minutes of March 1, 1999 Adopted with requested correction
6. Audience Comments on Agenda Items
7. Audience Comments on Non-Agenda Items
8. Motion **passed** to put Ten Commandments resolution on May agenda
9. Motion **passed** to adopt A Resolution Of Support To Utilize The Tennessee Aging Network To Implement The Home And Community Based Service System For The Elderly And Disabled Individuals **Resolution # 040599, Exhibit A**
10. Motion **passed** to adopt A Resolution Authorizing The Execution Of An Agreement Of Understanding Between Loudon County and The State Of Tennessee Department Of Transportation Approving Project No. STP-H-1 (102) (Intersection Of Hickory Creek Road With U.S. Highway 70). **Resolution # 040599, Exhibit B**
11. Motion **passed** to approve the borrowing of funds from the Blair Bend Industrial Park funds to the Sugarlimb Industrial Park funds
12. Motion **passed** to request Director of Planning to look at a possible reclamation act for Loudon County
13. Motion **passed** to rezone property located on McGhee Road  
**Resolution # 040599, Exhibit C**
14. Motion **passed** to accept Loudon Drive into County road system  
**Resolution # 040599, Exhibit D**
15. Motion **passed** to table the issue of amending the zoning resolution to allow an asphalt plant as an accessory to a rock quarry
16. Motion **passed** to adopt a Resolution Approving The Intergovernmental Agreement With The City Of Loudon Regarding Purchase Of Property For Economic Development Purposes  
**Resolution # 040599, Exhibit E**
17. Building Commissioner's Report
18. Motion **passed** to approve request for copier lease for Clerk & Master's Office
19. Purchasing Agent's report
20. Notaries approved
21. Adjournment

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

**PUBLIC HEARING**

**April 5, 1999**

**6:00 PM**

(1)  
Public Hearing

- 1) Rezoning request for property located on McGhee Road, located in the Third District, referenced by Tax Map 86, Parcel 136.00, from A-2, Rural Residential District, to R-1, Suburban District  
No one came forward to speak.

**REGULAR MEETING**

**BE IT REMEMBERED** that the Commission of Loudon County convened in regular session in Loudon, Tennessee on the 5<sup>th</sup> day of April 1999.

(2)  
Opening Of  
Meeting

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)  
Motion passed  
to adopt agenda  
with amendment

**Chairman Bledsoe** requested the April 5, 1999 agenda be adopted.

**Executive Miller** requested that the agenda be amended and the Planning Commission appointments be deleted from the agenda and rolled until next month. County Attorney Sproul requested an executive session be added to the agenda.

A motion was made by **Commissioner Park** with a second by **Commissioner Randolph** to adopt the agenda as it was requested to be amended.

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

(5)  
Minutes  
Adopted for  
Mar. 1, 1999

**Chairman Bledsoe** requested the minutes of March 1, 1999 be read and accepted.

**Commissioner Harold** requested that under the public hearing Mr. John Johnson is not owner of Graves Trucking.

A Motion was made by **Commissioner Park** with second by **Commissioner Thomas** to accept the minutes of March 1, 1999 as corrected.

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

(6)  
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.

Mr. Blake Van Hought, came forward and spoke in opposition to the asphalt plant in Greenback.

Attorney David Black, representing Ray Moffett and Greenback Crushed Stone, came forward and spoke in favor of the asphalt plant in Greenback.

Gary Arrants, Lynn Slack, Kristin Preston, Leruss Pewty, Bill Davis, Claudia Mora, all Greenback area residents, came forward and spoke on opposition to the asphalt plant in Greenback.

(7)

746



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

Mary Anderson came forward and spoke in regards to difficulty getting information from county officials and employees.

June Griffith came forward to request commission to consider a resolution to allow the Ten Commandments to be displayed, if desired, in government buildings

A motion was made by **Commissioner Park** with a second by **Commissioner Maples** to put this resolution on the May agenda for consideration.

Upon voice vote the motion passed unanimously.

Bruce Arp, McGhee Road property buyer, came forward and spoke in favor of rezoning the property.

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

**Executive Miller** asked Bonnie Howard to come forward and present A Resolution Of Support To Utilize The Tennessee Aging Network To Implement The Home And Community Based Service System For The Elderly And Disabled Individuals

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

Upon voice vote the motion passed unanimously.

**Resolution # 040599, Exhibit A**

Mr. Jerry Julian came forward and announced the 1<sup>st</sup> annual Roane County/Loudon County Fair will be held July 26-31 at the Atomic Speedway.

**Executive Miller** requested consideration of adopting a Resolution Authorizing The Execution Of An Agreement Of Understanding Between Loudon County And The State Of Tennessee Department Of Transportation Approving Project No. STP-H-1 (102) (Intersection Of Hickory Creek Road With U. S. Highway 70).

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

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 # 040599, Exhibit B**

**Executive Miller** requested approval to borrow funds from the Blair Bend Industrial Park funds to be used as Sugarlimb Industrial Park funds to pay for materials for the construction of the railroad bridge.

A motion was made by **Commissioner Park** with a second by **Commissioner Randolph** to approve the transfer of these funds pending the approval of 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)

A motion was made by **Commissioner Randolph** with a second by **Commissioner Thomas** to request the Director of Planning to look at a possible reclamation act for Loudon County and report back to the commission.

Upon voice vote the motion passed unanimously.

**Commissioner Randolph** reported that the commissioners are invited to tour the John Deere Worksite facility on Friday, April 16<sup>th</sup> at 3:00 p.m.

(13)  
Motion passed  
to rezone  
McGhee Rd.  
property

**Mr. Russ Newman**, 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) Discussion and consideration of adopting a Resolution to rezone property on McGhee Road, located in the Third District, referenced by Tax Map 86, Parcel 136.00, from A-2, Rural Residential District, to R-1, Suburban District.

A motion was made by **Commissioner Masingo** with a second by **Commissioner Jenkins** to rezone this property.

Upon voice vote the motion passed.

**Resolution # 040599, Exhibit C**

(14)  
Motion passed  
to accept  
Loudon Drive

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

A motion was made by **Commissioner Masingo** with a second by **Commissioner Duff** to accept Loudon Drive into the county road system

Upon voice vote the motion passed.

**Resolution # 0040599, Exhibit D**

- 3) Discussion and possible action on request from Loudon County BZA asking County Commission to consider an amendment to Section 5.041 and 5.042 of the Loudon County Zoning Resolution so as to allow an asphalt plant to be an accessory to an existing active rock quarry.

At this time an executive session was requested to discuss this item.

(15)  
Motion passed  
to table asphalt  
plant issue

Upon convening the meeting, a motion was made by **Commissioner Park** with a second by **Commissioner Randolph** to table this issue.

Upon roll call vote the following commissioners voted Aye: **Randolph, Thomas, Maples, Jenkins, Bledsoe, Duff and Park (7)**.

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

Thereupon the chairman announced the motion **Passed. (7-2)**

(16)  
Motion passed  
to adopt  
agreement for  
econ.  
Development

**Pat Phillips**, Economic and Community Development Agency, requested consideration of adopting a Resolution Approving The Intergovernmental agreement with the City of Loudon Regarding Purchase Of Property for Economic Development Purposes.

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

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 # 040599, Exhibit E**

(17)  
Building  
Commissioner's  
Report

**Chris West**, Assistant Building Commissioner, reported the totals for March 1999:

Permits issued:	47	Est. Value:	\$2,736,500
Amount collected:	\$4,653	New taxes:	\$14,434

**Don Palmer**, Road Commissioner, had no report.

(18)  
Motion passed  
to approve  
copier lease

**Howard Luttrell**, Purchasing Agent, requested approval of 60-month lease of a copier for the Clerk & Master's Office at the cost \$167.38/month.

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

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)**



(19)  
Purchasing  
Agent's Report

Mr. Luttrell reported that the bid for Martel Road/Foster Road improvements was awarded \$58,101.75 and on the Dixie Lee Junction improvement project the state has approved the plans and they will be delivered to Mr. Luttrell's office.

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

(20)  
Notaries  
Approved

C. Dawn Feezell	Janet L. Simpson
Kalia D. Hodge	Kim Moser
Lanna V. Wade	David L. Viar
Naomi P. Hannah	Janice F. Tucker

The motion Passed unanimously upon voice vote.

(21)  
Adjournment

A Motion being duly made and seconded, the April 5, 1999 meeting stood adjourned at 8:55 p.m.

  
CHAIRMAN

ATTEST:

  
COUNTY COURT CLERK

  
COUNTY EXECUTIVE

**LOUDON COUNTY COMMISSION  
RESOLUTION NO. 040599 - A**

**A RESOLUTION OF SUPPORT TO UTILIZE THE TENNESSEE AGING  
NETWORK TO IMPLEMENT THE HOME AND COMMUNITY BASED SERVICE  
SYSTEM FOR THE ELDERLY AND DISABLED INDIVIDUALS**

**WHEREAS**, the Tennessee General Assembly appointed a special joint legislative Long Term Care Study Committee in 1997 to investigate the need for home and community based services in Tennessee; and

**WHEREAS**, Tennessee General Assembly passed legislation in 1998 calling for a home and community based service plan to be developed through a special planning and advisory council appointed by the Governor; and

**WHEREAS**, most states have applied for and received Medicaid waivers to provide home and community based services, such as, adult day care services, homemaker and chore services, home delivered meals, respite care, rehabilitative care, escorted transportation, personal care, and additional supportive services to caregivers; and

**NOW, THEREFORE, BE IT RESOLVED** that the County Commission of Loudon County recommends that the members of the 101<sup>st</sup> General Assembly support legislation that will provide funding for additional home and community based services and that the Tennessee Aging Network be utilized as the delivery system.

**BE IT FURTHER RESOLVED**, that the following principles be considered as the General Assembly debates this issue:


- The Tennessee Commission On Aging, the nine Area Agencies on Aging, and over 100 service provider agencies across the state have over 20 years experience in service delivery to disabled elders in Tennessee.
- Tennessee should avoid placing the management of home and community services under the auspices of managed care organizations.
- Provide adequate funding for a client advocacy (care management) service through each Area Agency on Aging across Tennessee to provide for client assessment and the arrangement for services based on the individual's functional needs.
- Allow for cost sharing so those who are financially able can pay a portion of the cost of the service.
- Establish the home community based services on a social model not a medical model of service delivery.
- Design the HCBS program to allow for flexibility based on the needs of the clients.

**Adopted this 5<sup>th</sup> day of April 1999, the health, safety, order, prosperity, and general welfare of the citizens of Loudon County requiring it.**

APPROVED:

ATTEST:

  
County Executive

  
County Clerk

*Exhibit = 1A*

LOUDON COUNTY COMMISSION

RESOLUTION NO. 040599-B

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT OF  
UNDERSTANDING BETWEEN LOUDON COUNTY AND THE STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION APPROVING PROJECT NO. STP-H-1(102)  
(INTERSECTION OF HICKORY CREEK ROAD WITH U.S. HIGHWAY 70)

WHEREAS, the Tennessee Department of Transportation has presented an Agreement of Understanding to Loudon County, Tennessee concerning the implementation of State Project STP-H-1(102) at the SR 1 (U.S. 70) Intersection with Hickory Creek Road; and

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

WHEREAS, said Agreement of Understanding is incorporated verbatim herein by reference, with a copy of the Agreement of Understanding being attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled on this 5th day of April, 1999, that the terms and conditions of said Agreement are accepted and approved, and Loudon County commits itself to fulfill all obligations concomitant thereto;

BE IT FURTHER RESOLVED that the County Executive be authorized to sign the Agreement of Understanding on behalf of Loudon County.

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

  
COUNTY CHAIRMAN

APPROVED:

  
COUNTY EXECUTIVE

ATTEST:

  
COUNTY CLERK

Exhibit-B



040599-C  
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 MCGHEE ROAD, LOCATED IN THE THIRD LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 86, PARCEL 136, FROM A-2, RURAL RESIDENTIAL 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 March 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 on McGhee Road, located in the Third Legislative District, referenced by Tax Map 86, Parcel 136, be rezoned from A-2, Rural Residential 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: 4-5-99

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

APPROVED: 9

DISAPPROVED: \_\_\_\_\_


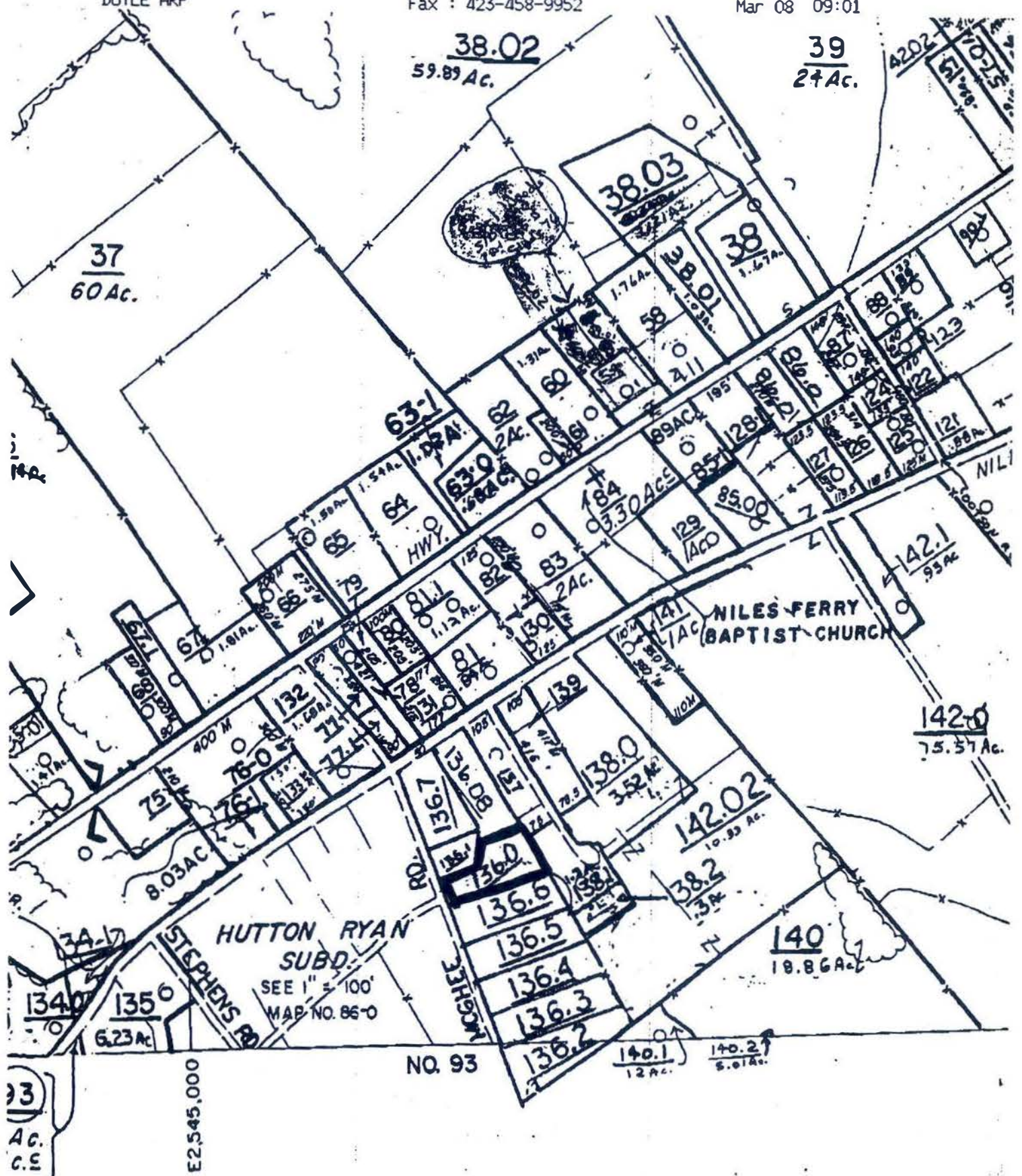




  
ATTEST: SECRETARY, LOUDON COUNTY  
PLANNING COMMISSION  
DATE: MARCH 16, 1999  
FILE #99-3-23-RZ-CD

Exhibit = C





37-40 PARCEL & CONTROLLING MAP NO.  
O IMPROVEMENT.  
-X-X- FENCE  
[E] CEMETERY  
CHURCH

 CREEK  
 STATE LINE  
 CO. LINE  
 CORP LIMITS  
 TRANSMISSION LINE  
 ROAD



040599-D

**RESOLUTION**

**A RESOLUTION ACCEPTING AND NAMING A CERTAIN ROAD 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 right of way being designed, constructed and platted pursuant to the County's road acceptance standards and subdivision regulations; and

**WHEREAS**, the following road and corresponding right of way have 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 right of way and corresponding road name 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 right of way in Sequoyah Estates Subdivision in the Third Legislative District, a portion of Loudon Drive, approximately 70' in length ending in a hammerhead turn-around, as shown on the subdivision plat recorded in the Loudon County Register's Office, Plat Cabinet D, Slide 190, recorded 3/5/99.

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

4-5-99  
Date Adopted

Ruby Swanson  
Attest

George M. Miller  
Loudon County Executive

File #99-2-17-SU-CO

Encl = D

754



# LOUDON COUNTY COMMISSION

RESOLUTION NO. 040599 - E

## RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LOUDON REGARDING PURCHASE OF PROPERTY FOR ECONOMIC DEVELOPMENT PURPOSES

**WHEREAS**, it is necessary for communities to have prepared industrial and commercial sites in order to attract new economic activities, create jobs and expend their tax bases; and

**WHEREAS**, the Loudon County Economic Development Agency has located and negotiated for the purchase of and recommended the purchase of properties known as the Purdy tract in the South West quadrant of the I-75 and State Route 72 interchange; and

**WHEREAS**, a joint committee of members of the Loudon City Council and Loudon County Commission have reviewed the proposal to purchase and develop the previously referenced tract and recommended the purchase thereof; and

**WHEREAS**, a joint workshop of Loudon City Council and Loudon County Commission has been held to review and discuss the purchase of said property, the cost sharing, and the repayment of the indebtedness of both parties; and

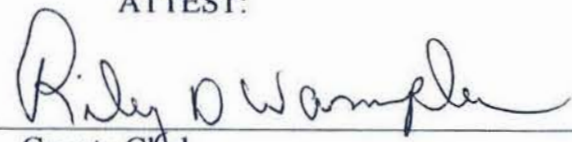
**NOW, THEREFORE, BE IT RESOLVED** by the Loudon County Legislative Body, meeting April 5, 1999, a quorum being present and a majority voting in the affirmative, the intergovernmental agreement hereby attached is approved and the County Executive is authorized to execute the agreement.

Adopted this 5<sup>th</sup> day of April 1999.

  
County Chairman

APPROVED:

ATTEST:

  
County Clerk

  
County Executive

Exhibit = E