

LOUDON COUNTY COMMISSION

REGULAR MEETING

December 03, 2001

- (1) Public Hearing
- (2) Opening Of Meeting
- (3) Roll Call
- (4) Motion Passed To Adopt Agenda
- (5) Minutes Adopted For November 05, 2001
- (6) Audience Comments On Agenda Items
- (7) Audience Comments On Non-Agenda Items
- (8) Motion Passed To Approve 2002 Meeting Dates
Exhibit A
- (9) Motion Passed To Approve 2002 County Work Calendar Holidays
Exhibit B
- (10) Motion Passed To Adopt Metro Arson Task Force Interlocal Agreement
Exhibit C
- (11) Update On Parking Problems At Annex
- (12) Motion Passed To Adopt Resolution - Appointment Of Agriculture Extension Committee
Resolution 120301-D, Exhibit D
- (13) Discussion On Lease Of Property To Central United Methodist Church
- (14) Jail Construction Committee Update
- (15) KLCB, Inc. Update
- (16) Hospital Negotiations Update
Exhibit E
- (17) Motion Died To Lift Restraint On Abbot Crossing Development
- (18) Motion Passed To Adopt Resolution - Rezone 1438 Cloyds Creek Road
Resolution 120301-F, Exhibit F
- (19) Motion Passed To Adopt Resolution - Rezone 8225 Niles Ferry Road
Resolution 120301-G, Exhibit G
- (20) Motion Passed To Adopt Resolution - Reapportionment Plan
Resolution 120301-H, Exhibit H
- (21) Motion Passed To Adopt Resolution - Telecommunication Towers, Article 5
Resolution 120301-I, Exhibit I
- (22) Motion Died To Deny Resolution - Telecommunication Towers, Article 4
- (23) Motion Passed To Adopt Resolution - Telecommunication Towers, Article 4
Resolution 120301-J, Exhibit J
- (24) Motion Passed To Adopt Resolution - Blair Bend Rail Spur
Resolution 120301-K, Exhibit K
- (25) Motion Passed To Add Fisherman Cove Road To County Road List
- (26) Building Commission Report
- (27) Sheriff Report
- (28) Notaries Approved
- (29) Motion Passed To Cancel December 17, 2001 Workshop
- (30) Adjournment

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE
COUNTY OF LOUDON

PUBLIC HEARING

December 03, 2001
6:00 PM

(1) Public Hearing

- 1) Rezoning request for approximately .5 acre located at 1438 Cloyds Creek Road, referenced by Tax Map 57, Parcel 23.04, located in the Third Legislative District, from A-1, Agriculture-Forestry District, to R-1, Suburban Residential District – Scotty Carver [01-10-184-RZ-CO]
Mr. Scotty Carver, owner of property, spoke in favor of approval of this rezoning request.
- 2) Rezoning request for .92 acre located at 8225 Niles Ferry Road, referenced by Tax Map 93, Parcel 40.02, from A-2, Rural Residential District, to C-1, Rural Center District, located in the Third Legislative District – Brenda LeQuire Shook [01-11-192-RZ-CO]
Ms. Brenda LeQuire, owner of property, spoke in favor of approval of this rezoning request.
- 3) Consideration of resolutions to amend the Loudon County Zoning Resolution for Telecommunications Towers and Antennas
Attorney Mary Miller, representing Crown Communications, spoke in favor of approval of the amendments to the resolutions, offering availability to answer any questions by the County Commission.

Chairman Bledsoe honored the late Commissioner Randolph with respects and a moment of silence.

REGULAR MEETING

(2) Opening Of Meeting

BE IT REMEMBERED that the Board of Commissioners of Loudon County convened in regular session in Loudon, Tennessee on the 3rd day of December, 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 and Howard Luttrell gave the invocation.

(3) Roll Call

Present were the following Commissioners: **Thomas, Jenkins, Maples, Bledsoe, Masingo, Duff, Park and Harold.** (8)

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

(4) Motion Passed To Adopt Agenda

Chairman Bledsoe requested the December 03, 2001 agenda be adopted.

Commissioner Duff stated that he requested at November 19, 2001 workshop for Jail Financial Report (Construction and Renovation) and response from Commissioner Park regarding the Kathy Proaps letter be on this agenda. Executive Miller replied that discussion on the letter would be more suitable for workshop since no action is being taken at this time. Commissioner Park stated that he will give a full report at December 17, 2001 workshop on these items.

Chairman Bledsoe requested that agenda item F5 "Consideration of Resolution for the 5-Year Update for the Loudon County Municipal Solid Waste Planning Region" be rolled until January 07, 2002 County Commission meeting.

Commissioner Park questioned if agenda item F3 "Review revised County Reapportionment Committee recommendation to adopt proposed District Plan (Revision 1), a seven (7) district plan with ten (10) Commissioners" is a draft or original. Copies distributed to Commissioners was marked "DRAFT", but identical copy was given to clerk without "DRAFT". Park also requested that this item be voted on as original reapportionment resolution, retracting passage of November 05, 2001 reapportionment resolution.

A **motion** was made by **Commissioner Thomas** with a second by **Commissioner Masingo** to adopt the agenda with requested changes.

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

Chairman Bledsoe requested the November 05, 2001 County Commission Meeting minutes be approved and accepted.

Commissioner Park stated that Item #15B should be better identified and thoroughly explained.

After much discussion a **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Masingo** to approve minutes as written.

Upon voice vote the motion **Passed: (7-1)**

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

Attorney Mary Miller, representing Crown Communications, spoke in favor of approval of the amendments to the telecommunication towers resolutions, offering availability to answer any questions by the County Commission.

Mr. Wayne Gardin, Loudon County resident, came forward to question legality of taking action on Item #F3 "Review revised County Reapportionment Committee recommendations to adopt proposed District Plan 1 (Revision 1), a seven (7) district plan with ten (10) commissioners" with the absence of First District Commissioner Randolph. Loudon County Attorney Sproul advised that action taken would be legal.

Ms. Brenda LeQuire, Loudon County resident, came forward to speak in favor of approval of rezoning request for property at 8225 Niles Ferry Road.

Ms. Aileen Longmire, Loudon County resident, came forward to bring attention to resolution under Item #F5 "Consideration of resolution for the 5-Year Update for the Loudon County Municipal Solid Waste Planning Region". Ms. Longmire questioned usage of the "Authority" rather than "Commission". Planner Russ Newman stated that wording would be corrected before Resolution returns to Commission.

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

No one came forward to speak.

Chairman Bledsoe requested **County Executive George Miller** to continue with the agenda items.

Executive Miller requested consideration of approval for the 2002 County Commission meetings.

After much discussion a **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Maples** to approve 2002 County Commission meeting dates.

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

Exhibit A

(5)
Minutes
Adopted For
November 05,
2001

(6)
Audience
Comments On
Agenda Items

(7)
Audience
Comments on
Non-Agenda
Items

(8)
Motion Passed
To Approve
2002 Meeting
Dates

(9)
**Motion Passed
To Approve
2002 County
Work
Calendar
Holidays**

Executive Miller requested consideration of approval for the 2002 county work calendar holidays.

A **motion** was made by **Commissioner Thomas** with a second by **Commissioner Harold** to approve 2002 county work calendar holidays.

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

Exhibit B

(10)
**Motion Passed
To Accept
Metro Arson
Task Force
Interlocal
Agreement**

Executive Miller requested consideration of approval of an Interlocal Cooperation and Mutual Aid Agreement for Loudon County Metro Arson Task Force.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Jenkins** to accept this Interlocal Agreement.

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

Exhibit C

(11)
**Update On
Parking
Problems At
Annex**

Executive Miller reported on parking problems at the Courthouse Annex. He stated that a letter had been mailed to Loudon City Manager, Barry Baker, requesting receipt of payment(s) received for parking space under the bridge. Executive Miller will update at January 2002 County Commission Workshop.

(12)
**Motion Passed
To Adopt
Resolution –
Appointment
To Agri-
culture Ext.
Committee**

Executive Miller requested consideration of approval of a Resolution Approving or Acknowledging Board or Committee Appointments by County Executive for Loudon County Agriculture Extension Committee.

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

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

Resolution 120301-D, Exhibit D

(13)
**Discussion On
Lease Of
Property To
Central United
Meth. Church**

Executive Miller requested discussion on lease of property to Central United Methodist Church. After much discussion, **Commissioner Duff** requested delaying any action until January 2002 County Commission meeting to allow time for reviewing lease.

There being no objections, action delayed.

(14)
**Jail
Construction
Committee
Update**

Commissioner Park gave update from Jail Construction Committee. He stated that four (4) proposals were submitted for construction and renovation of Jail and Justice Center project and affirmed that a more detailed report would be given at the December 17, 2001 workshop.

(15)
**KLCB, Inc.
Update**

Commissioner Harold reported that the Keep Loudon County Beautiful website is now in operation and notified commission that a quarterly newsletter distributed by Keep Loudon County Beautiful will soon be in circulation.

(16)
**Hospital
Negotiations
Update**

Commissioner Duff gave report on hospital negotiations. A handout was distributed to commissioners given to Hospital Committee members by Covenant Health for input on specific negotiation topics.

Exhibit E

(17)
**Motion Died
To Lift
Restraint On
Abbott
Crossing
Development**

A motion was made by **Commissioner Park** to release "halt development" restraint on Abbott Crossing development.

After much discussion, motion **died** due to lack of a second.

1444

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

(18)
Motion Passed
To Adopt
Resolution –
Rezone 1438
Cloyds Creek
Road

- 1) Rezoning request for approximately .5 acre located at 1438 Cloyds Creek Road, referenced by Tax Map 57, Parcel 23.04, located in the Third Legislative District, from A-1, Agriculture-Forestry District, to R-1, Suburban Residential District – Scotty Carver [01-10-184-RZ-CO]

A **motion** was made by **Commissioner Masingo** with a second by **Commissioner Maples** to approve this request.

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

Resolution 120301-F, Exhibit F

(19)
Motion Passed
To Adopt
Resolution –
Rezone 8225
Niles Ferry
Road

- 2) Rezoning request for .92 acre located at 8225 Niles Ferry Rd., referenced by Tax Map 93, Parcel 40.02, from A-2, Rural Residential District to C-1, Rural Center District, located in the Third Legislative District – Brenda LeQuire Shook [01-11-192-RZ-CO]

A **motion** was made by **Commissioner Masingo** with a second by **Commissioner Thomas** to approve this request.

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

Resolution 120301-G, Exhibit G

(20)
Motion Passed
To Adopt
Resolution –
Reapportion-
ment Plan

- 3) Review revised County Reapportionment Committee recommendation to adopt proposed District Plan 1 (Revision 1), a seven (7) district plan with ten (10) Commissioners.

After much discussion a **motion** was made by **Commissioner Masingo** with a second by **Commissioner Thomas** to adopt this resolution clarifying and replacing plan approved at November 3, 2001 meeting.

Upon voice vote the motion **Passed (6-1-1)**, indicating **Park** Nay and **Jenkins** Pass.

Resolution 120301-H, Exhibit H

(21)
Motion Passed
To Adopt
Resolution –
Telecommuni-
cation Towers,
Article 5

- 4) Consideration of resolutions to amend the Loudon County Zoning Resolution for Telecommunication Towers and Antennas.

After much discussion a **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Harold** to adopt resolution amending Zoning Resolution of Loudon County, Tennessee, Article 5.

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

The following commissioners voted **Nay: Park, Duff: (2)**.

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

Commission member(s) not present: **(0)**.

Resolution 120301-I, Exhibit I

(22)
Motion Died
To Deny
Resolution –
Telecommuni-
cation Towers,
Article 4

A **motion** was made by **Commissioner Park** to deny resolution amending Zoning Resolution of Loudon County, Tennessee, Article 4.

Motion died due to lack of a second.

(23)
Motion Passed
To Adopt
Resolution –
Telecommuni-
cation Towers,
Article 4

A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Harold** to adopt resolution amending Zoning Resolution of Loudon County, Tennessee, Article 4.

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

The following commissioners voted **Nay: Park: (1)**.

Thereupon the chairman announced the motion **Passed: (7-1)**.

Commission member(s) not present: **(0)**.

Resolution 120301-J, Exhibit J

(24)
Motion Passed
To Adopt
Resolution –
Blair Bend
Rail Spur

Mr. Pat Phillips, Loudon County Economic Development Agency, requested consideration of adopting a Resolution to construct the Blair Bend Rail Spur.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Harold** to adopt this Resolution.

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

The following commissioners voted **Nay: (0).**

Thereupon the chairman announced the motion **Passed: (8-0).**

Commission member(s) not present: **(0).**

Resolution 120301-K, Exhibit K

(25)
Motion Passed
To Add
Fisherman
Cove Road To
Road List

Commissioner Masingo requested discussion and possible action of Lakeview Road being a County Road.

A **motion** was made by **Commissioner Masingo** with a second by **Commissioner Park** to add said road to road list as "Fisherman Cove Road".

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

(26)
Building
Commission
Report

Loudon County Building Commissioner, Chris West, gave Building Commissioner's Report.

The totals for **November 2001:**

Permits issued:	39	Est. Value:	\$2,515,000
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Amount collected:	\$3,795	Est. New Taxes:	\$11,316
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Permits issued in the month of November 2000 were 32.

(27)
Sheriff Report

Sheriff Guider gave brief update on progress of Officer Hamilton, who was injured in traffic accident and Captain Shirk, who is battling an illness.

(28)
Notaries
Approved

Commissioner Masingo requested consideration of approving the following Notary applications:

Janice T. Parks	Dorothy Craig	Katherine V. Vaughn
Robin N. Presley	Angela T. Fritz	Bentis L. Rinderknecht
Lana M. Younger	Hazel V. Reynolds	Alfonso O. Marquez
Kristina Lynn Ward	Kimberly C. Millsaps	Terry Brackett
Misti M. Chumley	Melissa A. Lawson	James R. Thomason
Lonnita H. Biggs	Judith Ann Smith	Marcia Sheppard
Polly Weston	William L. Engle	

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

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

(29)
Motion Passed
To Cancel
December
Workshop

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Park** to cancel December 17, 2001 workshop.

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

(30)
Adjournment

There being no further business, a **motion** being duly made and seconded, the December 03, 2001 meeting stood adjourned at 9:15 p.m.



CHAIRMAN

ATTEST:

COUNTY COURT CLERK



COUNTY EXECUTIVE

1446

Loudon County 2002 Meetings

January	7 th	County Commission
	28 th	Capital Projects, Budget, Workshop
February	4 th	County Commission
	25 th	Capital Projects, Budget, Workshop
March	4 th	County Commission
	18 th	Capital Projects, Budget, Workshop
April	1 st	County Commission
	15 th	Capital Projects, Budget, Workshop
May	6 th	County Commission
	20 th	Capital Project, Budget, Workshop
June	3 rd	County Commission
	17 th	Capital Projects, Budget, Workshop
	24 th	County Commission
July	15 th	Capital Projects, Budget, Workshop
August	5 th	County Commission
	19 th	Capital Projects, Budget, Workshop
September	9 th	County Commission
	16 th	Capital Projects, Budget, Workshop
October	7 th	County Commission
	21 st	Capital Projects, Budget, Workshop
November	4 th	County Commission
	18 th	Capital Projects, Budget, Workshop
December	2 nd	County Commission
	16 th	Capital Projects, Budget, Workshop

County Commission begins at 6:00 p.m. Capital Projects begins at 3:30 p.m.
 Budget begins at 4:30p.m. Workshop begins at 6:00 p.m.

1447

Loudon County 2002 Holidays

JANUARY

Tuesday 1st
Monday 21st

New Year's Day
Martin Luther King, Jr. Day

FEBRUARY

Monday 18th

President's Day

MARCH

Friday 29th

Good Friday

MAY

Tuesday 7th
Monday 27th

Election Day
Memorial Day

JULY

Thursday 4th

Independence Day

AUGUST

Thursday 1st

Election Day

SEPTEMBER

Monday 2nd

Labor Day

OCTOBER

Monday 14th

Columbus Day

NOVEMBER

Monday 11th
Thursday - Friday 28th & 29th

Veteran's Day
Thanksgiving

DECEMBER

Tuesday - Thursday 24th, 25th, 26th

Christmas

INTERLOCAL COOPERATION AND MUTUAL AID AGREEMENT FOR
LOUDON COUNTY METRO ARSON TASK FORCE

THIS AGREEMENT is made and entered into this 1st day of January, 2001, by and between the CITY OF LENOIR CITY, a municipal corporation located in Loudon County, Tennessee; LOUDON COUNTY, a political subdivision of the State of Tennessee, and CITY OF LOUDON, a municipal corporation located in Loudon County, Tennessee; CITY OF PHILADELPHIA, a municipal corporation located in Loudon County, Tennessee; GREENBACK FIRE DEPARTMENT, located in Loudon County, Tennessee; LOUDON COUNTY FIRE/RESCUE, located in Loudon County, Tennessee; and TELlico VILLAGE FIRE DEPARTMENT, located in Loudon County, Tennessee.

W I T N E S S E T H

WHEREAS, Tennessee Code Annotated, Section 12-9-101, authorizes public agencies to enter into interlocal cooperation agreements; and

WHEREAS, Tennessee Code Annotated, Section 58-2-601, authorizes local governments to provide one another with emergency assistance; and

WHEREAS, Tennessee Code Annotated, Section 6-54-601 et seq. authorizes cities, counties, and private incorporated fire departments to enter into contracts and mutual aid agreements; and

WHEREAS, the local governments which are parties to this Agreement wish to avail themselves to all authority conferred by these statutes and any other provisions of the law, to create and operate Loudon County Metro Arson Task Force (L.C.M.A.T.F.); and

WHEREAS, the Tennessee Department of Commerce and Insurance has the primary duty and responsibility for the preventing and investigating of fires that are destructive of buildings and other property, including the investigation of the cause, origin and circumstances of fires, but the assistance of representatives of that State Department is limited and all fires cannot be investigated, and when a fire appears to be suspicious in its origin, the Department is called to investigate much of the evidence that may have been changed, damaged or destroyed by the time that the State representatives can be present; and

WHEREAS, Tennessee Code Annotated, Section 68-102-108 provides that in incorporated cities, fire chiefs are appointed as assistants to the Commissioner of Commerce and Insurance, and chiefs of private fire companies, and Tennessee Code Annotated, Section 68-102-111 provides that assistants shall investigate the cause, origin and circumstance of every fire occurring in the State; and

WHEREAS, Tennessee Code Annotated, Section 68-102-129 provides that after examination, the Commissioner feels that the facts related to a fire indicate a crime has been committed, that the testimony of witnesses and other data shall be presented to the District Attorney General for presentation to the attention of the Grand Jury, and it is the duty of the District Attorney General by Tennessee Code Annotated, Section 68-102-135 to assist appropriate officers in the investigation of fires which have suspicious origin; and

WHEREAS, in view of the above, the parties deem it in the public interest hereto that such a multi-jurisdictional Arson Task Force be created.

NOW, THEREFORE, it is agreed that the signatory parties hereto hereby form the L.C.M.A.T.F. with the authority, responsibility, duties, and limitations as prescribed hereinafter:

1. Purpose: The purpose of L.C.M.A.T.F. is to consolidate the efforts, information, experience and resources of the local governments forming the unit to increase effectiveness and to avoid duplication of effort in determining the origin and cause of fires. This unit will be

developed with the intent to train and mobilize a team of personnel to respond to fire scenes inside Loudon County.

2. Board of Directors: L.C.M.A.T.F. will be governed by a Board of Directors ("Board"). Persons who shall be members of the Board, upon approval of this Agreement by such party, shall be the Chiefs of Fire and Police of Lenoir City, the Sheriff of Loudon County, the Chiefs of Fire and Police of Loudon, the Chief of Fire of Philadelphia, the Chief of Fire of Greenback, the Chief of Fire of Tellico Village, and the Chief of Loudon County Fire Rescue, or their designee.

3. Officers: The officers of the organization shall be a Chairman, a Vice-Chairman, and a Secretary-Treasurer. Each of these officers shall have duties and responsibilities normally attributed to persons who occupy offices of this nature in similar organizations. The Chair shall have the usual duties that a President or Chairman would have in conducting the meetings of the Board and in the administration of task force activities, but these duties may be specifically limited by or added to by action of the Board of Directors. The officers shall be elected annually, but shall serve until their successors are elected..

4. Executive Committee: The Sheriff (if he is not an officer) and the officers of the task force shall serve as an Executive Committee, and shall have what duties and authority the Board of Directors assign to it. The Board may also designate additional members to the Executive Committee as the Board deems appropriate.

5. Meetings: The Board shall establish the time, date and place for its meetings.

6. Voting: Each member of the Board shall have an equal vote in the conduct of L.C.M.A.T.F. business.

7. Quorum: A majority of the signatory parties in good standing shall constitute a quorum to conduct business.

8. Compensation: Members of the Board and all team members will serve with no compensation from L.C.M.A.T.F.

9. Duties and Authority: Overall guidance of L.C.M.A.T.F. operations, including training, equipping, and activation, is vested in the Board. The duties of the Board more specifically include the following:

a. Approving personnel recommended by the parties for assignment to L.C.M.A.T.F.

b. Selecting team leaders for each origin and cause team, who shall be designated and made available from one of the parties hereto.

c. Establishing authority and function of teams, team leaders and officers of L.C.M.A.T.F.

d. Suspending personnel from L.C.M.A.T.F. duties.

e. Recommending the discharge or transfer of L.C.M.A.T.F. personnel.

10. Assignment of Personnel: Each party hereto will recommend personnel for assignment to the L.C.M.A.T.F. The acceptance of assignment of such personnel is subject to Board approval. The member, the member's employer, or the Board may request changes in the member's assignment to the unit. Such changes or transfers are subject to Board approval. Any party may withdraw previously assigned personnel at its own discretion. Members assigned to L.C.M.A.T.F. remain obligated to follow the rules and policies of the party or the agency of a party employing them.

11. Policies: The Board is authorized to establish policies in the furtherance of its activities as authorized by Tennessee law.

12. Withdrawal: Any party may withdraw by giving thirty (30) days notice. An independent withdrawal by a party forfeits any right such party might have to a distribution (upon dissolution of the task force) of the assets of the task force, although the withdrawing party shall retain any of the property being used by the task force that has continued to belong to the withdrawing party, and which has been "loaned" to the task force.

13. Financial Expenditures: Any expenses incurred shall be the responsibility of the sending party except as otherwise provided by the Board from the Board's financial and property resources.

14. Donations: L.C.M.A.T.F. may accept gifts or donations of financial contributions or personal property or equipment which will enhance its function and may place limitations or conditions upon acceptance as it deems proper.

15. Affiliations: L.C.M.A.T.F. may enter into mutual assistance agreements with other persons, agencies, and businesses as it deems desirable in carrying out its function.

16. No Assumption of Liability for Non-Employees: Each party shall be responsible for the actions of its own personnel assigned to L.C.M.A.T.F., and shall not be responsible for the actions or policies of the L.C.M.A.T.F. Board. No party entering into this agreement assumes liability for actions of any officers or employees of another party or law enforcement agency assigned to L.C.M.A.T.F.

17. Termination Date: The duration of this task force and this Agreement shall be for a term of six (6) years, and shall expire December 31, 2006, if not earlier terminated by agreement of the parties, but shall continue for additional successive two (2) year periods each, upon approval by a majority of the members of the Board of Directors of the task force.

18. Division of Assets: Upon termination by agreement of all the parties, except for parties who may have withdrawn earlier, the assets of the task force shall be divided amongst the remaining parties by agreement, with the parties to use reasonable judgment therein.

19. Effective Date: This Agreement shall take effect upon its terms being approved by three (3) of the governing bodies of the respective parties, and shall become effective to additional parties upon date of approval of such governing bodies.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed.

LOUDON COUNTY COMMISSION

BY: George M. Miller
County Executive

Attest: _____
County Clerk

CITY OF LENOIR CITY

BY: Charles J. Epton
Mayor

Attest: Debbie Cook
City Recorder

CITY OF LOUDON

BY: _____
Mayor

Attest: _____
City _____

CITY OF PHILADELPHIA

BY: *Dennis Walker*
Mayor

Attest: *Kelli Nelms*
City Recorder

GREENBACK VOLUNTEER
FIRE DEPARTMENT

BY: _____
C.E.O.

Attest: _____

LOUDON COUNTY FIRE/RESCUE, INC.

BY: *John Law*
CHIEF-C.E.O.

Attest: *Kelli Nelms*

TELLICO VILLAGE VOLUNTEER
FIRE DEPARTMENT

BY: _____
POA PRESIDENT

Attest: _____

C:\Sproul, Hinton & Musick\SPROUL\loudon\interlocalagreement.lcmatf.wpd

LOUDON COUNTY COMMISSION

RESOLUTION NO. 120301-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 members of the

LOUDON COUNTY AGRICULTURE EXTENSION COMMITTEE

Appointee

Term Expiration

**Roy Bledsoe
W.M. Breazeale**

**September 2003
September 2003**

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 3rd day of December, 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 are as follows:

Appointee

Term Expiration

**Karen Hewett
Ed Harold
Ted Randolph
Sue Bright
Robert Anderson**

**September 2002
September 2002
September 2002
September 2002
September 2002**

We need your help

- Financial receipts from prospective lease or profit sharing
- Location of new facility
- Services and Programming
- Ambulance support and management
- Lease Term
- Governance
- Physician Recruitment and Support
- Indigent Care Provisions
- Options to purchase
- Community Benefit Expectations
- Indemnifications of Liability
- Titles to Land and Facility

RESOLUTION 120301-F

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 OFF 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 a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

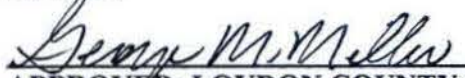
WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on October 29, 2001, consistent with the provisions of Tennessee Code Annotated, Section 13-7-105,

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 located off 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



APPROVED: LOUDON COUNTY EXECUTIVE


LOUDON COUNTY CHAIRMAN

DATE: _____

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

APPROVED: 7

DISAPPROVED: 0


ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION

Dated: November 20, 2001

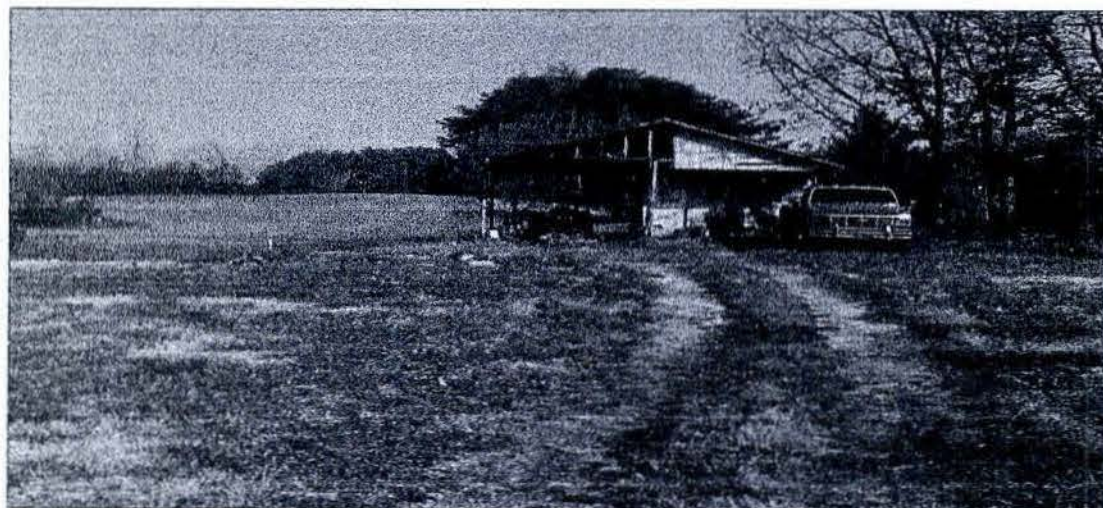
FILE #01-10-184-RZ-CO

1455

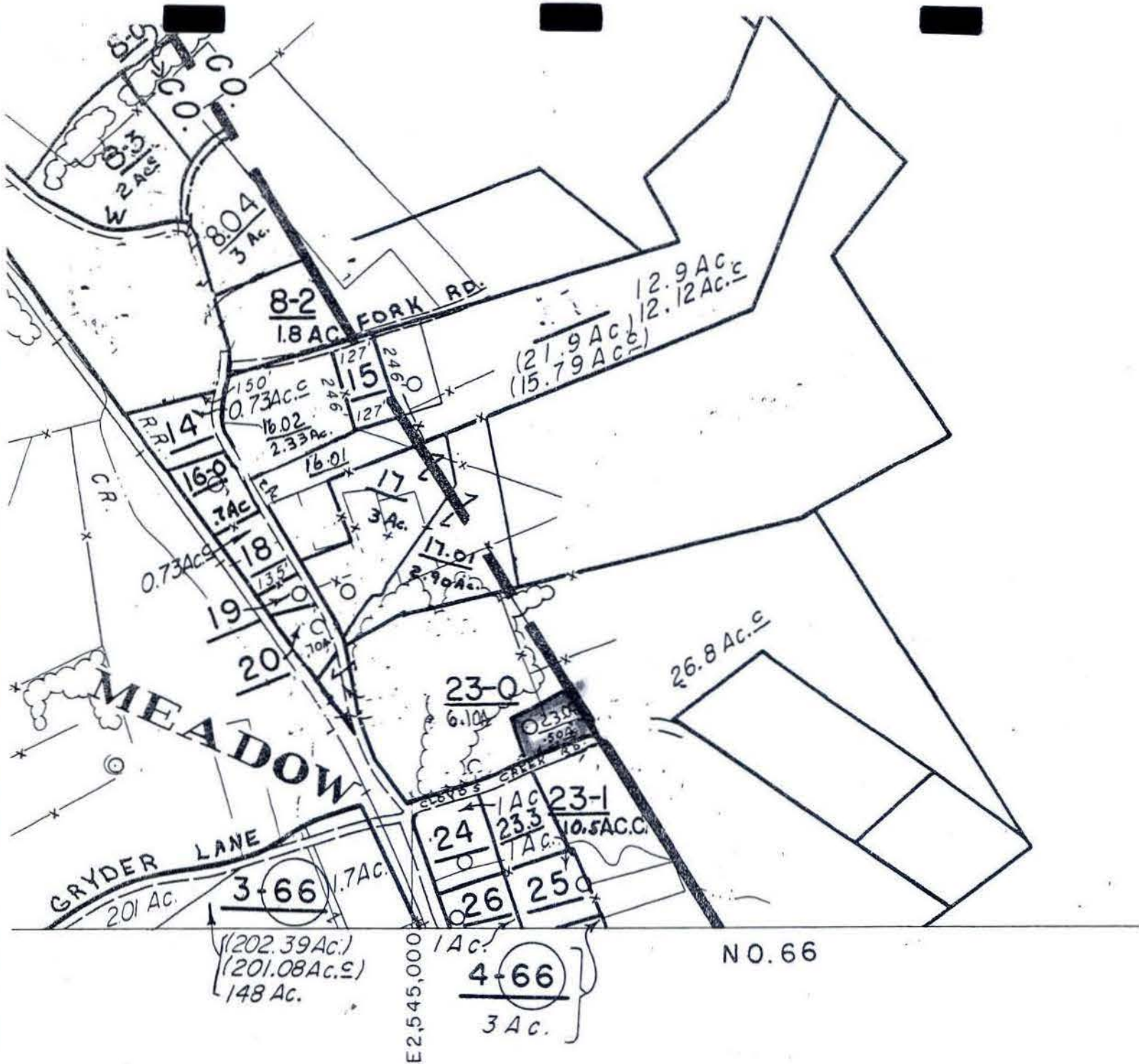
**Loudon County Commission Meeting 12-3-01
Rezoning request A-1 to S-1
1438 Cloiyds Creek Rd.**



View from rear of property



View from front of property.



RESOLUTION 120301-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 AT 8225 NILES FERRY ROAD, LOCATED IN THE THIRD LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 93, PARCEL 40.02, FROM A-2, RURAL RESIDENTIAL DISTRICT, TO C-1, RURAL CENTER 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 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 November 15, 2001, 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 located at 8226 Niles Ferry Road, located in the Third Legislative District, referenced by Tax Map 93, Parcel 40.02, be rezoned from A-2, Rural Residential District, to C-1, Rural Center 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

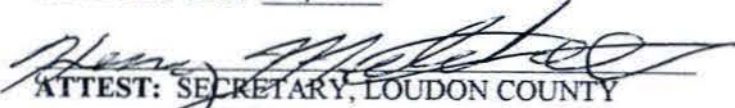

LOUDON COUNTY CHAIRMAN

DATE: _____

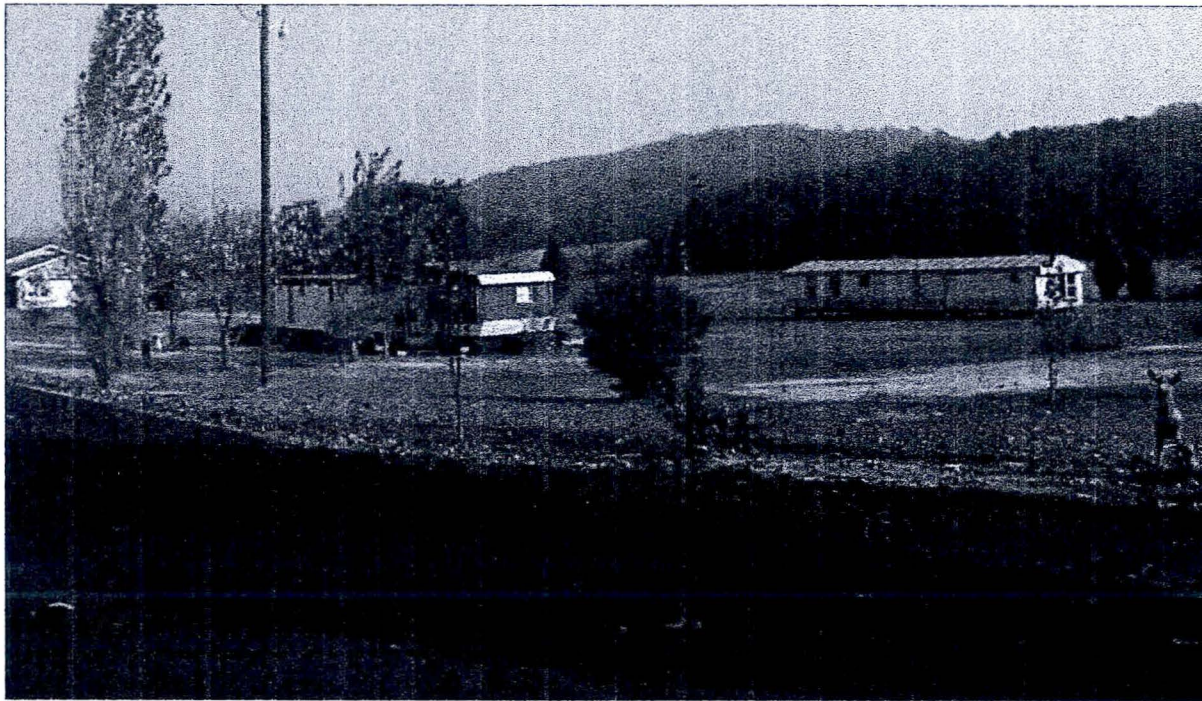
The vote on the question of approval of this Resolution by the Planning Commission is as follows:

APPROVED: 6 1

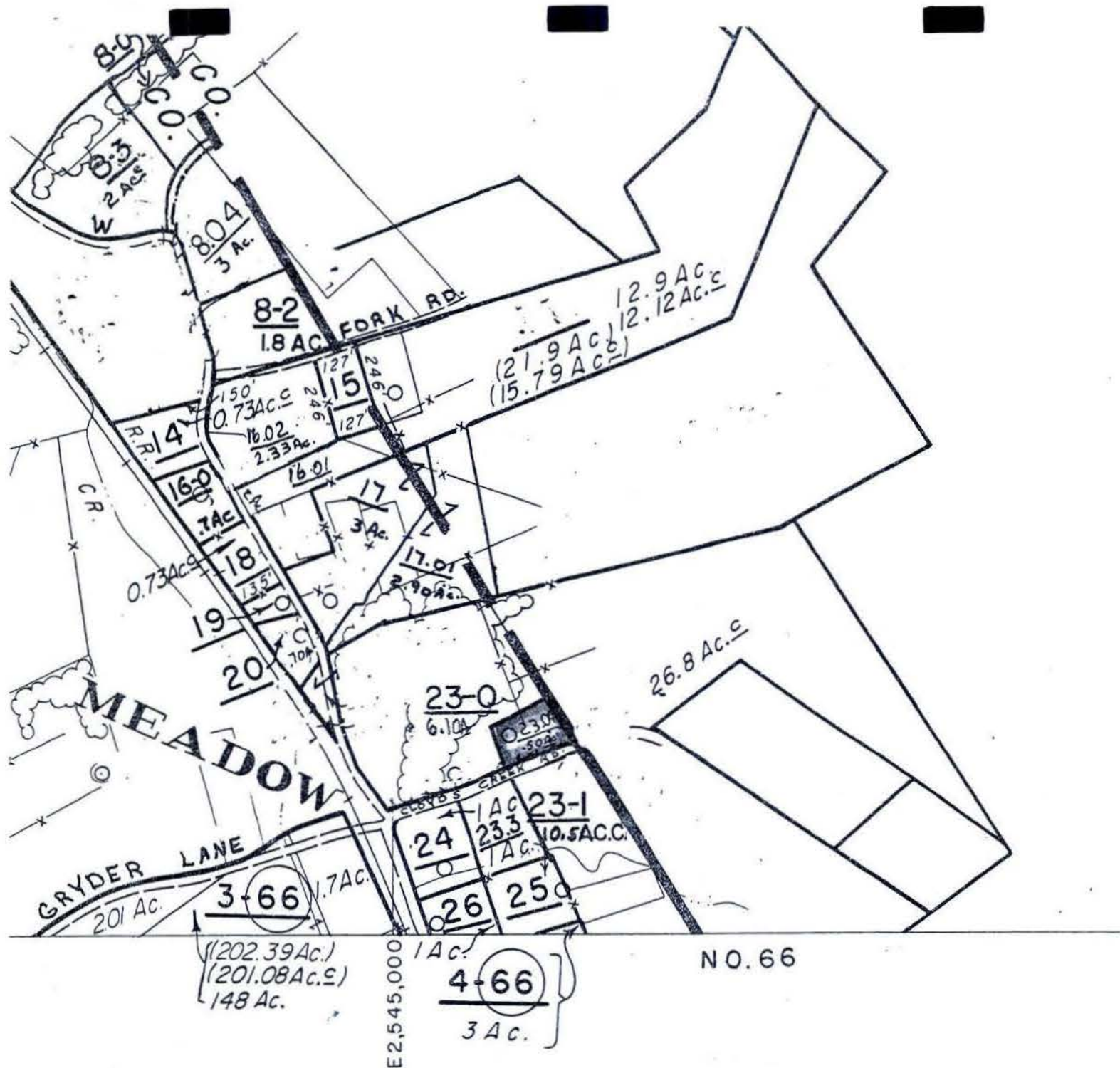
DISAPPROVED: 1 6


ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
Dated: November 20, 2001

**Loudon County Commission Meeting 12-3-01
Rezoning request from A-2 to C-1
8225 Niles Ferry Rd.**



View of property from the corner of Niles Ferry Rd. and McGhee Rd. There are two trailers on the property currently.



- 37-40 PARCEL & CONTROLLING MAIL NO
 O IMPROVEMENT
 -X-X- FENCE
 [] CEMETERY
 + CHURCH
 SCHOOL
 WOODED AREA
 POND

- ~ ~ ~ CREEK
 --- STATE LINE
 --- CO. LINE
 --- CORP LIMITS
 -O-O- TRANSMISSION LINE
 == ROAD
 +++ RAILROAD

1460

RESOLUTION NO. 120301-H

**A RESOLUTION REAPPORTIONING LEGISLATIVE DISTRICTS
WITHIN LOUDON COUNTY, TENNESSEE, PURSUANT TO
TENNESSEE CODE ANNOTATED, SECTION 5-1-111**

WHEREAS, Loudon County, as required by the Tennessee Code Annotated 5-1-110, has established legislative districts represented by maps and a description of the boundaries of the districts; and

WHEREAS, Tennessee Code Annotated 5-1-111, requires that county legislative districts be reapportioned prior to January 1, 1982, and at least every ten (10) years thereafter; and

WHEREAS, each member of the legislative body shall represent substantially equal populations based upon the most recent Federal Census; and

WHEREAS, County legislative district reapportionment based on the 2000 Census must be completed by January 1, 2002; and

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the reapportionment plan for seven legislative districts in Loudon County, Tennessee, be established as represented by the attached map and more fully described as follows:

Section 1. Unless specifically described, district lines following roads, rivers, railroads or utilities will refer to the centerline of such boundaries; measurements, where indicated, are approximate.

Section 2. That the **First Legislative District** be described as follows: Beginning at a point of intersection of a branch of Polecat Creek and the Roane/Loudon County line; thence southeasterly to the main branch of Polecat Creek; thence southwesterly along the main branch of Polecat Creek to its intersection with State Highway 72; thence south along State Highway 72, to the intersection of State Highway 72 and Stockton Valley Road; thence west along Stockton Valley Road to its intersection with Jim Dyke Road; thence following Jim Dyke Road in a southeasterly direction to its intersection with Pond Creek; thence northeasterly along Pond Creek to its point of intersection with Edwards School Road; thence along Edwards School Road in an easterly direction to its intersection with Jim Dyke Road; thence east along Jim Dyke Road to its intersection with Prospect Church Road; thence in a southeasterly direction along Prospect Church Road to its intersection with Dry Valley Road; thence south along Dry Valley Road to its intersection with Dry Valley Branch Creek; thence east along Dry Valley Branch Creek to its intersection with Roberson Springs Road; thence south along Roberson Springs Road to its intersection with Sweetwater Creek; thence southwesterly along Sweetwater Creek to its intersection with State Route 11; thence continuing south along Sweetwater Creek to its intersection with Calloway Road; thence along Calloway Road in a southeasterly direction to its intersection with Corinth Church Road; thence east along Corinth Church Road to its intersection with Grimes Road; thence north along Grimes Road to its intersection with Green Drive; thence southeast along Green Drive to its intersection with Steekee Creek Road; thence northeast along Steekee Creek Road to its intersection with Steekee Road; thence southeast along Steekee Road to its intersection with Steekee School Road; thence east along Steekee School Road to its intersection with Old Vonore Road; thence north along Old Vonore Road to its intersection with Davis Ferry Road; thence southeast along Davis Ferry Road to its intersection with Poplar Springs Road; thence north along Poplar Springs Road to its intersection with Little Valley Road; thence northeast along Little Valley Road to its intersection with Tellico lake; thence along the lake to Coyatee Drive; thence southeast along Coyatee Drive to its intersection with Tellico Parkway; thence northeast along Tellico Parkway to its intersection with Poplar Ridge Road; thence west along Poplar Ridge Road to its intersection with Poplar Springs Road; thence northeast along Poplar Springs Road to the main channel of the Tennessee River; thence west along the main channel of the Tennessee River to an unnamed creek on the north side of the Tennessee River just before mile marker 597; thence following the unnamed creek north to its intersection with State Highway 11; thence southwest along State Highway 11 to its intersection with Sugar Limb Road; thence northwest along Sugar Limb Road to its intersection with Interstate 75; thence south along Interstate 75 to the main channel of the Tennessee River; thence north along the Tennessee River to the Roane/Loudon County line; thence along the county line to the point of beginning at Polecat Creek.

Section 3: That the **Second Legislative District** be described as follows: Beginning at a mile marker 600.2 in the Tennessee River then heading north along Halls Ferry Road and intersection with Industrial Park Drive; thence north along Industrial Park Drive to its intersection with State Highway 11; thence west along State Highway 11 to its intersection with Browder Hollow Road; thence north along Browder Hollow Road to its intersection with Loudon Ridge Road; thence east along Loudon Ridge Road to its intersection with Harrison Road and continuing east on Harrison Road to its intersection with Kingston Street (Old Highway 95); thence northeast along Kingston Street to the intersection of Adesa Drive; thence east along Adesa Drive to its intersection with Town Creek; thence south along Town Creek to its intersection with Town Creek Road E.; thence northeast along Town Creek Road E. to its intersection with Ford Road; thence southeast along Ford Road to its intersection with State Route 11; thence southwest along State Route 11 to its intersection with Old Midway Road; thence east along old Midway Road to its intersection with Shaw Ferry Road; thence south along Shaw Ferry Road to the intersection with Martel Road; thence east on Martel Road to its intersection with Lakeview Drive; thence south on Lakeview Drive to Ft. Loudon Lake; thence west along the lake to City Park Drive; thence west along City Park Drive to where it crosses over State Highway 321; thence south along Highway 321 to the Ft. Loudon Dam; thence west along the Tennessee River to mile marker 600.2, being the point of beginning.

Section 4: That the **Third Legislative District** be described as follows: Beginning at the Loudon /Blount County line in Ft. Loudon Lake and following the main channel to Ft. Loudoun Dam; thence continuing west along the Tennessee River to Tellico Dam; thence continuing south along the main channel of Tellico Lake to the Loudon/Monroe County line; thence following the Loudon County line east then northeast to the point of beginning.

Section 5: That the **Fourth Legislative District** be described as follows: Beginning at a point of intersection of a branch of Polecat Creek and the Roane/Loudon County line; thence southeasterly to the main branch of Polecat Creek; thence southwesterly along the main branch of Polecat Creek to its intersection with State Highway 72; thence south along State Highway 72, to the intersection of State Highway 72 and Stockton Valley Road; thence west along Stockton Valley Road to its intersection with Jim Dyke Road; thence following Jim Dyke Road in a southeasterly direction to its intersection with Pond Creek; thence northeasterly along Pond Creek to its point of intersection with Edwards School Road; thence along Edwards School Road in an easterly direction to its intersection with Jim Dyke Road; thence east along Jim Dyke Road to its intersection with Prospect Church Road; thence in a southeasterly direction along Prospect Church Road to its intersection with Dry Valley Road; thence south along Dry Valley Road to its intersection with Dry Valley Branch Creek; thence east along Dry Valley Branch Creek to its intersection with Roberson Springs Road; thence south along Roberson Springs Road to its intersection with Sweetwater Creek; thence southwesterly along Sweetwater Creek to its intersection with State Route 11; thence continuing south along Sweetwater Creek to its intersection with Calloway Road; thence along Calloway Road in a southeasterly direction to its intersection with Corinth Church Road; thence east along Corinth Church Road to its intersection with Grimes Road; thence north along Grimes Road to its intersection with Green Drive; thence southeast along Green Drive to its intersection with Steekee Creek Road; thence northeast along Steekee Creek Road to its intersection with Steekee Road; thence southeast along Steekee Road to its intersection with Steekee School Road; thence east along Steekee School Road to its intersection with Vonore Road; thence north along Vonore Road to its intersection with Davis Ferry Road; thence southeast along Davis Ferry Road to its intersection with Maple Hill Road; thence east along Maple Hill Road to its intersection with Watt Cemetery Road; thence southeasterly along Watt Cemetery Road to Bishop Road; thence south along Bishop Road to its intersection with Vonore Road; thence southeast along Vonore Road to its intersection with Watkins Road; thence following Watkins Road its intersection with Clear Prong Creek; thence southeast along Clear Prong Creek to Tellico Lake; thence south along Tellico Lake to Wade Road East; thence west along Wade Road East to its intersection with State Highway 72; thence south along State Highway 72 to the Loudon/Monroe County line on Highway 72; thence west along the Loudon/Monroe County line and northeast along the Loudon/Roane County line to Polecat Creek, the point of beginning.

Section 6: That the **Fifth Legislative District** be described as follows: Beginning at a mile marker 600.2 in the Tennessee River then heading north along Halls Ferry Road and intersection with Industrial Park Drive; thence north along Industrial Park Drive to its intersection with State Highway 11; thence west along State Highway 11 to its intersection with Browder Hollow Road;

thence north along Browder Hollow Road to its intersection with Loudon Ridge Road; thence east along Loudon Ridge Road to its intersection with Harrison Road and continuing east on Harrison Road to its intersection with Kingston Street (Old Highway 95); thence northeast along Kingston Street to the intersection of Adesa Drive; thence east along Adesa Drive to its intersection with Town Creek; thence south along Town Creek to its intersection with Town Creek Road E.; thence northeast along Town Creek Road E. to its intersection with Ford Road; thence southeast along Ford Road to its intersection with State Route 11; thence west across Highway 11 along Muddy Creek Road to its intersection with Forest Heights Circle; thence east along Forest Heights Circle to its intersection with Snow Road; thence south along Snow Road to its intersection with Virtue Road; thence east along Virtue Road to the Loudon/Knox County line; thence northwest along the Loudon/Knox County line to Melton Hill Lake; thence west along Melton Hill Lake and following the Loudon/Roane County line to the Tennessee River; thence southeast along the Tennessee River to its intersection with Interstate 75; thence east along Interstate 75 to the Sugar Limb Road interchange; thence southeast along Sugar Limb Road to its intersection with State Highway 11; thence east along Highway 11 to an unnamed creek following the Tennessee River just before mile marker 597; thence east along the Tennessee River to mile marker 600.2, the point of beginning.

Section 7. That the **Sixth Legislative District** be described as follows: Beginning at the Loudon/Knox County line on Virtue Road extending west along Virtue Road to its intersection with Snow Road; thence north along Snow Road to its intersection with Forest Heights Circle; thence west along Forest Heights Circle to its intersection with Muddy Creek Road; thence north along Muddy Creek Road to its intersection with State Highway 11; thence southwest along State Highway 11 to its intersection with Old Midway Road; thence east along Old Midway Road to its intersection with Shaw Ferry Road; thence south along Shaw Ferry Road to its intersection with Martel Road; thence east along Martel Road to its intersection with Lakeview Road; thence south along Lakeview Road to Ft. Loudon Lake; thence west along the lake to City Park Drive; thence west along City Park Drive to where it crosses over State Highway 321; thence south along State Highway 321 to the Ft. Loudon Dam; thence southeast along Ft. Loudon Lake to the Loudon/Knox County line; thence northwest along the Loudon/Knox County line to Virtue Road, the point of beginning.

Section 8. That the **Seventh Legislative District** be described as follows: Beginning at the intersection of the Loudon/Monroe County line and State Highway 72 and following State Highway 72 northwest to its intersection with Wade Road East; thence east along Wade Road East to Tellico Lake; thence north along Tellico Lake to Clear Prong Creek; thence north along Clear Prong Creek to Watkins Road; thence east along Watkins Road to its intersection with Vonore Road; thence northwest along Vonore Road to its intersection with Bishop Road; thence northeast along Bishop Road to its intersection with Watt Cemetery Road; thence west along Watt Cemetery Road to its intersection with Maple Hill Road; thence west along Maple Hill Road to its intersection with Davis Ferry Road; thence west on Davis Ferry Road to its intersection with Poplar Springs Road; thence north on Poplar Springs Road to its intersection with Little Valley Road; thence northeast along Little Valley Road to its intersection with Tellico lake; thence along the lake to Coyatee Drive; thence east on Coyatee Drive to its intersection with Tellico Parkway; thence north on Tellico Parkway to its intersection with Poplar Ridge Road; thence west on Poplar Ridge Road to its intersection with Poplar Springs Road; thence north on Poplar Springs Road to the Tennessee River; thence east along the Tennessee River to Tellico Dam; thence south along Tellico Lake to the Loudon/Monroe County line; thence west along the Loudon/Monroe County line to its intersection with State Highway 72, the point of beginning.

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

December 3, 2001

ATTEST

LOUDON COUNTY EXECUTIVE

RESOLUTION

Resolution 120301-I/J

A RESOLUTION AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE, ARTICLE 4, SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS, AMENDING SECTION 4.230 DEVELOPMENT STANDARDS FOR PERMITTING TELECOMMUNICATIONS TOWERS AND ANTENNAS, AND ARTICLE 5, ZONING DISTRICTS, PURSUANT TO TENNESSEE CODE ANNOTATED SECTION 13-7-105

WHEREAS, Loudon County, in accordance with Chapter 7 §13-7-201 through §13-7-204 of the Tennessee Code Annotated, may from time to time, amend any regulation of or within any district, or any other provision of any zoning resolution; and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendation regarding the amendment to the Zoning Resolution of Loudon County, Tennessee; and

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News-Herald on November 19, 2001, consistent with the provisions of Tennessee Code Annotated §13-7-203; and

WHEREAS, the promotion of public health, safety, general welfare and most appropriate land uses are stated purposes of the Zoning Resolution of Loudon County, Tennessee;

NOW, THEREFORE, BE IT RESOLVED that **SECTION 4.230, DEVELOPMENT STANDARDS FOR PERMITTING TELECOMMUNICATIONS TOWERS AND ANTENNAS** of the Zoning Resolution of Loudon County, Tennessee be amended as follows (changes are underlined):

Section B. Definitions, Subsection 6. Tower. Any structure....for wireless telephone, radio and similar wireless communication.....support structures.

Section D. Exceptions:

Subsection 1. Amateur Radio Station Operator/Receive Only Antennas. These standards....by a noncommercial radio station operator or is used exclusively for receive only antennas.

Subsection 3. Telecommunications Equipment Co-locating on Existing Towers or Other Structures. These standards shall not apply.....existing communications towers, electrical transmission structures, or other existing

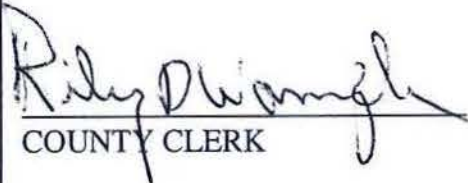
This Resolution shall take effect upon adoption, the public welfare requiring it.


COUNTY CHAIRMAN

ACCEPTED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

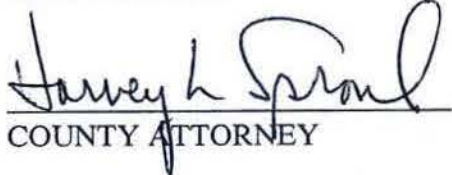
ACCEPTED:

MARTEL UTILITY DISTRICT

BY: 
Chairman

Date: 05-20-02

PREPARED BY:


COUNTY ATTORNEY

LOUDON COUNTY COMMISSION

RESOLUTION NO. 040102-I

RESOLUTION APPROVING MARTEL UTILITY DISTRICT PUBLIC WORKS PROJECTS
FOR THE INSTALLATION OF WATER LINES IN THE
MARTEL UTILITY DISTRICT AREA

WHEREAS, the Martel Utility District (MUD) is planning for the installation of new water lines to serve various communities within the area served by the Martel Utility District; and

WHEREAS, MUD occupies and provides water distribution services within a territory in the East end of Loudon County, as previously designated by Loudon County under the provisions of T.C.A. 7-82-201 et seq. and its predecessor statutes; and

WHEREAS, MUD has existing water lines and improvements that it has operated on county right-of-ways since the early 1960's, and the resolution herein ratifies and supplements any and all previous agreements; and

WHEREAS, the new projects and program as being planned, and as may be planned in the future, would appear to be beneficial to many county residents.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 9th day of May, 2002, that the Martel Utility District public utility improvements are hereby approved.

BE IT FURTHER RESOLVED that the said MUD, its successors and assigns, as a condition for the granting of this permission shall lay, construct, and maintain all water lines, fixtures, and facilities in accordance with the regulations of the Loudon County Highway Department; and

BE IT FURTHER RESOLVED that, additionally, MUD shall be responsible for all damages, claims or obligations arising out of its use of said rights-of-ways, including arising from the construction and maintenance of any of its facilities within the boundaries encompassed by MUD, and otherwise, and shall hold Loudon County, its officials, employees and agents harmless in this regard; further that MUD shall repair expeditiously any damages to said roads occasioned by the placing or maintenance of its facilities in said rights-of-ways to the same condition as said roads were in prior to the commencement of said work; and

BE IT FURTHER RESOLVED that MUD shall hold Loudon County, Tennessee, and its officials, employees and agents, harmless from all liability to MUD for damage to MUD's constructed water lines, equipment or other property, arising out of the County's maintenance of the roads and rights-of-ways under its jurisdiction, in the area described herein, unless such negligence is of a gross nature as defined under Tennessee law; and

BE IT FURTHER RESOLVED that MUD agrees to follow the rules and regulations of the Loudon County Highway Department in the construction and maintenance of water lines and facilities, and to give reasonable advance notice to the County Highway Superintendent and gain approval for each phase of the project involving the County roads.

RESOLUTION 120301-J

A RESOLUTION AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE, ARTICLE 4, SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS, AMENDING SECTION 4.230 DEVELOPMENT STANDARDS FOR PERMITTING TELECOMMUNICATIONS TOWERS AND ANTENNAS, AND ARTICLE 5, ZONING DISTRICTS, PURSUANT TO TENNESSEE CODE ANNOTATED §13-7-105

WHEREAS, Loudon County, in accordance with Chapter 7 §13-7-201 through §13-7-204 of the Tennessee Code Annotated, may from time to time, amend any regulation of or within any district, or any other provision of any zoning resolution; and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendation regarding the amendment to the Zoning Resolution of Loudon County, Tennessee; and

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News-Herald on November 19, 2001, consistent with the provisions of Tennessee Code Annotated §13-7-203; and

WHEREAS, the promotion of public health, safety, general welfare and most appropriate land uses are stated purposes of the Zoning Resolution of Loudon County, Tennessee;

NOW, THEREFORE, BE IT RESOLVED that **SECTION 4.230, DEVELOPMENT STANDARDS FOR PERMITTING TELECOMMUNICATIONS TOWERS AND ANTENNAS** of the Zoning Resolution of Loudon County, Tennessee be amended with the following language:

A. PURPOSE

The purpose of this resolution is to establish general guidelines for the siting of wireless communication towers and antennas. The resolution is hereby intended to: (1) protect residential areas and land uses from potential adverse impacts of towers and antennas; (2) encourage the location of towers in non-residential areas; (3) minimize the total number of towers throughout the community; (4) strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional towers; (5) encourage users of towers and antennas to locate in areas where the adverse impact on the community is minimal; (6) encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; (7) enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; (8) consider the public health and safety; and (9) avoid potential damage to adjacent properties from tower failure through engineering and careful siting of tower structures.

B. DEFINITIONS

1. **Alternative Tower Structure.** Man-made trees, clock towers, bell steeples, light poles, power poles or structures and similar alternative-design mounting structures that camouflage or conceal the presence of towers or antennas.

2. **Antenna.** Any exterior or interior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.
3. **FAA.** Federal Aviation Administration.
4. **FCC.** Federal Communications Commission.
5. **Height.** When referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.
6. **Tower.** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for wireless telephone, radio and similar wireless communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and other similar structures. This term includes the structure and any support structures.

C. APPLICABILITY

New Towers and Antennas. All new towers or antennas in Loudon County shall be subject to these development standards, except as provided below.

D. EXCEPTIONS

1. **Amateur Radio Station Operator/Receive Only Antennas.** These standards shall not govern any tower, or the installation of any antenna, that is under forty feet (40') in height and is owned and operated by a noncommercial radio station operator or is used exclusively for receive only antennas.
2. **Pre-existing Towers or Antennas.** Pre-existing towers and pre-existing antennas shall not be required to meet the standards of this Resolution.
3. **Telecommunications Equipment Co-locating on Existing Towers or Other Structures.** These standards shall not apply to additional equipment of telecommunications companies co-locating on existing communication towers, electrical transmission structures, or other existing structures capable of accommodating an antenna and the support equipment. A permit is required from the Loudon County Building Commissioner. If requesting a permit to co-locate on an existing electrical transmission structure or other existing structure, evidence of the structural integrity of the structure to support the antenna and related equipment along with evidence demonstrating the compatibility of the antenna and related equipment with the existing structure should be provided.
4. **Communications Towers and Antennas Owned or Operated Exclusively by Governmental Organizations for Emergency Services.**

8. **Users.** A tower shall have at least one carrier commitment at the time of application for special exception approval by the Board of Zoning Appeals (BZA).
9. **Buildings and Support Equipment.** Buildings and support equipment associated with towers and antennas shall comply with the minimum set-backs set forth herein, and shall not exceed the height of required landscape screening.
10. **Tower Types.** Lattice, monopole, guyed and other commonly designed structure support systems for antennas are allowable. Each application for special exception approval must, however, include a written justification for the type of tower proposed, taking into consideration its compatibility with surrounding land uses. Within the R-1 District only monopole towers or other acceptable alternative tower structures are allowed.
11. **Fencing.** All telecommunications towers and equipment will be surrounded by a security fence at least six (6') feet in height.

F. LANDSCAPING

For all towers, at least one row of evergreen trees or shrubs capable of forming a continuous hedge at least five feet in height and screening the base of the tower from public view within two years of planting shall be planted and maintained in a healthy condition. A break in the hedge, not to exceed 10 feet in width, shall be allowed for access for maintenance personnel and vehicles. New or existing vegetation, earth berms, existing topographic features, walls, fences, building and features other than those described above may be used to meet the requirements of these regulations if the BZA finds that they achieve the same degree of screening.

G. TOWER ABANDONMENT AND REMOVAL

The operator or owner of real property on which the tower is located shall provide the County with a copy of the notice of intent to the FCC to cease operations of the tower. The operator/owner shall have 90 days from the date of ceasing of operations to remove the tower. In cases where the FCC does not require a notice of intent, the operator/owner must notify the County within 90 days after operations cease. Ground lease agreements shall include language requiring the lessee or their successors or assigns to remove all above ground tower related improvements from the lessor's property upon termination of the lease or within 90 days of ceasing operations, whichever first occurs.

H. REMOVAL BONDS OR LETTER OF CREDIT.

Prior to the issuance of a permit to construct the tower, the operator/owner shall submit to the Loudon County Planning Office demolition estimates from three licensed contractors to remove the tower, antenna, and buildings and support equipment and return the site to its original condition. After review and acceptance by the Planning Office, a bond or letter of credit will be provided to Loudon County in the amount of the average of the three demolition estimates. The bond or letter of credit shall have no termination date and shall only be released by the BZA upon satisfactory completion of the demolition and clearance of the site, and inspection by the Loudon County Building Commissioner.

E. GENERAL REQUIREMENTS

1. **Principal or Accessory Uses.** Towers and antennas may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.
2. **Lot Size.** For purposes of determining whether the installation of a tower or antenna complies with zoning district regulations, including but not limited to setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels within such lot. There are no minimum lot area requirements for locating towers or antennas.
3. **Setbacks.**
 - a. All towers and antenna shall be setback a minimum of fifty (50') from each property line, except in an R-1 (Suburban Residential District) where towers must be setback from any residential structure a distance equal to the height of the tower or in the event that the adjacent parcel is located in an R-1 Zone and no structure has been erected on such parcel the tower shall be set back from the closest location on such parcel that a residence could be erected taking into consideration the setback requirements (or any restrictive covenants or other conditions) which may apply.
 - b. Towers and antenna exceeding fifty (50') feet in height shall be setback a minimum of one foot for each additional one foot in height of the tower and antenna, unless the tower is certified by a registered engineer as collapsible within the 50' minimum setback. Setbacks shall be measured from the farthest most protrusion of the tower to the nearest point of any property line. A certified survey shall be submitted which shall verify tower and antenna heights and setbacks for the tower, antenna, and all accessory structures.
4. **Lighting.** Towers shall not be artificially lit, unless required by the FAA or other applicable authority. If lighting is required, such lighting shall be oriented inward so as not to project onto surrounding residential property.
5. **Height.** The maximum height of a tower and antenna shall not exceed three hundred (300') feet in all zoning districts, except in the R-1 District where the maximum height shall not exceed two hundred (200') feet.
6. **Signs.** No signs shall be allowed on an antenna or tower, except as required by local, state or federal rule, law or regulation.
7. **Co-location.** All towers shall be designed to accommodate more than one primary user, which allows for multiple telecommunication companies to locate on a single tower. Towers over 200' should be designed to accommodate a minimum of four (4) antennas. Towers under 200' shall be designed to accommodate a minimum of two (2) antennas.

I. APPLICATION REQUIREMENTS FOR SPECIAL EXCEPTION APPROVAL

The following information shall be submitted to the Loudon County Planning Office thirty (30) days prior to review by the Board of Zoning Appeals (BZA):

1. Site and landscape plans prepared by a registered engineer or licensed surveyor and drawn to scale showing site boundaries, tax map and parcel numbers, address, location of existing structures, access to public roads, tower foot print, proposed set-backs, perspective view of tower with dimensions, topographic features of the site, zoning of proposed site and surrounding contiguous properties, and names of contiguous property owners.
2. Copies of certified letters sent to contiguous property owners advising them of the special exception application filed for approval of a communications tower.
3. Construction plans including an elevation drawing of the proposed tower.
4. Names and addresses of the owner, telecommunications carriers locating on the tower, property owner, and copy of the lease agreement with the property owner with provisions which the applicant deems proprietary redacted, provided, however, the copy of the lease must at least show the parties to the lease, the granting and operative leasing language for the lease of the premises, the description of the lease premises and the removal requirements of the lease.
5. Documentation showing the site has been approved by the Tennessee Historical Commission and cleared by the Federal Aviation Administration must be provided prior to issuance of a building permit.
6. A report including technical reasons for the proposed tower type, height, location, and compatibility with the surrounding land uses. This report should include a radio frequency (RF) map showing the coverage area of the proposed tower.
7. Certification letter from a registered engineer of the structural integrity of the tower for its proposed use, and if requesting a variance from the required set-backs, a certification that the tower will collapse within the requested set-back.
8. An inventory of existing towers or alternative structures that could accommodate the proposed antenna(s) within a one mile radius of the proposed site. The inventory shall include the names of owners of towers and structures, height of towers, space available and at what elevation. If the reason for failing to locate upon a tower in such a one-mile radius is a structural reason, the Applicant shall show the structural ability or inability of the tower to accommodate the proposed antenna. If space is available on structures within the one-mile radius, applicants should provide an RF map of coverage provided from these existing towers.
9. An affidavit stating the applicant has exhausted all avenues to co-location.

10. An affidavit stating that space on the proposed tower will be made available to future users when technically possible at rates and lease terms commensurate with those required by other providers in the Knoxville Metropolitan area.
11. Three demolition cost estimates based on construction drawings and a bond or letter of credit for the average cost of the three estimates.
12. A visual study within a one (1) mile radius of the proposed site depicting areas where the tower can be seen. The study should include a minimum of four (4) photographs of the proposed site from one mile north, south, east and west. The photos must include a computer simulation of the proposed tower.
13. An application for a special exception request accompanied by a \$1,700 processing and technical review fee.

(The addition of Section 4.230 was recommended by Loudon County Regional Planning Commission 7/20/99, approved by Loudon County Commission 9/13/99.)

Amended: Loudon County Regional Planning Commission 11/20/01, approved by Loudon County Commission 12/03/01, with revisions.

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

ATTEST


APPROVED: LOUDON COUNTY EXECUTIVE

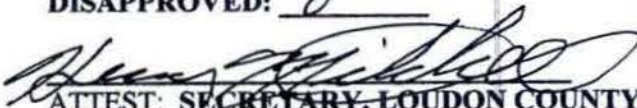

LOUDON COUNTY CHAIRMAN

DATE: 12/03/01

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

APPROVED: 7

DISAPPROVED: 0


ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
Dated: February 13, 2002

File #01-11-205-RGZ-CO

structures capable of accommodating an antenna and the support equipment. A permit is required from the Loudon County Building Commissioner. If requesting a permit to co-locate on an existing electrical transmission structure or other existing structure, evidence of the structural integrity of the structure to support the antenna and related equipment along with evidence demonstrating the compatibility of the antenna and related equipment with the existing structure should be provided.

Add Subsection 4. Communications Towers and Antennas Owned or Operated Exclusively by Governmental Organizations for Emergency Services.

Section E. General Requirements, Subsection 3. Setbacks.

- i. All towers and antenna...line, except in an R-1 (Suburban Residential District) where towers must be setback from any dwelling unit or undeveloped platted lot a distance equal to the height of the tower.
- ii. Towers and antenna exceeding fifty (50') feet in height...setback.

Subsection 5. Height. The maximum height of a tower....districts, except in the R-1 District where the maximum height shall not exceed two hundred (200') feet.

Subsection 6. Signs. No signs shall be allowed on an antenna or tower, except as required by local, state or federal rule, law or regulation.

Subsection 7. Co-location. All towers...tower. Towers over 200' should be designed to accommodate a minimum of four (4) antennas. Towers under 200' shall be designed to accommodate a minimum of two (2) antennas.

Subsection 8. Users. A tower shall have at least one carrier commitment at the time of application for special exception approval by the Board of Zoning Appeals (BZA).

Add Subsection 10. Tower Types. Lattice, monopole, guyed and other commonly designed structure support systems for antennas are allowable. Each application for special exception approval must, however, include a written justification for the type of tower proposed taking into consideration its compatibility with surrounding land uses. Within the R-1 District only monopole towers or other acceptable alternative tower structures are allowed.

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Subsection 13. Tower Abandonment and Removal. The operator or owner...cease. Ground lease agreements shall include language requiring the lessee or their successors or assigns to remove all above ground tower related improvements from the lessor's property upon termination of the lease or within 90 days of ceasing operations, whichever first occurs.

Section Q. Application Requirements for Special Exception Approval.

Subsection 1. Site and landscape...boundaries, tax map and parcel numbers, address, location of existing structures, access to public roads, tower foot ...topographic features, zoning of proposed site and surrounding contiguous properties, names of contiguous property owners.

Subsection 2. Copies of certified letters sent to contiguous property owners advising them of the special exception application filed for approval of a communications tower.

Subsection 4. Names and addresses...owner, and copy of lease agreement with the property owner with provisions which the applicant deems proprietary redacted, provided however the copy of the lease must at least show the parties to the lease, the granting and operative leasing language for the lease of the premises, the description of the lease premised, and the removal requirements of the lease.

Subsection 5. Documentation showing the site has been approved by the Tennessee Historical Commission and cleared by the Federal Aviation Administration must be provided prior to issuance of a building permit.

Subsection 6. A report including technical reasons for the proposed tower type, height, location, and compatibility with the surrounding land uses. This report should include a radio frequency (RF) map showing the coverage area of the proposed tower.

Subsection 8. An inventory of existing towers or alternative structures that could accommodate the proposed antenna(s) within a one mile radius of the proposed site. The inventory shall include the names of owners of towers and structures, height of towers, space available and at what elevation. If the reason for failing to locate upon a tower in such a one-mile radius is a structural reason, the applicant shall show the structural ability or inability of the tower to accommodate the proposed antenna. If space is available on structures within the one mile radius, applicants should provide an RF map of coverage provided from these existing towers.

Subsection 10. An affidavit stating the applicant has exhausted all avenues to co-location.

Subsection 13. A visual study within a one (1) mile radius...seen. The study should include a minimum of four (4) photographs of the proposed site from one mile north, south, east and west. The photos must include a computer simulation of the proposed tower.


Subsection 14. An application for a special exception request accompanied by a \$1,700 processing and technical review fee.

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

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

APPROVED: 7

DISAPPROVED: 0


ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
Dated: November 20, 2001

File #01-11-205-RGZ-CO

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Exhibit K

Resolution 120301-K

Resolution to Construct the Blair Bend Rail Spur

Whereas, Loudon County is the recipient of a State Industrial Infrastructure Program Grant related to the expansion of Kimberly Clark Corporation, Loudon Mill, and

Whereas, as a result of Kimberly Clark's expansion the company will generate approximately 400 -500 rail cars per year, and

Whereas, Blair Bend Industrial Park provides the closest point of destination for rail shipments and available rail service, and

Whereas, sufficient engineering plans have been performed addressing the location, design and cost of said rail spur estimated at \$320,000, and

Whereas, the local government is required to allocate funds to match State grant funds, and

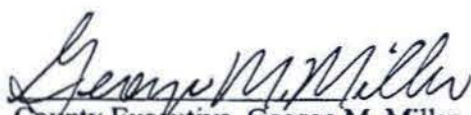
Whereas, R & S Development, a sub contractor for Kimberly Clark, has agreed to assume responsibility for paying the local grant match and long-term maintenance of the rail spur.

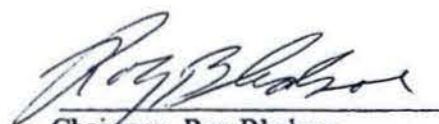
Now Therefore Be It Resolved that the Loudon County Commission authorizes the County Executive, following review by the Executive Board of the Loudon County Economic Development Agency and County Attorney, to enter into agreements with the State of Tennessee and R & S Development, LLC for construction of a rail spur in Blair Bend Industrial Park.

Be It Further Resolved that the County Executive shall insure that sufficient surety is in place prior to execution of any construction contracts in order to eliminate any risk on the part of the County.

Be It Finally Resolved that this Resolution shall take effect immediately the public welfare requiring it.

Introduced and read this the 3rd day of December, 2001


County Executive, George M. Miller


Chairman, Roy Bledsoe

Count Court Clerk, Riley Wampler