

# LOUDON COUNTY COMMISSION

## REGULAR MEETING

March 5, 2001

1. Public Hearing
2. Opening of Meeting
3. Roll Call
4. Motion **passed** to adopt agenda
5. Motion **passed** to adopt minutes of February 5, 2001 County Commission Meeting
6. Audience Comments on Agenda Items
7. Audience Comments on Non-Agenda Items
8. Motion **passed** to adopt resolution appointing Solid Waste Commission members  
**Resolution # 030501, Exhibit A**
9. Motion **passed** to approve an interlocal agreement with the City of Loudon regarding the Thornton Development  
**Resolution # 030501, Exhibit B**
10. Motion **passed** to adopt a resolution appointing members to the Beer Board  
**Resolution # 030501, Exhibit C**
11. Budget Committee recommendations
12. Motion **passed** to approve \$500 for aid to student exchange program
13. Motion **passed to deny** approval to BellSouth for an easement
14. Motion **passed** to rezone property at 109 Stevens Road
15. Building Commissioner's reports
16. Bonds approved
17. Notaries approved
18. Adjournment

# LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

March 5, 2001

6:00 PM

## PUBLIC HEARING

1. Rezoning request for property located at 109 Stevens Road in Greenback, located in the Third Legislative District, referenced by Tax Map 86, Parcel 135.00, from A-2, Rural Residential District, to R-1, Suburban Residential District – Cyril Payne. No one came forward.

## REGULAR MEETING

**BE IT REMEMBERED** that the Board of Commissioners of Loudon County convened in regular session in Loudon, Tennessee on the 5<sup>th</sup> day of March 2001.

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

**Sheriff Tim Guider** opened Court and led the Pledge of Allegiance to the Flag of the United States of America. Mr. Hank McGhee gave the invocation.

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 County Attorney Harvey Sproul.**

**Chairman Bledsoe** requested the March 5, 2001 agenda be adopted.

Executive Miller requested that Items #2 and #3 are duplicate items and that Item #3 be removed under his part of the agenda and consideration to adopt a resolution appointing members to the Loudon County Beer Board be added under his part.

A **motion** was made by **Commissioner Masingo** with a second by **Commissioner Park** to adopt the agenda with the rolling the items removed/added as requested by Executive Miller.

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

**Chairman Bledsoe** requested the February 5, 2001 County Commission Meeting minutes be approved and accepted.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Jenkins** to approve the Minutes of the February 5, 2001 County Commission Meeting as presented.

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

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

No one came forward to speak.

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

No one came forward to speak.

1275



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

(8)  
Solid Waste  
Commission  
appointments

**Executive Miller** requested consideration of re-appointments to the Loudon County Solid Waste Commission.

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

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

**Resolution # 030501, Exhibit A**

(9)  
Interlocal  
agreement with  
City of Loudon

**Executive Miller** requested consideration of approving an Interlocal Agreement with the City of Loudon in regards to an entrance road into the Thornton development as requested by the Hines Group.

A **motion** was made by **Commissioner Randolph** with a second by **Commissioner Thomas** to approve this agreement.

Upon roll call vote the following commissioners voted **Aye: Randolph, Thomas, Jenkins Maples, Masingo, Bledsoe, Duff, Park and Harold: (9).**

Thereupon the chairman announced the motion **Passed. (9-0)**

**Resolution # 030501, Exhibit B**

(10)  
Beer Board  
appointments

**Executive Miller** requested consideration of re-appointments to panel C of the Loudon County Beer Board.

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

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

**Resolution # 030501, Exhibit C**

(11)  
Budget  
Committee  
recommendation

**Commissioner Park** reported that the Jail Committee met on March 22<sup>nd</sup> to discuss in more detail upcoming decisions and recommendations. He also reported that the Judge's office expansion is coming along.

**Nancy Richesin**, Loudon County Finance Director, requested approval of the following Budget Committee recommendations:

1. Amendments/line-item transfers for the Highway Department
2. Amendments to the Building Commissioner's budget
3. Line-item transfer for the County Clerk Court's budget

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Randolph** to approve these recommendations by the Budget Committee.

(12)  
Approval for  
funds for  
exchange  
student

**Director Richesin** also requested approval of a request by John Houskey for financial aid for a student exchange program.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Harold** to approve this request for \$500.

Upon roll call vote the following commissioners voted **Aye: Randolph, Thomas, Jenkins Maples, Masingo, Bledsoe, Duff, Park and Harold: (9).**

Thereupon the chairman announced the motion **Passed. (9-0)**

(13)  
Denial of  
easement to  
BellSouth

**Mr. Russ Newman**, Office of Planning and Community Development, requested discussion and possible action on the following items:

1. Request by BellSouth for an easement at Hwy. 70 and Hickory Creek Rd.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Duff** to deny approval of this request and look at another site in the same area.

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



(14)  
Rezone property  
Stevens Rd.

2. Rezoning request for property located at 109 Stevens Road in Greenback, located in the Third Legislative District, referenced by Tax Map 86, Parcel 135.00, from A-2, Rural Residential District, to R-1, Suburban Residential District

A **motion** was made by **Commissioner Masingo** with a second by **Commissioner Maples** to rezone this property as recommended by the Planning Commission.

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

Patrick Phillips, President of the Loudon County Economic Development Agency, reported on the progress of redevelopment of property at Highland Park School.

(15)  
Building  
Commissioner's  
report

**Chris West**, Building Commissioner, reported the totals for February 2001.

Permits issued: 36 Est. Value: \$1,822,500

Amount collected: \$3,123 Est. New taxes: \$9,613

Permits issued in the month of February 2000 were 32.

(16)  
Bonds approval

**Commissioner Masingo** requested consideration of approving the following Bond applications:

**Dennis E. Moldenhauer**

**Bonnie Ferguson**

**Suzanne Guider**

A **Motion** was made by **Commissioner Masingo** with a second by **Commissioner Park** to approve these Bond applications.

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

(17)  
Notaries  
Approved

**Commissioner Masingo** requested consideration of approving the following Notary applications:

**Katherine M. Turbyfill**

**Della DeMerchant**

**Mike Frank**

**Mark D. Matlock**

**Debra R. Phillips**

**Sharon K. Snodderly**

**Jamie A. Selas**

**Judy Suddath**

**Brett A. Hurst**

**Terri Watson**

**Kimberly Wilks**

**Janice S. Bluford**

**Stephanie K. Putkonen**

**Michael W. Goddard**

**Tony Hale**

**Edwin T. Loy, Jr.**

**Dennis E. Moldenhauer**

A **Motion** was made by **Commissioner Masingo** with a second by **Commissioner Duff** to approve these notary applications.

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

(18)  
Adjournment

There being no further business, a **Motion** being duly made and seconded, the February 5, 2001 meeting stood adjourned at 7:08 p.m.

ATTEST:

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

  
CHAIRMAN

  
COUNTY EXECUTIVE

1277

**LOUDON COUNTY COMMISSION**

**RESOLUTION NO. 030501-A**

**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

Term Expiration

**Panel C**

**Steve Field**

**March 2004**

**Larry Stafford**

**March 2004**

**NOW, THEREFORE, BE IT RESOLVED** that the County Commission in regular session assembled this 5<sup>th</sup> day of March, 2001 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

Term Expiration

**Panel A**

**Sally Proaps (Lenoir City)**

**March 1999**

**Robert Harrison (Loudon)**

**March 1999**

**Ted Sitzlar**

**March 2005**

**Panel B**

**Al Jordan**

**March 2003**

**Wayne Tolbert**

**March 2003**



**INTERLOCAL AGREEMENT**

AN INTERLOCAL AGREEMENT PURSUANT TO TENNESSEE CODE ANNOTATED 12-9-101 et sq TO CONSTRUCT A MAJOR COLLECTOR ROAD SERVING THE MATLOCK BEND AREA OF LOUDON COUNTY, TENNESSEE BY AND BETWEEN THE LEGISLATIVE BODIES OF THE CITY OF LOUDON AND THE COUNTY OF LOUDON

This Agreement, made and entered into this the \_\_\_\_ day of \_\_\_, 2001, by and between the County of Loudon (hereinafter referred to as County), a political subdivision of the State of Tennessee, and the City of Loudon (hereinafter referred to as City), a municipal corporation formed under the laws of the State of Tennessee.

Whereas, in 1990, Eastman Chemical purchased a 1,200 +/- acre tract of land within the Matlock Bend area of Loudon County, Tennessee for the purpose of controlling a large tract of land for a future industrial site location, and

Whereas, the original purchase provided for a right of first refusal to the Loudon County Industrial Committee of 100 (now dba Loudon County Economic Development Agency), and

Whereas, the County of Loudon and City of Loudon actively participated in a Growth Management Planning process for the community that identified the property in question as a mixed-use planned district, and

Whereas, the area is within the City of Loudon's urban growth areas and is projected to be incorporated into the City of Loudon, and

Whereas, since 1999 the City and County have considered alternative land use development schemes and have determined that a mixed use residential development is a preferred development scheme for the property, and

Whereas, in August 1999, the Loudon County Economic Development Agency, with concurrence from the legislative bodies, released its right of first refusal to John Thornton for the purpose of constructing a planned residential golf and waterfront community on the property, and

Whereas, the project has expanded to include approximately 1,300 acres involving the construction of over 2,000 homes, a golf facility, a conferencing center, a marina, and related retail uses with a combined projected investment of \$500,000,000, and

Whereas, at build out the proposed development is expected to generate approximately 14,000-20,000 vehicle trips per day which will exit and enter the property through a roadway network which is not adequate to serve the future needs of the area, and

Whereas, in order to adequately provide for the safe and efficient movement of residents within the Matlock Bend area, the least cost alternative involves the construction of a new public collector road directly to Highway 72, and

Whereas, said collector road shall serve as the primary public road connection to the area and will connect to an existing public road within the project development, and

Now, Therefore, in consideration of the mutual covenants and agreements herein, the parties hereby agree as follows:

**WITNESSETH**

1. Project description and design elements: The City and County will participate in the construction of a limited access major collector road with identified points of access. Said road being approximately 6,700' in length with a pavement width of 24', 6' shoulders with a typical cross section indicating an 8" base, 3" binder, and 2" of asphalt surface, or a comparable standard of design.



2. Right of way acquisition and dedication: The developer of the Matlock Bend area shall acquire and dedicate by plat a 60 foot right of way from Highway 72 terminating at the southern boundaries of parcel 1.0, Tax Map 27. Said right of way shall be approved by the Loudon Planning Commission and accepted by the Loudon City Council.
3. Local participation: City and County mutually agree to financially participate in the development of said collector road and all costs associated with design, construction, and interest to be shared by the parties with the County assuming 30% and the City 70% of the associated costs. County acknowledges and agrees that their source of repayment will be from revenues generated from future increases in property taxes beyond the base level of the 2001 tax year for parcels 1.0, 3.13, 3.06, and 3.04, Loudon County Tax Map 27. The base level increase shall also apply to the addition of other properties included in the master plan or amended plan for the 1,300 +/- acre development. The County's only obligation of repayment is based on the increase of property tax revenues. The County shall pledge to the City an amount not to exceed 30% of the annual principal and interest payment, plus any accrued in arrears, until such time as the bonded indebtedness is retired.
4. Non-eligible expenses: This agreement shall be limited to the construction of a public road and shall not be construed to include costs associated with the extension of any public or private utility, street lighting, landscaping or any improvements unrelated to the construction of the collector road.
5. Cost recapture: In the event the development of the 1,300 +/- acre parcel fails to materialize or fails to achieve a level of completion as determined in item #8, the City shall reimburse the County all payments made by the County to the City at the level agreed upon in item #3.
6. Fiscal and contracting agent: The City shall serve as the fiscal agent and shall secure sufficient financing to construct the road project. The City shall also contract with a reputable engineering firm for the design of the roadway and shall present roadway construction plans for approval to the project committee prior to bidding (see item 7).
7. Project Committee: There is established a project coordinating committee composed of the Mayor of the City of Loudon, City Manager of the City of Loudon, County Executive, Chairman of the Loudon County Commission, Director of Planning and Community Development, and President of the Loudon County Economic Development Agency. Said committee shall meet as needed to review and approve the design and general related issues involved in the construction of the road.
8. Construction sequence/timing: Prior to the award of construction bids for the road, the City shall secure from the developer a surety bond in an amount equal to the cost of design and construction of the road. The bond is necessary to ensure that public funds are not invested for road construction in advance of substantial financial investment and commitment on the part of the development partnership in the Matlock Bend project. The project committee shall determine the length of the surety bond.
9. Public access and connections to road: All access points and connections to the road shall be indicated on the road plan and right of way plat. The adjoining property owners shall be consulted regarding the number and location of access points prior to plat recording. At a minimum, a connection to the road shall be provided for Monterey Drive, City of Loudon's water storage site, American Honda, and Monterey Mushroom.
10. Maintenance: The City of Loudon shall maintain the road in accordance with normal procedures.
11. Agreement Duration: This agreement shall continue until such time as the County's share of the project is paid.
12. Amendments: This agreement may be amended at any time upon approval of both parties.
13. Adoption: This agreement shall take effect upon adoption by both parties and execution by the appropriate representatives



**LOUDON COUNTY COMMISSION  
RESOLUTION NO. 030501-C**

**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  
BEER BOARD**

Appointee

**Panel C**

Fifth District - Dana Zehner

Sixth District - David Sponsel

Term Expiration

**August 31, 2003**

**NOW, THEREFORE, BE IT RESOLVED** that the County Commission in regular session assembled this 2<sup>nd</sup> day of October, 2000 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

Term Expiration

**Panel A**

**August 31, 2001**

First District - Nat Campbell

Second District - Jeff Laughlin

**Panel B**

**August 31, 2002**

Third District - Bobby Brown (term expired 8/31/99)

Fourth District - Bob Snodgrass

**Panel C**

**August 31, 2003**