

LOUDON COUNTY COMMISSION

REGULAR MEETING

April 01, 2002

- (1) **Public Hearing**
- (2) **Opening Of Meeting**
- (3) **Roll Call**
- (4) **Motion Passed To Adopt Agenda**
- (5) **Minutes Adopted For March 04, 2002**
- (6) **Audience Comments On Agenda Items**
- (7) **Audience Comments on Non-Agenda Items**
- (8) **Motion Passed Confirming Russell Alford As VA Officer**
- (9) **Motion Passed To Accept Bids For Muddy Creek And Ford Road**
- (10) **Motion Passed To Sell Surplus EMA Vehicle**
- (11) **Motion Passed To Resend \$5000 – Election Commission**
- (12) **Motion Passed To Adopt Resolution - Rezone Property Notch In Hill Road**
Resolution 040102-A
- (13) **Motion Passed To Adopt Resolution – Rezone Property Jackson Bend Road**
Resolution 040102-B
- (14) **Motion Passed To Adopt Resolution – Accepting Public Roads**
Resolution 040102-C
- (15) **Animal Control Authority Concerns**
- (16) **Motion Failed To Pave Convenience Centers**
- (17) **Motion Passed Send Paving Conv. Centers To Budget Committee**
- (18) **Motion Passed To Adopt Resolution – 321 Waterline Extension**
Resolution 040102-D
- (19) **Motion Passed To Change Meeting Date**
- (20) **Motion Passed To Adopt Resolution – Eatonwood Special Sewer District**
Resolution 040102-E
- (21) **Motion Passed To Adopt Resolution – Eaton Forest Special Sewer District**
Resolution 040102-F
- (22) **Motion Passed To Adopt Resolution – School Board Districts**
Resolution 040102-G
- (23) **Motion Passed To Adopt Resolution – Martel Utility District**
Resolution 040102-H
- (24) **Motion Passed To Amend Resolution – Authorize County Attorney To Draw Martel Utility District Resolution**
Resolution 040102-I
- (25) **Request For Bridge To Be Fixed**
- (26) **Notaries Approved**
- (27) **Executive Session Held**
- (28) **Motion Died – Negotiate To Settle TN Wastemovers Lawsuit**
- (29) **Adjournment**

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE
COUNTY OF LOUDON

PUBLIC HEARING

April 01, 2002

6:00 PM

(1) Public Hearing

- 1) Rezoning request for approximately 68 acres located off Notch In Hill Road, Referenced by Tax Map 37, Parcel 13.01, located in the First Legislative District, from A-1, Agriculture-Forestry District and A-2, Rural Residential District to R-1, Suburban Residential District – Bruce Renner [02-01-11-RZ-CO(LOPR)]
No one came forward to speak.
- 2) Rezoning request for property located at 9087 Jackson Bend Road, located in the Third Legislative District, referenced by Tax Map 30, Parcel 57.02, from District A-2, Rural Residential to C-1, Rural Center District – Paul & Toni Shaw [02-02-23-RZ-CO(LEPR)]
Ms. Toni Shaw, owner of property, came forward to speak in favor of rezoning request.

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 1st day of April, 2002.

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: **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.**

(4) Motion Passed To Adopt Agenda

Chairman Bledsoe requested the April 01, 2002 agenda be adopted.

Commissioner Masingo requested that item E2 "*Request possible action on a resolution of intent by the Loudon County Commission of the County of Loudon to participate in an interlocal agreement with the city of Lenoir City, Tennessee, to participate and support certain water system improvements to stimulate the economic potential of the northern portion of Loudon County, Tennessee*" be removed from agenda until the study committee brings a recommendation to the Loudon County Commission.

Commissioner Park requested that item E2 remain on the agenda.
There was no action taken to roll over item.

Executive Miller noted that item D3 "*Consideration of adopting a resolution accepting Hillsborough Lane, Deerfield Lane, and Hilltop Drive into as Loudon County public roads, located in the Sixth Legislative District of Loudon County, Tennessee*" was not on original agenda sent to commission, but the resolution was in the packet.

Executive Miller requested that item A2 "*Update on demolition landfill lawsuit*" be moved under Attorney Sproul, anticipating executive session.
There were no objections.

Commissioner Jenkins requested to add item "Remove \$5000.00 from election office budget" under Budget Director Nancy Richesin.
There were no objections.

Commissioner Park requested to add item "reschedule May 2002 County Commission meeting due to election".
There were no objections.

A motion was made by **Commissioner Harold** with a second by **Commissioner Maples** to adopt agenda as presented and amended.
Upon voice vote the motion **Passed** unanimously.

(5)
Minutes
Adopted For
March 04,
2002

Chairman Bledsoe requested the March 04, 2002 County Commission Meeting minutes be approved and accepted.

Commissioner Harold requested that Item 4 "Motion Passed To Adopt Agenda" be worded to read "A motion was made by Commissioner Harold with a second by Commissioner Masingo to delete **and roll over**, authorizing Executive Miller to appoint a study committee for item 7A1".

A motion was made by **Commissioner Harold** with a second by **Commissioner Park** to approve minutes as written, with said correction.
Upon voice vote the motion **Passed** unanimously.

(6)
Audience
Comments On
Agenda Items

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

Ms. Pat Hunter, Loudon County resident, state opposition to item E2 "Request possible action on a resolution of intent by the Loudon County Commission of the County of Loudon to participate in an interlocal agreement with the city of Lenoir City, Tennessee, to participate and support certain water system improvements to stimulate the economic potential of the northern portion of Loudon County, Tennessee".

Commissioner Park stated that item E2 is a resolution of good will and not a commitment.

(7)
Audience
Comments on
Non-Agenda
Items

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

Mr. Paul Baird, Loudon County resident, questioned County Commission and stated several concerns regarding the recent audit by the State Comptroller's office and a monthly budget report not being generated and distributed to County Commission.

Commissioner Duff stated that he has been advised by Attorney Sproul that Loudon County Commission does not act as an oversight committee on the adopted county budget.

Ms. Pat Hunter, Loudon County resident, stated concerns regarding unauthorized loans in the recent audit by the State Comptroller's office.

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

Executive Miller requested discussion and possible action on following item:

- 1) Confirmation of approving Mr. Russell Alford as Loudon County Veteran's Affairs Officer for the Loudon/Philadelphia area.

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

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

(8)
Motion Passed
Confirming
Russell Alford
As VA Officer

Executive Miller stated that Budget Director Nancy Richesin and he would present a report on the audit findings at April 22 Workshop.

Mr. Howard Luttrell, Loudon County Purchasing Agent, requested discussion and possible action on following items:

(9)
**Motion Passed
To Accept Bids
For Muddy
Creek And
Ford Road**

- 1) Muddy Creek and Ford Road bids.

Mr. Luttrell stated that APAC Construction won bid for these projects at \$61,216.87, which will require a budget amendment to include deficit.

A **motion** was made by **Commissioner Harold** with a second by **Commissioner Park** to accept bid, plus engineering fees not to exceed \$10,000.

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

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

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

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

(10)
**Motion Passed
To Sell Surplus
EMA Vehicle**

- 2) Sale of surplus van from EMA

A **motion** was made by **Commissioner Park** with a second by **Commissioner maples** to sell surplus vehicle.

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

Mrs. Nancy Richesin, Budget and Finance Director, requested discussion and possible action on the following item:

(11)
**Motion Passed
To Resend
\$5000 –
Election
Commission**

- 1) Resend \$5000 amended to the Election Commission for expense of early voting satellite.

A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Park** to resend the \$5000.

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

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

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

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

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

(12)
**Motion Passed
To Adopt
Resolution -
Rezone
Property
Notch In Hill
Road**

- 1) Rezoning request for approximately 68 acres located off Notch In Hill Road, Referenced by Tax Map 37, Parcel 13.01, located in the First Legislative District, from A-1, Agriculture-Forestry District and A-2, Rural Residential District to R-1, Suburban Residential District – Bruce Renner [02-01-11-RZ-CO(LOPR)]

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

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

Resolution 040102-A

(13)
**Motion Passed
To Adopt
Resolution –
Rezone
Property
Jackson Bend
Road**

- 2) Rezoning request for property located at 9087 Jackson Bend Road, located in the Third Legislative District, referenced by Tax Map 30, Parcel 57.02, from A-2 Rural Residential to C-1, Rural Center District – Paul & Toni Shaw [02-02-23-RZ-CO(LOPR)]

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 040102-B

(14)
**Motion Passed
To Adopt
Resolution –
Accepting
Public Roads**

- 3) Consideration of adopting a resolution accepting Hillsborough Lane, Deerfield Lane, and Hilltop Drive into as Loudon County public roads, located in the Sixth Legislative District of Loudon County, Tennessee

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

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

Resolution 040102-C

(15)
Animal
Control
Authority
Concerns

Commissioner Maples had concerns regarding the Loudon County Animal Shelter, but stated that things are now in the process of being resolved.

(16)
Motion Failed
To Pave
Convenience
Centers

Commissioner Park requested discussion and possible action on the following items:

- 1) Paving convenience centers

After much discussion, a **motion** was made by **Commissioner Park** with a second by **Commissioner Harold** to pave the convenience centers at the approximate cost of \$10,000 each.

Upon roll call vote the following commissioners voted **Aye: Randolph, Park, Duff, and Thomas: (4).**

The following commissioners voted **Nay: Maples, Jenkins, Masingo, Bledsoe, Harold (5).**

Thereupon the chairman announced the motion **Failed: (5-4).**

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

(17)
Motion Passed
Send Paving
Conv. Centers
To Budget
Committee

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Jenkins** to have Budget Committee review parking the convenience centers for 2002-2003 budget.

Upon voice vote the motion **Passed: (8-1).**

(18)
Motion Passed
To Adopt
Resolution –
321 Waterline
Extension

- 2) Request possible action on a resolution of intent by the Loudon County Commission of the County of Loudon to participate in an interlocal agreement with the city of Lenoir City, Tennessee, to participate and support certain water system improvements to stimulate the economic potential of the northern portion of Loudon County, Tennessee

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

After much discussion and roll call vote the following commissioners voted **Aye: Maples, Jenkins, Duff, Park, and Harold: (5).**

The following commissioners voted **Nay: Randolph, Thomas, Masingo, and Bledsoe: (4).**

Thereupon the chairman announced the motion **Passed: (5-4).**

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

Resolution 040102-D

(19)
Motion Passed
To Change
Meeting Date

- 3) Request to change May County Commission meeting to Monday, May 13.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Thomas** to change meeting date.

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

Loudon County Attorney Harvey Sproul requested discussion and possible action of following items:

(20)
Motion Passed
To Adopt
Resolution –
Eatonwood
Special Sewer
District

- 1) Consideration of adopting a resolution establishing the sewer assessment for 2002 for the Eatonwood Special Sewer District (\$250.00 as last year)

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

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

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

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

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

Resolution 040102-E

(21)
**Motion Passed
To Adopt
Resolution –
Eaton Forest
Special Sewer
District**

- 2) Consideration of adopting a resolution establishing the sewer assessment for 2002 for the Eaton Forest Special Sewer District

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

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

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

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

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

Resolution 040102-F

(22)
**Motion Passed
To Adopt
Resolution –
School Board
Districts**

- 3) Consideration of adopting a resolution reapportioning school board districts.

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

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

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

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

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

Resolution 040102-G

County Attorney Sproul requested remaining agenda items under his name be referred to executive session at the end of the agenda.

There were no objections.

Mr. Don Palmer, Loudon County Road Commissioner, requesting discussion and possible action the following item:

(23)
**Motion Passed
To Adopt
Resolution –
Martel Utility
District**

- 1) Consideration of adopting a resolution for easement on public roads for water main for Martel Utility District

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

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

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

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

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

Resolution 040102-H

(24)
**Motion Passed
To Amend
Resolution –
Authorize
County
Attorney To
Draw Martel
Utility District
Resolution**

After much discussion, a **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Harold** to amend resolution authorizing Attorney Sproul to draw a resolution with necessary provisions.

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

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

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

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

Resolution 040102-I

(25)
**Request For
Bridge To Be
Fixed**

Commissioner Maples requested that TDOT be asked to fill pot holes in old bridge until new bridge is completed.

(26)
**Notaries
Approved**

Commissioner Masingo requested consideration of approving the following Notary applications:

Karen Cate	John H. Fedderson	Phyllis J. Burnettee	Tracy V. Riedl
Greer G. Heatherly	Kimberly W. Taylor	Penny L. Furnald	Doug Davis
Joyce Williams	Marilyn R. Murr	Ann R. Pettitt	Robert A. Vest
Paul Ann Baker	Ted A. Yates	Rachel Walker	Trevor Bradford

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.

Executive Session was held at 8:10 p.m., Regular Meeting reconvened at 9:10 p.m.

A **motion** was made by **Commissioner Jenkins** to instruct attorneys to enter into negotiations to settle lawsuit (TN Wastemovers vs. Loudon County). Motion died due to lack of second.

There being no further business, a **motion** being duly made and seconded, the April 01, 2002 meeting stood adjourned at 9:15 p.m.


CHAIRMAN

ATTEST:


COUNTY COURT CLERK


COUNTY EXECUTIVE

1630

RESOLUTION 040102-A

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 APPROXIMATELY 68 ACRES LOCATED OFF NOTCH IN THE HILL ROAD, SITUATED IN THE FIRST LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 37, PARCEL 13.01, FROM A-1, AGRICULTURE-FORESTRY DISTRICT AND A-2, RURAL RESIDENTIAL DISTRICT, TO R-1, SUBURBAN RESIDENTIAL DISTRICT.

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

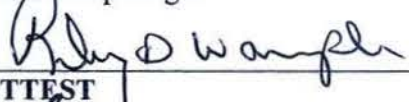
WHEREAS, the Regional Planning Commissions have forwarded a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on February 7, 2002, 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 approximately 68 acres located off Notch in the Hill Rd., situated in the First Legislative District, referenced by Tax Map 37, Parcel 13.01, be rezoned from A-1, Agriculture-Forestry District and A-2, Rural Residential District, to R-1, Suburban Residential District, as represented on the attached map; said map being part of this Resolution.

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


ATTEST



APPROVED: LOUDON COUNTY EXECUTIVE


LOUDON COUNTY CHAIRMAN
DATE: 4-1-02

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


APPROVED: 6

DISAPPROVED: 0


ATTEST: SECRETARY, CITY OF LOUDON
REGIONAL PLANNING COMMISSION
Dated: March 6, 2002

APPROVED: 9

DISAPPROVED: 0


SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
Dated: March 19, 2002

RESOLUTION 040102-B

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 LOCATED AT 9087 JACKSON BEND RD., BEING SITUATED IN THE THIRD LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 30, PARCEL 57.02, FROM A-2 RURAL RESIDENTIAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT.

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

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

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on February 25, 2002, 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 9087 Jackson Bend Rd., being situated in the Third Legislative District, referenced by Tax Map 30, Parcel 57.02, be rezoned from A-2, Rural Residential District, to C-2, General Commercial District, as represented on the attached map; said map being part of this Resolution.

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

Riley Blum
ATTEST

George M. Miller
APPROVED: LOUDON COUNTY EXECUTIVE

Ray Blum
LOUDON COUNTY CHAIRMAN
DATE: 4-1-02

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

APPROVED: 9

DISAPPROVED: 0

Henry M. Miller
ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
Dated: March 19, 2002

APPROVED: 5

DISAPPROVED: 0

Eddie Simpson
ATTEST: SECRETARY, LENOIR CITY
REGIONAL PLANNING COMMISSION
Dated: March 5, 2002

FILE #02-02-23-RZ-CO(LEPR)

RESOLUTION 040102 - C

**A RESOLUTION ADOPTED BY THE LOUDON COUNTY COMMISSION
ACCEPTING HILLSBOROUGH LANE, DEERFIELD LANE, AND HILLTOP
DRIVE INTO AS LOUDON COUNTY PUBLIC ROADS, LOCATED IN THE
SIXTH LEGISLATIVE DISTRICT OF LOUDON COUNTY, TENNESSEE**

WHEREAS, the chief legislative body of the county has the authority under Tennessee Code Annotated to accept the dedication of roads, to adopt policies and standards for the acceptance of new roads and to reopen previously closed county roads; and

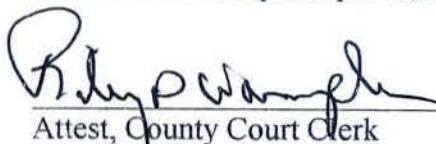
WHEREAS, the Loudon County Regional Planning Commission and Lenoir City Regional Planning Commission have previously approved subdivision plats for Hillsborough Subdivision, Deerfield Estates, and Summitvue Subdivision that record these roads as public rights of way; and

WHEREAS, the developers of these subdivisions have completed the improvements to these roads in accordance with the subdivision regulations of Loudon County;

NOW, THEREFORE, BE IT RESOLVED, that the Loudon County Commission considers the acceptance of these roads to be in the public benefit and that said roads be accepted into the County's roadway system;

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

This Resolution adopted April 01, 2002


Attest, County Court Clerk


Loudon County Chairman


Approved, Loudon County Executive

RESOLUTION
040102-D

A RESOLUTION OF INTENT BY THE LOUDON COUNTY COMMISSION OF THE COUNTY OF LOUDON TO PARTICIPATE IN AN INTERLOCAL AGREEMENT WITH THE CITY OF LENOIR CITY, TENNESSEE, TO PARTICIPATE AND SUPPORT CERTAIN WATER SYSTEM IMPROVEMENTS TO STIMULATE THE ECONOMIC POTENTIAL OF THE NORTHERN PORTION OF LOUDON COUNTY, TENNESSEE

Whereas, Loudon County and Lenoir City have adopted a growth management plan that identifies urban growth boundaries, planned growth boundaries and rural areas, and

Whereas, Lenoir City's urban growth boundaries include areas contiguous to Hwy. 70, U. S. 321 and Interstate 75, and

Whereas, the projected land use contemplates medium density residential and commercial uses within the City's urban growth boundaries, and

Whereas, certain utilities are necessary to maximize the areas potential for economic growth and increase in public revenues, and

Whereas, an adequate public water system (volume and pressure) is essential in order to stimulate residential and commercial growth within the area of concern, and

Whereas, Lenoir City Utilities Board has completed an assessment of water system needs that involve the construction of approximately 37,000' of 16" water mains and a 500,000 to 1,000,000 gallon reservoir to adequately serve the long term growth projections with an estimated cost of \$4.5 M, and

Whereas, the City and County have successfully engaged in previous interlocal agreements for public infrastructure/facilities for the mutual benefit of the residents of the community and to stimulate sound economic development opportunities.

Now, Therefore, Be It Resolved, that it is the desire of the Loudon County Commission to collaborate financially with the City of Lenoir City in supporting the construction of certain water system improvements in the northern portion of Loudon County, within the City's urban growth boundaries for the purpose of stimulating future economic development of the area.

Be It Further Resolved, that upon adoption of this Resolution both entities shall designate 3 representatives from each of their respective legislative bodies for the purpose of structuring an interlocal agreement that identifies the specifics of an agreement and level of financial participation among the parties.

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

Adopted this the 4th day of March 2002.


Chairman


County Executive


County Court Clerk

1634

LOUDON COUNTY COMMISSION

RESOLUTION NO. 040102-E

RESOLUTION LEVYING 2002 SPECIAL ASSESSMENT ON BUILDABLE PARCELS
FOR SEWER IMPROVEMENTS IN EATONWOOD SPECIAL SEWER DISTRICT

WHEREAS, the Loudon County Commission has established the Eatonwood Subdivision Special Sewer District by Loudon County Resolution No. 090897-U; and

WHEREAS, a special assessment is required to be made annually on the buildable parcels as originally defined in Loudon County Commission Resolution No. 090897-U, and its two amendments, for the purpose of servicing the principal and interest on certain capital outlay notes issued under the authority of the Loudon County Commission, and for any other necessary expenses incurred in administering the project.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 1st day of April, 2002, as follows:

Section 1: The per buildable parcel assessment for the year 2002 is established in the amount of Two Hundred Fifty Dollars (\$250.00).

Section 2: For informational purposes only, a copy of a listing of the current owners of the certified buildable parcels as designated by Loudon County Commission Resolution No. 090897-U is attached hereto as Exhibit A.

Section 3: Payment of the assessment shall be made to the Loudon County Trustee, and is due as of October 1, 2002, and shall be delinquent after February 28, 2003.

Section 4: Penalty and interest for delinquent payments shall be computed on the same basis and under the same criteria as required of Loudon County property owners for the payment of County real property taxes. All matters concerning the payment and collection of the special assessment levied herein are governed by the provisions of the aforesaid Loudon County Resolution No. 090897-U.

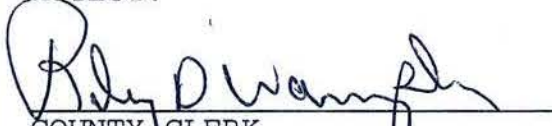
This resolution shall take effect upon adoption by the County Commission, the public welfare requiring it.


COUNTY CHAIRMAN

ACCEPTED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

01-0215001	05-011-G -E -011-G -011.00-S -321	AILEY JOHNNY L SEWER ASSESSMENT	250.00	250.00	0.00
01-0215002	05-011-G -E -011-G -035.00-S -321	ALLEN JOE C ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215003	05-011-G -E -011-G -004.00-S -321	BIVENS JEFFEREY A ETUX SEWER ASSESSMENT	250.00	0.00	250.00
01-0215004	05-011-G -E -011-G -001.00-S -321	BLUFORD JAMES M. ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215005	05-011-G -E -011-G -003.00-S -321	BLUFORD JAMES E. ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215006	05-011-G -E -011-G -043.00-S -321	BRIDGES FRED L ETUX SEWER ASSESSMENT	250.00	0.00	250.00
01-0215007	05-011-G -E -011-G -044.00-S -321	BRIDGES FRED L ETUX SEWER ASSESSMENT	250.00	0.00	250.00
01-0215008	05-011- - -011- -034.03-S -321	BROWDER DOROTHY J SEWER ASSESSMENT	250.00	250.00	0.00
01-0215009	05-011-G -E -011-G -017.00-S -321	BROWN MARTIN ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215010	05-011- - -011- -034.04-S -321	BROWN MARTIN ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215011	05-011-G -E -011-G -030.00-S -321	BROWN RONALD A SEWER ASSESSMENT	250.00	0.00	250.00
01-0215012	05-011-G -E -011-G -066.00-S -321	BUSE LYLE J ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215013	05-011-G -E -011-G -045.00-S -321	CHAMBERS DALE R SEWER ASSESSMENT	250.00	250.00	0.00
01-0215014	05-011-G -E -011-G -031.00-S -321	COOPER RICHARD A ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215015	05-011-G -E -011-G -047.00-S -321	DICKEY CURTIS A ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215016	05-011-G -E -011-G -023.00-S -321	DOBSON JEROME E ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215017	05-011-G -E -011-G -024.00-S -321	DOBSON JEROME E ETUX SEWER ASSESSMENT	250.00	250.00	0.00
01-0215018	05-011-G -E -011-G -042.00-S -321	DUGGAN GARY L ETUX SEWER ASSESSMENT	250.00	0.00	250.00
01-0215019	05-011-G -E -011-G -008.00-S -321	EFFERSON RONNY W. SEWER ASSESSMENT	250.00	250.00	0.00

George Miller II etux Tammy
PO Box 463
L.C. 37771

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2001-0215021	05-011-G -E -011-G -072.00-S -321	GLEN RICHARD ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215022	05-011-G -E -011-G -074.00-S -321	GULLEMET RICHARD A ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215023	05-011-G -E -011-G -074.04-S -321	GULLEMET RICHARD A ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215024	05-011-G -E -011-G -006.00-S -321	HUGHES EUGENE G ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215025	05-011-G -E -011-G -049.00-S -321	KING BRET ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215026	05-011-G -E -011-G -051.00-S -321	KING BRET ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215027	05-011-G -E -011-G -064.00-S -321	KRAUSSER ARTHUR C ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215028	05-011-G -E -011-G -059.00-S -321	LEACH RICHARD ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215029	05-011-G -E -011-G -074.03-S -321	LOCKETT SANDRA B SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215030	05-011-G -E -011-G -037.00-S -321	LYNN JOE SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215031	05-011-G -E -011-G -038.00-S -321	LYNN JOE SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215032	05-011-G -E -011-G -010.00-S -321	MEIER ROBERT J	250.00	250.00	0.00
2001-0215033	05-011-G -E -011-G -054.00-S -321	MONTGOMERY TIMOTHY L ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215034	05-011-G -E -011-G -016.00-S -321	MOYER LINDA F WILLIS SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215035	05-011-G -E -011-G -070.00-S -321	MURRAY RAY E ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215036	05-011-G -E -011-G -041.00-S -321	ORR RICHARD ETUX SEWER ASSESSMENT	250.00	0.00	250.00
2001-0215037	05-011-G -E -011-G -057.00-S -321	PLEASANT HILL CHURCH SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215038	05-011-G -E -011-G -019.00-S -321	RHODES CARL WESLEY ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215039	05-011-G -E -011-G -061.00-S -321	RIZZITELLO THOMAS M SEWER ASSESSMENT	250.00	0.00	250.00
2001-0215040	05-011-G -E -011-G -013.00-S -321	RUNSEY BARRY ETUX SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215041	05-011-G -E -011-G -062.00-S -321	SHEA JANICE RUTH SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215042	05-011-G -E -011-G -060.00-S -321	SHEA JANICE RUTH SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215043	05-011-G -E -011-G -020.00-S -321	VALENTINE KENNETH H SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215044	05-011-G -E -011-G -039.00-S -321	WEATHERFORD KATHY SEWER ASSESSMENT	250.00	0.00	250.00
2001-0215045	05-011-G -E -011-G -040.00-S -321	WICKER DOUGLAS P SEWER ASSESSMENT	250.00	250.00	0.00
2001-0215046	05-011-G -E -011-G -022.00-S -321	WILLIAMS STEVE M ETUX SEWER ASSESSMENT	250.00	250.00	0.00

Guillemet, Mike
Lori
300 Parkway Rd LC 37771

CINDY ORR
145 Alpine Dr.
LC 37771

James A. Marshall
PO Box 23532
Knox 37933

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LOUDON COUNTY COMMISSION

RESOLUTION NO. 040102-F

RESOLUTION LEVYING 2002 SPECIAL ASSESSMENT ON BUILDABLE PARCELS
FOR SEWER IMPROVEMENTS IN EATON FOREST SPECIAL SEWER DISTRICT

WHEREAS, the Loudon County Commission has established the Eaton Forest Subdivision Special Sewer District by Loudon County Resolution No. 010300-E; and

WHEREAS, a special assessment is required to be made annually on the buildable parcels as originally defined in Loudon County Commission Resolution No. 010300-E, for the purpose of servicing the principal and interest on certain capital outlay notes issued under the authority of the Loudon County Commission, and for any other necessary expenses incurred in administering the project; and

WHEREAS, Loudon County Resolution No. 091100-S has designated the buildable/assessable parcels that will be subject to the special sewer assessment;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 1st day of April, 2002, as follows:

Section 1: The per buildable parcel assessment for 2002 is established in the amount of Five Hundred Fifty Dollars (\$550.00).

Section 2: For informational purposes only, a copy of a listing of the current owners of the certified buildable parcels as designated by Loudon County Commission Resolution No. 091100-S is attached hereto as Exhibit A.

Section 3: Payment of the assessment shall be made to the Loudon County Trustee, and is due as of October 1, 2002, and shall be delinquent after February 28, 2003.

Section 4: Penalty and interest for delinquent payments shall be computed on the same basis and under the same criteria as required of Loudon County property owners for the payment of County real property taxes. All matters concerning the payment and collection of the special assessment levied herein are governed by the provisions of the aforesaid Loudon County Resolution No. 010300-E.

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


COUNTY CHAIRMAN

ACCEPTED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

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35	2001-0212062	05-016-	-	-016-	-003.04-S	-070	KEMBEL HETTIE L SEWER ASSESSMENT	550.00	550.00	0
36										
37	2001-0212063	05-016-	-	-016-	-003.05-S	-070	KEMBEL JO ANN SEWER ASSESSMENT	550.00	550.00	0
38										
39	2001-0212064	05-011-	-	-011-	-121.06-S	-070	LEE BEN JR ETUX SEWER ASSESSMENT	550.00	550.00	0
40										
41	2001-0212065	05-011-P	-A	-011-P	-008.00-S	-070	LUTTRELL JOSEPH ETUX	550.00	550.00	0
42										
4	2001-0212066	05-011-P	-A	-011-P	-015.00-S	-070	MCGLAW KENNETH ETUX SEWER ASSESSMENT	550.00	550.00	0
6										
7	2001-0212067	05-011-	-	-011-	-121.04-S	-070	MATTHEWS STEVEN B ETUX SEWER ASSESSMENT	550.00	550.00	0
8										
9	2001-0212068	05-011-P	-A	-011-P	-018.00-S	-070	NORTH JERRY J JR ETUX SEWER ASSESSMENT	550.00	550.00	0
10										
11	2001-0212069	05-011-	-	-011-	-121.08-S	-070	PAYNE JAMES M ETUX SEWER ASSESSMENT	550.00	550.00	0
12										
13	2001-0212070	05-011-P	-A	-011-P	-013.00-S	-070	PAYNE RALPH ETUX SEWER ASSESSMENT	550.00	550.00	0
14										
15	2001-0212071	05-011-P	-A	-011-P	-016.00-S	-070	RENO RAY E ETUX SEWER ASSESSMENT	550.00	550.00	0
16										
17	2001-0212072	05-011-P	-A	-011-P	-020.00-S	-070	SHELTON BETSY SEWER ASSESSMENT	550.00	550.00	0
18										
19	2001-0212073	05-011-P	-A	-011-P	-021.00-S	-070	SHELTON BETSY SEWER ASSESSMENT	550.00	550.00	0
20										
21	2001-0212074	05-011-P	-A	-011-P	-001.00-S	-070	SHERRILL GEORGE ETUX SEWER ASSESSMENT	550.00	550.00	0
22										
23	2001-0212075	05-011-P	-A	-011-P	-004.00-S	-070	SMITH DANNY S ETUX SEWER ASSESSMENT	550.00	550.00	0
24										
25	2001-0212076	05-011-P	-A	-011-P	-028.00-S	-070	STAFFORD MOODY F ETUX SEWER ASSESSMENT	550.00	550.00	0
26										
27	2001-0212077	05-016-	-	-016-	-003.08-S	-070	STEPHENS KENNETH ETUX SEWER ASSESSMENT	550.00	0.00	550.
28										
29	2001-0212078	05-011-P	-A	-011-P	-011.00-S	-070	VEST RICHARD E ETUX SEWER ASSESSMENT	550.00	550.00	0
30										
31	2001-0212079	05-011-	-	-011-	-121.05-S	-070	VINES ROBERT A ETUX SEWER ASSESSMENT	550.00	550.00	0
32										
33	2001-0212080	05-011-P	-A	-011-P	-017.00-S	-070	WAMPLER TED SEWER ASSESSMENT	550.00	550.00	0
34										
35	2001-0212081	05-011-	-	-011-	-093.01-S	-070	WAMPLER TED SEWER ASSESSMENT	550.00	550.00	0
36										
37	2001-0212083	05-011-P	-A	-011-P	-002.00-S	-070	WHITAKER MARY FRANCES SEWER ASSESSMENT	550.00	550.00	0
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LOUDON CO TRUSTEE

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Property Tax Listing In Receipt Number Order
All Receipts

i	Map	Gp	Ctl	Parcel	SI	Name/Address	Tax Amount	Paid Amount	Owed Amount
1	2	1	2	No	ID				
5-011-P	-A	-011-P	-025.00-S	-070		ABNEY DAVID ETUX SEWER ASSESSMENT	550.00	0.00	550.00
5-011-P	-A	-011-P	-006.00-S	-070		BREEDEN EVELYN SEWER ASSESSMENT	550.00	550.00	0.00
5-011-P	-A	-011-P	-012.00-S	-070		CANADA KAREN ANN SEWER ASSESSMENT	550.00	550.00	0.00
5-011-P	-A	-011-P	-005.00-S	-070		DUTTON DAVID A ETUX SEWER ASSESSMENT	550.00	550.00	0.00
5-011-P	-A	-011-P	-026.00-S	-070		EDWARDS BETTY SEWER ASSESSMENT	550.00	550.00	0.00
5-011-P	-A	-011-P	-027.00-S	-070		EDWARDS BETTY SEWER ASSESSMENT	550.00	550.00	0.00
5-011-P	-A	-011-P	-009.00-S	-070		ELKINS RICHARD EARL SEWER ASSESSMENT	550.00	550.00	0.00
5-011-	-	-011-	-121.02-S	-070		GUILLAMET RICHARD ETUX SEWER ASSESSMENT	550.00	550.00	0.00
5-011-P	-A	-011-P	-014.00-S	-070		HEDGE WALTER ETUX SEWER ASSESSMENT	550.00	550.00	0.00
5-011-0	-	-011-	-121.07-S	-070		HOWARD JAMES L ETUX SEWER ASSESSMENT	550.00	0.00	550.00
5-011-P	-A	-011-P	-024.00-S	-070		HOWARD JIMMY LEE ETUX SEWER ASSESSMENT	550.00	0.00	550.00
5-011-P	-A	-011-P	-019.00-S	-070		HOWARD MARY A SEWER ASSESSMENT	550.00	0.00	550.00
5-011-P	-A	-011-P	-022.00-S	-070		HOWARD MARY A SEWER ASSESSMENT	550.00	0.00	550.00
5-011-P	-A	-011-P	-023.00-S	-070		HOWARD MARY KATHLEEN SEWER ASSESSMENT	550.00	550.00	0.00
5-016-	-	-016-	-003.04-S	-070		KEMBEL HETTIE L SEWER ASSESSMENT	550.00	550.00	0.00
5-016-	-	-016-	-003.05-S	-070		KEMREI JO ANN	550.00	550.00	0.00

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LOUDON COUNTY COMMISSION
RESOLUTION NO. 040102-G

RESOLUTION REAPPORTIONING SCHOOL BOARD DISTRICTS

WHEREAS, the County Commission, by Resolution No. 110501-G has reapportioned the voting legislative districts for the election of members to the Loudon County Commission, with the First, Second, and Fifth Districts having two members, and the Third, Fourth, Sixth, and new Seventh Districts having one member; and

WHEREAS, since the late 1960's when the first Quarterly County Court reapportionment plan was approved by the U.S. District Court for Eastern Tennessee, the Loudon County legislative body has been composed of a total of nine (9) County Commissioners apportioned according to population with various numbers of members in various districts, which were established based upon the geographical, political, and sociological makeup of Loudon County; and

WHEREAS, Chapter 172 of the Private Acts of 1979 established and reorganized the Loudon County Board of Education, calling for the election of the same number of Board of Education members as there are County Commission members and from the same districts; and

WHEREAS, since that time, organization of the Board of Education has continued since that time, to "track" the Loudon County Commission reapportionments each time that has occurred, with the Commission continuing to utilize the approximate district boundaries that were established in the beginning, with adjustments and variations based upon population shifts; and

WHEREAS, the population in Loudon County increased dramatically in the decade between 1990 and the year 2000, with a substantial amount of the increase coming from the new lakeshore community development of Tellico Village; and

WHEREAS, in preparation for the 2002 county election, after the census data had become available, the County Commission decided (in order to keep most of the county district lines and the voting precincts approximately the same as they have been for over thirty years) to add a new one person district (District No. 7) which primarily encompasses Tellico Village inasmuch as the new population that has grown there is approximately the population that is needed to add a district and keep the number of Commissioners representing the various districts proportionate; and

WHEREAS, legislation adopted in 1992 to improve education required reapportionment after each census, and required a Private Act if a county desired to increase the number of members on the Board above nine; and

WHEREAS, in preparation of the Private Act to increase the number of School Board members to ten in accordance with the decision of the County Commission to add a legislative district of one person for the 2002 reapportionment, the Loudon County Board of Education retained Attorney Charles Cagle of Nashville, Tennessee, who was one of the persons instrumental in drawing and preparing the 1992 education legislation which required statewide certain changes in the organization of School Boards, including staggered terms, election of Board members (rather than appointment), the employment of the Director of Schools, etc., and he drew a proposed Private Act (which apparently he felt would be legal), so as to "track" the County Commission reapportioned districts as has traditionally been done for the Board of Education in Loudon County in the past; and

WHEREAS, when this requested Private Act was presented to the legislature, contrary to the plan prepared by Attorney Cagle, a question arose in the legislative legal office as to whether School Board districts as outlined in the requested Private Act, met the specific wording of the 1992 statute requiring equal districts, inasmuch as some districts had two members and some had one, although the two-member districts are proportionately divided as to population with the one-member districts; and

WHEREAS, the original Private Act prepared for Loudon County this year has now been modified by the county's legislators to basically and simply increase the number of Commissioners by one (to a total of ten), leaving it as the duty and authority of the County Commission to adopt a valid reapportionment plan for the ten School Board members being authorized by the new Private Act; and

WHEREAS, it appears that inasmuch as School Board member terms are staggered, in Loudon County only one multiple member district is even-numbered and affected in the election of 2002 (the second legislative district); and

WHEREAS, the qualifying deadline for candidates for School Board seats is so short in time, and the effort to redistrict Loudon County for purposes of making districts that would qualify as properly apportioned one-person districts (under the questions raised by the State legislative legal department) could possibly result in the moving of many district lines, and the short time available for education of the public could result in significant confusion among the voters, and an unusual burden would be cast upon the Election Commission in conducting an election under those circumstances; and

WHEREAS, the Loudon County Commission feels that the adopting of the redistricting plan as set forth in this resolution meets the intention of the disputed statute in that the districts are approximately equally proportioned in population;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 1st day of April, 2002, that the redistricting plan for Loudon County School Board members, as in the past, shall be consistent with the County Commission legislative districts, inasmuch as all seven districts comply with the equal representation principle, the redistricting plan for the Board of Education being as follows:

The county Board of Education of Loudon County shall consist of ten (10) members to be elected from the seven (7) county legislative body districts as follows: District 1 shall elect two (2) members; District 2 shall elect two (2) members; District 3 shall elect one (1) member; District 4 shall elect one (1) member; District 5 shall elect two (2) members; District 6 shall elect one (1) member; and District 7 shall elect one (1) member. The new board member position created in District 7 shall be filled by election of the registered voters of District 7 at the general election for county offices in August, 2002. The initial term of office for that district shall be for two (2) years, and at the county general election in August, 2004 and every four years thereafter, the position shall be filled for a four (4) year term. In the event of a vacancy on the Board of Education, the county legislative body shall appoint a successor to fill the position until the next general election. Each member of the county Board of Education shall be a resident of the district from which such member is elected.

BE IT FURTHER RESOLVED that inasmuch as the Private Act to be adopted by the Tennessee General Assembly has not yet been certified back to the Loudon County Commission for adoption, this resolution is adopted in advance, to allow for planning by prospective candidates for office, and for the purpose of assisting the Loudon County Election Commission in preparing for the election and, accordingly, the County Commission members voting for this resolution certify that they hereby commit to ratify the Private Act when it is certified from Nashville for consideration for adoption.

This resolution shall take effect upon ratification by the Loudon County Commission of Private Act No. _____ of the _____ Session of the Tennessee General Assembly.


COUNTY CHAIRMAN

APPROVED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

PREPARED BY:

COUNTY ATTORNEY

RESOLUTION FOR EASEMENT ON PUBLIC ROADS FOR WATER MAINS
FOR MARTEL UTILITY DISTRICT

Area to be served with approximately 27,500 feet of Water Mains:

Knox County/Loudon County Line on Martel Road to Lakeview Road

Lakeside Drive

Old Spears Road

Coulter Shoals Road (inside Sub-division)

Shiloh Acres/Palmer Drive

LOUDON COUNTY COMMISSION

RESOLUTION NO. 040102-I

RESOLUTION APPROVING MARTEL UTILITY DISTRICT PUBLIC WORKS PROJECT
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 would appear to be beneficial to many county residents.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled this 13th day of May, 2002, that the proposed 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 for each phase of the project involving the County roads.

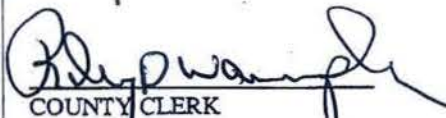
This Resolution shall take effect upon adoption, the public welfare requiring it.


COUNTY CHAIRMAN

ACCEPTED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

PREPARED BY:

COUNTY ATTORNEY

ACCEPTED:

MARTEL UTILITY DISTRICT

BY: _____
Chairman

Date: _____