

LOUDON COUNTY COMMISSION

REGULAR MEETING

May 1, 2000

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Motion passed to adopt the agenda
5. Motion passed to adopt minutes of April 3, 2000 County Commission Meeting
6. Audience Comments on Agenda Items
7. Audience Comments on Non-Agenda Items
8. Motion passed to adopt a resolution regarding the Fork Creek Community
Resolution # 050100, Exhibit A
9. No action taken to adopt a resolution to urge the General Assembly to enact SB 3147/HB 3259
10. Motion passed to adopt resolutions regarding City of Loudon Public Works projects
Resolution # 050100, Exhibit B
Resolution # 050100, Exhibit C
11. Motion passed to approve amendment to Register of Deed's budget for map cabinet
12. Motion Failed to transfer funds in General Sessions Court budget
13. Motion passed to deny rezoning of property at Clear Branch Road from A-2 to C-2
14. Motion passed to adopt resolution to rezone property on Clear Brand Rd. from A-2 to O-1
Resolution # 050100, Exhibit D
15. Motion passed to adopt resolution to rezone property at 169 Cook Drive
Resolution # 050100, Exhibit E
16. Motion passed to defer consideration of Growth Management resolution
17. Motion passed to adopt resolution to acquire rights-of-ways for Hickory Creek Rd/ Hwy. 70 project
Resolution # 050100, Exhibit F
18. Attorney Sproul reported on Martel Area sewer iine project
19. Building Commissioner's Report
20. Bond approved
21. Notaries approved
22. Adjournment

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

PUBLIC HEARING

May 1, 2000

6:00 PM

- 1) Rezoning request for property located at Clear Branch Road, referenced by Tax Map 054, Parcel 113.09, located in the First Legislative District, from A-2, Rural Residential District, to C-2, General Commercial District – Sidney Snider Jeff Nichols, Clear Branch Road resident and property owner, came forward to speak of concerns regarding rezoning of this property.
- 2) Rezoning request for property located at Clear Branch Road, referenced by Tax Map 054, Parcel 113.09, located in the First Legislative District, from A-2, Rural Residential District, to O-1, Office Professional District – Sidney Snider
- 3) Rezoning request for property located at 169 Cook Drive, referenced by Tax Map 53, Parcel 35.01, located in the First Legislative District, from A-2, Rural Residential District, to R-1, Suburban Residential District – Tammy Cook James Henson came forward and spoke in favor of rezoning this property.

(1)
Public Hearing

REGULAR MEETING

BE IT REMEMBERED that the Commission of Loudon County convened in regular session in Loudon, Tennessee on the 1st day of May 2000.

(2)
Opening Of
Meeting

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

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

(3)
Roll Call

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

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

(4)
Motion passed
to adopt agenda

Chairman Bledsoe requested the May 1, 2000 agenda be adopted.

Nancy Richesin requested that the item for consideration of funds for "World Changers 2000" be rolled until next meeting.

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

Upon voice vote the motion passed unanimously.

(5)
Minutes
adopted for
April 3, 2000

Chairman Bledsoe requested the minutes of April 3, 2000 be read and accepted.

Commissioner Harold requested that the following statement be added to page 4 regarding the Beer Board procedures adopted: "The County Clerk was in agreement to provide a copy of the procedures to each applicant".

A Motion was made by **Commissioner Harold** with second by **Commissioner Thomas** to accept the minutes of April 3, 2000 with the requested statement added.

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.

Ms. Mary Anderson came forward to request official information regarding Public Chapter 1101 and the mediation judges' fees.

Ms. Pat Hunter, 416 Chestnut Ridge Dr., came forward to publicly disclaim that she does not want her property to be included in the Urban Growth Boundaries of Lenoir City.

Ms. Alleen Longmire, resident of Loudon County, came forward to disclaim that she does not want her property to be included in the Urban Growth Boundaries of the City of Loudon and does not want to be annexed by the City of Loudon. She requested that her property be removed from the proposed Urban Growth Boundaries of the City of Loudon and an interlocal agreement be entered to exclude her property at this request.

Alma Seals, Eatons Crossroads resident, came forward to disclaim her opposition to her property being in the Urban Growth Boundaries of Lenoir City and she has concerns of a possible county budget deficit because of joint ventures with the cities.

Mr. Bill Lenoir, Fork Creek Community Association representative, came forward to request the passage of the resolution on the agenda to support the denial of a permit for a quarry in this community because of the impact on county roads, water quality, etc.

Ms. Mary Anderson, Highland Hills Sub. resident, came forward to publicly disclaim that she does not want her property to be included in the Urban Growth Boundaries of Lenoir City.

Ms. Doris Burns, Hwy. 70 resident, came forward to state that she does not want to be annexed into the city of Lenoir City and asked County Commission to listen to all the request on this subject.

Mr. Norm Sponseller, Chairman of the Growth Management Plan Coordinating Committee, came forward to clarify that the coordinating committee met and decided to remove areas from the proposed Lenoir City Urban Growth boundaries. He stated that Lenoir City and Loudon gave upfront costs for services and every opportunity was given for the public to speak at the meetings. He also stated that lobbying was done to come up with a compromise.

Mr. Bryan Baxter, Monroe County resident, came forward to speak in favor of the passage of the resolution on the agenda to support the denial of a permit for a quarry in this community because of the impact on county roads, water quality, etc.

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

Mr. Paul Baird, Loudon County resident, handed out a copy of the state law pertaining to monthly reporting of the county budget. He also requested the amount of current debt for Loudon County and had questions concerning the current audit findings.

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

Executive Miller requested consideration of adopting A Resolution Requesting The Tennessee Department Of Environment And Conservation To Deny The Permit Request Of Vulcan Construction Materials, LP To Establish And Operate A Limestone Quarry In The Fork Creek Community Of Monroe County.

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

Upon voice vote the motion passed unanimously.

Resolution # 050100, Exhibit A

Executive Miller requested consideration of adopting of A Resolution To Urge The General Assembly To Enact Senate Bill 3147/House Bill 3259 To Authorize A Local-Option Realty Transfer Tax.

No motion was made on this item.

(6)
Audience
Comments on
Agenda Items

(7)
Audience
Comments on
Non-Agenda
Items

(8)
Motion passed
to adopt
resolution/ Fork
Creek
Community

(9)
No action on
SB3147/HB3259
resolution

Commissioner Duff, Chairman of the Capital Projects Committee, requested consideration of adopting A Resolution Approving City Of Loudon Public Works Project For The Construction Of An Electric 69 KV Transmission Line To Serve An Electric Substation To Be Built In The Matlock Bend Area With A Portion Of The Transmission Line Being Outside The City Limits and Resolution Approving City Of Loudon Public Works Project For The Installation Of Water Lines On Portions Of Matlock Bend Road, Prospect Church Road And State Route 72, All Of Which Is Outside The City Limits.

A motion was made by **Commissioner Duff** with a second by **Commissioner Randolph** to adopt both of these resolutions.

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 # 040300, Exhibit B

Resolution # 040300, Exhibit C

Commissioner Park requested a workshop for discussion of the jail expansion project and the needs assessment study and the audit. Commission agreed to have a workshop for this issue on Tuesday, May 23rd, 6:00 p.m. at the Loudon County Office Building.

Nancy Richesin, Loudon County Finance Director, requested consideration of approval of an amendment for the Register of Deeds' budget in the amount of \$1,650.00 for a map cabinet. The Budget Committee recommended this for approval.

A motion was made by **Commissioner Park** with a second by **Commissioner Harold** to approve the amendment.

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

The following Commissioner voted Nay: **Duff (1)**

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

Ms. Richesin requested consideration of approval of a transfer of funds from the General Sessions Court Clerk's budget in the amount of \$1,500 from office supply to office equipment. The Budget Committee recommended this for approval by a vote of 3-1.

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

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

The following Commissioners voted Nay: **Randolph, Maples, Jenkins, Masingo, Duff and Park (6)**

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

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 Commissions:

- 1) Rezoning request for property located at Clear Branch Road, referenced by Tax Map 054, Parcel 113.09, located in the First Legislative District, from A-2, Rural Residential District, to C-2, General Commercial District.

The Planning Commission recommended denying this request for rezoning.

A motion was made by **Commissioner Randolph** with a second by **Commissioner Harold** to deny rezoning of this property.

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)**

(10)
Motion passed to adopt (2) resolutions on Loudon Public works projects

(11)
Motion passed to amend Register of Deeds budget

(12)
Motion Failed to transfer funds for General Sessions Court

(13)
Motion passed to deny rezoning Clear Brand Rd.

(14)
Motion passed to rezone property on Clear Branch Rd.

2) Rezoning request for property located at Clear Branch Road, referenced by Tax Map 054, Parcel 113.09, located in the First Legislative District, from A-2, Rural Residential District, to O-1, Office Professional District.

The Planning Commission recommended approval of this rezoning.

A motion was made by Commissioner Thomas with a second by Commissioner Randolph to adopt this resolution to rezone this property.

Upon voice vote the motion passed unanimously.

Resolution # 050100, Exhibit D

(15)
Motion passed to rezone prop. On Cook Dr.

3) Rezoning request for property located at 169 Cook Drive, referenced by Tax Map 53, Parcel 35.01, located in the First Legislative District, from A-2, Rural Residential District, to R-1, Suburban Residential District

The Planning Commission recommended approval of this item.

A motion was made by Commissioner Thomas with a second by Commissioner Randolph to adopt the resolution to rezone this property.

Upon voice vote the motion passed unanimously.

Resolution # 050100, Exhibit E

(16)
Motion passed To defer Growth Management resolution

Mr. Newman requested consideration of A Resolution Adopting A Growth Management Plan For Loudon County Pursuant To The State Of Tennessee's Public Chapter 1101, An Act That Amended Tennessee Code Annotated, Title 4; Title 5; Title 6; Title 7; Title 13; Title 49; Title 67 And Title 68, Relative To Growth, ET SEQ.

A motion was made by Commissioner Jenkins with a second by Commissioner Randolph to defer consideration of this resolution until June 5th in order that County Commission will have more time to review it.

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)**

(17)
Motion passed to adopt resolution on Hickory Creek Rd./Hwy. 70 project

Mr. Newman requested consideration of adopting A Resolution Authorizing The Use Of Eminent Domain Powers To Acquire Right Of Way Necessary For Completion Of Improvements To The Intersection Of Hickory Creek Road And State Route 70 Pursuant To Tennessee Code Annotated, Section 29-17-801.

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

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 # 050100, Exhibit F

(18)
Attorney Sproul's report

Attorney Sproul reported to commission on the Martel Area sewer line project. First Utility District has filed a proposal to supply sewer to the Martel area. LCUB has been given an opportunity to make a proposal. When LCUB's proposal is looked at a decision has to be made by the County Executive. A public hearing is set for May 10th to review the proposal from the First Utility District.

(19)
Building Commissioner's Report

Doug Lawrence, Building Commissioner reported the totals for April 2000.

Permits issued:	39	Est. Value:	\$1,318,500
Amount collected:	\$2,393	Est. New taxes:	\$7,000

(20)
Bonds Approved

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

Linda C. Prater
Cambi L. McLain

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

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

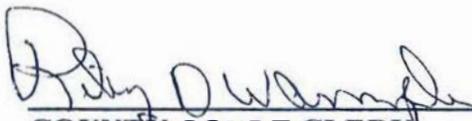
Linda C. Prater
Beady B. Wisdom
Cambi L. McLain
Vickie Dianne Graham
Thomas J. Cook
Keith W. Wilkerson
Kathy B. Knight
Barbara J. Malone
Holly Boardman

The motion Passed unanimously upon voice vote.

There being no further business, a Motion being duly made and seconded, the May 1, 2000 meeting stood adjourned at 8:21 p.m.


CHAIRMAN

ATTEST:


COUNTY COURT CLERK


COUNTY EXECUTIVE

(21)
Notaries
Approved

(22)
Adjournment

**LOUDON COUNTY COMMISSION
RESOLUTION NO. 050100 - A**

**A RESOLUTION REQUESTING THE TENNESSEE DEPARTMENT OF ENVIRONMENT
AND CONSERVATION TO DENY THE PERMIT REQUEST OF VULCAN CONSTRUCTION
MATERIALS, LP TO ESTABLISH AND OPERATE A LIMESTONE QUARRY IN THE FORK
CREEK COMMUNITY OF MONROE COUNTY**

WHEREAS, Vulcan Construction Materials, LP has applied for an NPDES/TN0072346 permit from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, to establish and operate a limestone quarry and processing facility in the Fork Creek Community of Monroe County, Tennessee; and

WHEREAS, the Fork Creek Association and other citizens and residents of Monroe County and Loudon County are opposed to the issuance of the permit; and

WHEREAS, this proposed site for the limestone quarry borders the Loudon County line and any runoff from the quarry will effect citizens of Loudon County living in this area; and

WHEREAS, the establishment and operation of Vulcan's proposed limestone quarry in the Fork Creek Community will have an adverse impact on Loudon County for repairs and maintenance of the highways and bridges used by heavy vehicles entering and exiting the quarry; and

WHEREAS, the establishment and operation of Vulcan's proposed limestone quarry will have an adverse impact on the water quality in the Fork Creek Community as well as surrounding areas including Loudon County. The proposed quarry will cause an increase in the volume of storm water runoff from the quarry's site resulting in sedimentation and flooding to the receiving stream. Further, the impact of runoff and sedimentation from the quarry's site will have an adverse impact on the William J. Fowler Mill and House by increasing the likelihood of flooding and structural damage; and

WHEREAS, the absence of a closure plan by Vulcan Construction Materials, LP to insure proper closure of the proposed quarry is a legitimate concern for Monroe and Loudon Counties; and

WHEREAS, after the proposed quarry is established and the commencement of blasting occurs to mine the limestone, the surrounding community will be substantially harmed by the effects of noise, dust and vibrations caused by the blasting. There is a substantial probability this will cause physical damage to several wells, houses and other building, which is in close proximity to the proposed quarry site; and

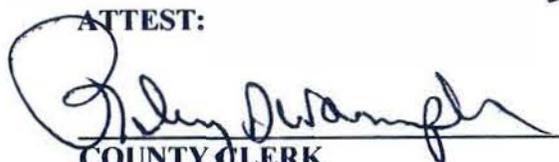
WHEREAS, there is a concern that the proposed quarry operation will have a negative impact upon the adjacent up gradient watershed currently under a conservation easement of the Foothills Land Conservancy; and

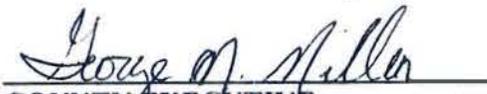
WHEREAS, the Monroe County Board of County Commissioners, after hearing concerns of citizens in this matter, believes that the establishment and the operation of a quarry by Vulcan Construction Materials, LP, will have an adverse impact on the citizens and residents of Monroe County and Loudon County as well as, Monroe County's and Loudon County's natural resources.

ACCORDINGLY, THEREFORE, BE IT RESOLVED that the Loudon County Commission meeting in regular session assembled this 1ST day of May 2000, that it does hereby request the Department of Environment and Conservation to deny the permit request of Vulcan Construction Materials, LP to establish and operate a limestone quarry in the Fork Creek Community of Monroe County. A certified copy of this Resolution shall be forwarded by the Clerk of the Court to the Tennessee Department of Environment and Conservation, Governor Don Sundquist, House Representative Doug Gunnels, Senator Jeff Miller and Monroe County Executive Alan Watson so they will be advised of Loudon County Commission's opposition to this permit.

Duly Passed and Approved this 1st day of May, 2000.


COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK


COUNTY EXECUTIVE

LOUDON COUNTY COMMISSION

RESOLUTION NO. 050100 - B

A RESOLUTION APPROVING A CITY OF LOUDON PUBLIC WORKS PROJECT FOR THE CONSTRUCTION OF A ROADWAY AND UTILITY INFRASTRUCTURE ACROSS PORTIONS OF PROPERTY SHOWN ON THE PROPERTY TAX MAPS AS PARCELS 43-26.01, 43-24.01 AND 43-19.0

WHEREAS, The City of Loudon is planning for the construction of roadway and installation of water, sewer, electric and natural gas to serve parcels of property shown on the tax maps as parcels 43-26.01, 43-24.01 and 43-19.0, with a portion of the improvements to be in an area currently outside the city limits of the City of Loudon; and

WHEREAS, Tennessee Code Annotated §9-21-107 requires the City to secure the approval of the County Commission prior to instituting a public works project located outside municipal boundaries; and

WHEREAS, Many county residents will benefit from the development that will occur as a result of these planned improvements.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Board of Commissioners meeting in regular session assembled this 1st day of May 2000, that the proposed project including the acquisition and improvement of land which partially lies outside the city limits of the City of Loudon is approved.

Adopted this 1st day of May, 2000.


COUNTY CHAIRMAN

ATTEST:


COUNTY CLERK


COUNTY EXECUTIVE

LOUDON COUNTY COMMISSION

RESOLUTION NO. 050100 - C

**RESOLUTION APPROVING AN INTERLOCAL AGREEMENT FOR
INFRASTRUCTURE EXPENSES AND THE SHARING OF REVENUE ON THE
PROPOSED DEVELOPMENT ON THE "WEST" SIDE OF I-75**

WHEREAS, Loudon County and the City of Loudon work closely together to enhance the economic well being of the citizens of Loudon County through the development of certain properties in and near the City of Loudon for industrial purposes; and

WHEREAS, Loudon County and the City of Loudon, in an effort to enhance the well being of the citizens of Loudon County, wish to install infrastructure improvements (water, sewer, gas, electric and streets) extending to property parcels 43-19.0, 43-24.01 and 43-26.01, as identified in the property tax system of Loudon County; and

WHEREAS, Loudon County wishes to participate financially in the installation of the infrastructure improvements (water, sewer, gas, electric and streets) to property parcels 43-19.0, 43-24.01 and 43-26.01; and

WHEREAS, an interlocal agreement between Loudon County and the City of Loudon would be the most beneficial method of providing for the infrastructure improvements and for the participation of both parties.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Board of Commissioners meeting in regular session assembled this 1st day of May 2000, that:

SECTION I. It is the intent of the City of Loudon and Loudon County to enter into the following interlocal agreement for the installation of infrastructure to property parcels 43-19.0, 43-24.01 and 43-26.01, as identified in the property tax system of Loudon County:

**INTERLOCAL AGREEMENT FOR THE INSTALLATION OF
INFRASTRUCTURE ON PROPERTY PARCELS 43-19.0, 43-24.01 AND 43-26.01
AS IDENTIFIED IN THE PROPERTY TAX SYSTEM OF LOUDON COUNTY**

WHEREAS, the governing bodies of the City of Loudon and Loudon County desire to make infrastructure improvements to property parcels 43-19.0, 43-24.01 and 43-26.01, as identified in the property tax system of Loudon County, and provide for the payment of the costs of those infrastructure improvements; and

WHEREAS, the provisions of this interlocal arrangement should prove to be financially beneficial for the City of Loudon and Loudon County.

NOW, THEREFORE, pursuant to the authority of Tennessee Code Annotated §12-9-101 et seq. and §15-1-113 and the authority of the governing bodies of the City of Loudon and Loudon County and in consideration of the mutual covenants and undertakings contained herein, it is agreed between the above parties that:

1. **Purpose of Agreement.** Pursuant to Tennessee Code Annotated §12-9-101 et seq. and §15-1-113, the parties to this agreement wish to install infrastructure improvements (water, sewer, gas, electric and streets) to property parcels 43-19.0, 43-24.01 and 43-26.01, as identified in the property tax system of Loudon County, and to share in the cost of installing those infrastructure improvements.
2. **Membership.** The parties to this agreement shall consist of the City of Loudon and Loudon County.
3. **Responsibilities of the City of Loudon.** The City of Loudon shall be responsible for physically installing infrastructure (water, sewer, gas, electric and streets) to property parcels 43-19.0, 43-24.01 and 43-26.01 and for paying the initial cost of installation.

4. **Responsibilities of Loudon County.** Loudon County shall be responsible for reimbursing the City of Loudon, fifty percent (50%) of the cost of installing infrastructure (water, sewer, gas, electric and streets) to property parcels 43-19.0, 43-24.01 and 43-26.01. To meet its reimbursement requirements, Loudon County shall reimburse to the City of Loudon fifty percent (50%) of any growth in property tax revenue from property parcels 43-19.0, 43-24.01 and 43-26.01, 52-2.0 and 52-3.01. Growth in property tax revenue includes growth from property tax rate increases, reappraisals and improvements, but shall not include the one-time property tax revenues that result from removing property from a greenbelt designation. Reimbursement from Loudon County to the City of Loudon shall not exceed four hundred seventy five thousand dollars (\$475,000).
5. **Duration of Agreement.** This agreement shall continue in effect until Loudon County has reimbursed the City of Loudon fifty percent (50%) of the cost of installing infrastructure (water, sewer, gas, electric and streets) to property parcels 43-19.0, 43-24.01 and 43-26.01. Reimbursement shall be by the method provided in Section 4. However, Loudon County may withdraw from this agreement at any time by completely reimbursing the City of Loudon, fifty percent (50%), up to four hundred seventy five thousand dollars (\$475,000), of the cost of installing infrastructure improvements (water, sewer, gas, electric and streets) to property parcels 43-19.0, 43-24.01 and 43-26.01.
6. **Legal Entity.** This agreement does not contemplate the establishment of a separate legal entity.
7. **Financing.** This agreement shall be financed from appropriations by both of the parties to this agreement as provided in Sections 3 and 4 of this agreement.
8. **Termination of Agreement and Disposal of Property.** This agreement shall terminate as provided in Section 5 of this agreement. Any property (water, sewer, gas, electric and streets) acquired through this agreement shall be and become the property of the City of Loudon.

This Interlocal Agreement entered into this 1st day of May, 2000.

CITY OF LOUDON

Bernie R. Suiney

Mayor

LOUDON COUNTY

George W. Miller

County Executive

This resolution shall become binding upon its adoption by the County Commission of Loudon County and adoption by the City of Loudon.

Adopted this 1st day of May, 2000.

Roy Bledsoe

COUNTY CHAIRMAN

ATTEST:
Day D. Wang

COUNTY CLERK

George W. Miller

COUNTY EXECUTIVE

RESOLUTION 050100-D

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE PROPERTY AT CLEAR BRANCH ROAD, LOCATED IN THE FIRST LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 054, PARCEL 113.09, FROM DISTRICT A-2, RURAL RESIDENTIAL DISTRICT, TO O-1, OFFICE PROFESSIONAL DISTRICT.

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

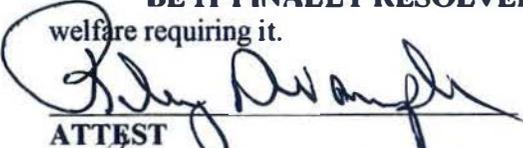
WHEREAS, the City of Loudon and Loudon County Regional Planning Commissions have forwarded their recommendations regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on March 29, 2000, 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 Clear Branch Road, located in the First Legislative District, referenced by Tax Map 054, Parcel 113.09, be rezoned from A-2, Rural Residential District, to O-1, Office Professional District, as represented on the attached map; said map being part of this Resolution.

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


ATTEST


APPROVED: LOUDON COUNTY EXECUTIVE

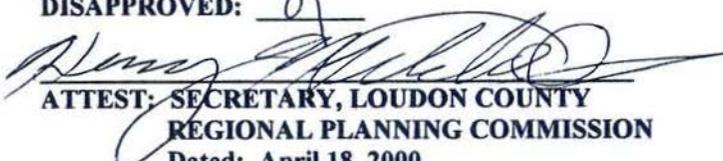

LOUDON COUNTY CHAIRMAN

DATE: 5/1/00

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

APPROVED: 9

DISAPPROVED: 0


ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION

Dated: April 18, 2000

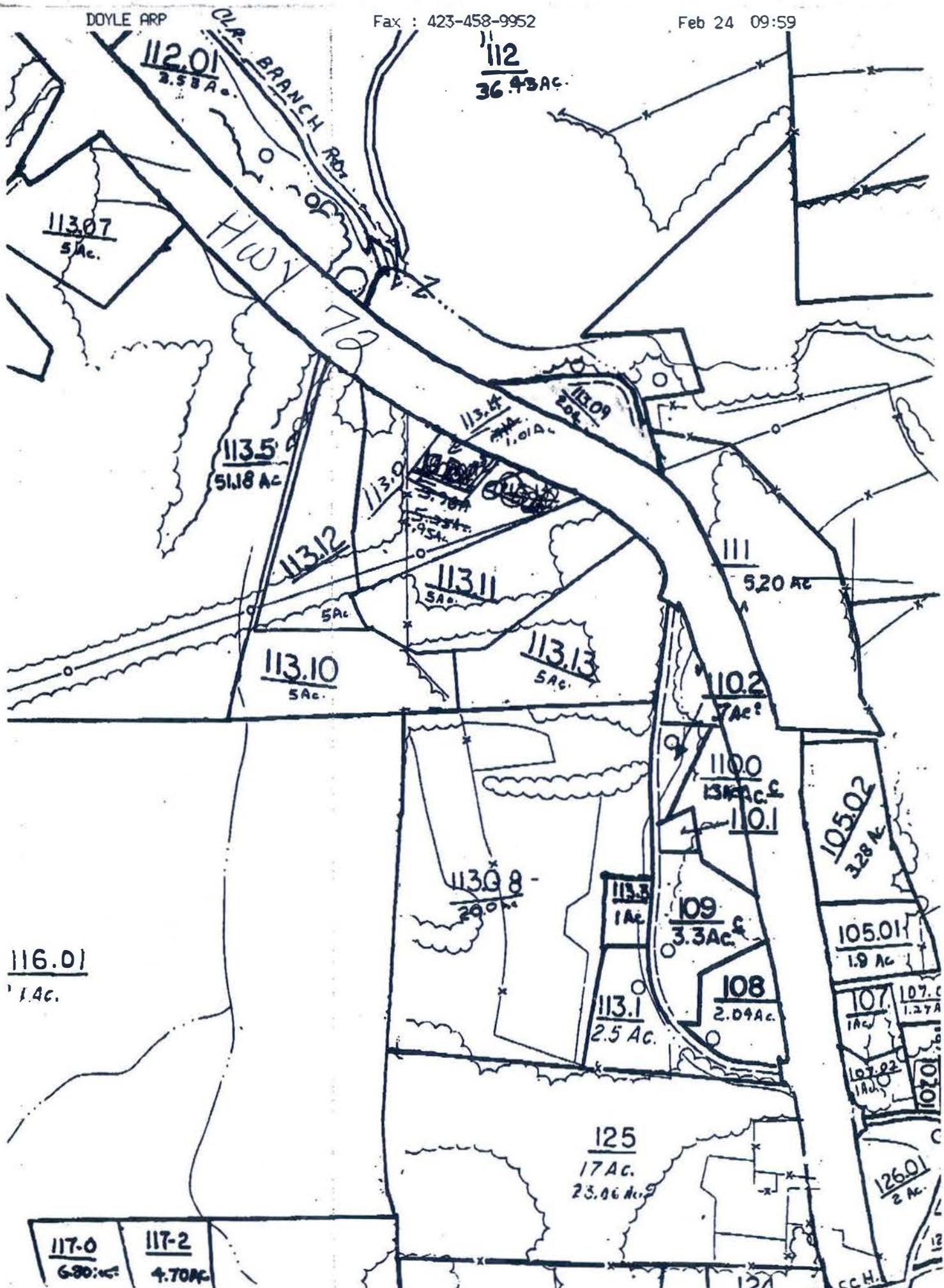
FILE #00-02-204-RZ-CO(LOPR)

1057

DOYLE ARP

Fax : 423-458-9952

Feb 24 09:59



116.01
1 Ac.

117-0 6.80 Ac.	117-2 4.70 Ac.
-------------------	-------------------

1058

RESOLUTION 050100-E

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE PROPERTY AT 169 COOK DRIVE, LOCATED IN THE FIRST LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 53, PARCEL 35.01, FROM A-2, RURAL RESIDENTIAL DISTRICT, TO R-1, SUBURBAN RESIDENTIAL DISTRICT.

WHEREAS, the Loudon County Commission/Lenoir City Council, 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

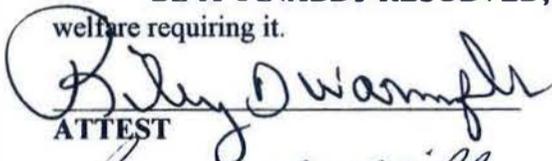
WHEREAS, the City of Loudon Regional Planning Commission has forwarded a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on March 29, 2000, consistent with the provisions of Tennessee Code Annotated, Section 13-7-105,

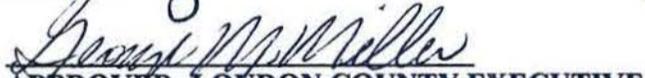
NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

1. That property at 169 Cook Drive, located in the First Legislative District, referenced by Tax Map 53, Parcel 35.01, 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


LOUDON COUNTY CHAIRMAN
DATE: 5/1/00


APPROVED: LOUDON COUNTY EXECUTIVE

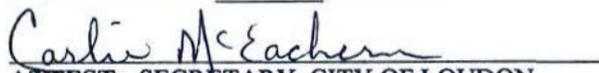
The vote on the question of approval of this Resolution by the Planning Commission is as follows:

APPROV D: 8

APPROVED: 9

DISAPPROV D: 0

DISAPPROV D: 0


ATTEST: SECRETARY, CITY OF LOUDON
REGIONAL PLANNING COMMISSION
Dated: April 5, 2000


SECRETARY LOUDON COUNTY
REGIONAL PLANNING COMMISSION
Dated: April 18, 2000

RESOLUTION 050100-F

A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN POWERS TO ACQUIRE RIGHT OF WAY NECESSARY FOR COMPLETION OF IMPROVEMENTS TO THE INTERSECTION OF HICKORY CREEK ROAD AND STATE ROUTE 70 PURSUANT TO TENNESSEE CODE ANNOTATED, SECTION 29-17-801

WHEREAS, Loudon County, the Loudon County Board of Education, and the State of Tennessee have committed funding to improve a hazardous intersection at Hickory Creek Road and Highway 70;

WHEREAS, the existing intersection is the primary route of access to two of Loudon County's fastest growing schools, Eaton's Elementary and North Middle Schools;

WHEREAS, the existing intersection creates a school related morning and afternoon traffic jam that results in traffic backing up onto U.S. Highway 321, thereby creating an extremely hazardous situation;

WHEREAS, the proposed improvements to Hickory Creek Road and Highway 70 will relocate the intersection, widen the paved surface, and add a much needed turning lane, all of which will relieve traffic congestion and improve traffic safety;

WHEREAS, the proposed improvements require the acquisition of some additional right of way on the southeast side of Highway 70 from private property owners;

WHEREAS, the additional right of way is needed for the public purpose of completing these essential road improvements;

WHEREAS, the property will be appraised by a certified appraiser and based on this appraisal the property owners will be offered fair market value for the necessary right of way;

WHEREAS, Loudon County is authorized pursuant to Tennessee Code Annotated, Section 29-17-801 to use eminent domain powers to acquire right of way for the construction, reconstruction, maintenance, repair, drainage or protection of any road;

WHEREAS, Loudon County will make all reasonable efforts to negotiate the purchase of the right of way from the property owners prior to exercising the eminent domain authority;

WHEREAS, the critical timeframe for completing this project prior to the beginning of the 2000-2001 county school year necessitates the speedy acquisition of the right of way;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the acquisition of right of way required for the construction of improvements to the intersection of Hickory Creek Road and Highway 70 is approved, if necessary, to meet the critical completion schedule of this public project.

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

Introduced, read and passed on May 1, 2000:


County Executive

1061