

# LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

February 6, 2012

6:00 PM

## PUBLIC HEARING

**(1)**  
**Public**  
**Hearing**

**Loudon County Planning and Codes Director – Russ Newman**

A Resolution Adopted by the Loudon County Commission Pursuant to Tennessee Code Annotated (TCA) §13-3-406 Accepting Summitt Hill Drive, Bingham Hill Lane, Red Hill Lane, and Baxter Bright Road Located in YellowWood Subdivision, Phase 1 into the County Roadway System, said Roads Being Located in the 3<sup>rd</sup> legislative District of Loudon County.

YellowWood resident **Deborah Rossi** spoke explaining that she and her husband thought they had an agreement with other subdivision property owners to erect a privacy gate coming into the development. They installed the gate on Summitt Hill Road near where it intersects with Coyatee Road which is a County road. She stated things had gone well until recently when other property owners became upset about the gate. Now there is a legal controversy between property owners regarding whether this road should be a private road or a County road. She urged the Commission to remain neutral on the issue until the Courts had ruled on the matter. **Lyn Bright** and **Ted McDonald**, both property owners, spoke in favor of this being made a public County road. **Mr. Bright** described his position of concern for emergency vehicles and mail delivery access and who would be responsible for maintenance if the road was made private. **Mr. McDonald** said that he has a tree farm on his property and doesn't live there and urged the Commission to make it a public road as it has always been. **Martin Brown, Chairman of the Planning Commission**, stated that this issue had been discussed by the Planning Commission some time ago and there was a 10-0 vote decision to make it a public road and that there had never been a petition to the Planning Commission to make it a private road.

## 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 6th day of February, 2012.

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

**Commissioner Miller** opened the County Commission Meeting, led the Pledge of Allegiance to the Flag of the United States of America and gave the invocation.

**(3)**  
**Roll Call**

Present were the following Commissioners: **Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Yarbrough, Harrelson, and Miller: (10)**

The following Commissioners were **Absent: (0)**

Thereupon **Chairman Bledsoe** announced the presence of a quorum.

Present was the **Honorable Mayor Estelle Herron**.

**(4)**  
**Agenda**  
**Adopted**  
**As Amended**

**Chairman Bledsoe** requested that the February 6, 2012 Agenda be adopted.  
**Mayor Herron** requested adding to the Agenda Consideration of a Homeland Security Grant within the Budget Director's presentation.  
A **motion** was made by **Commissioner Meers** with a second by **Commissioner Franke** to adopt the Agenda as amended.  
Upon voice vote the motion **Passed** unanimously.

**(5)**  
**Minutes for**  
**January 3, 2011**  
**Approved**

**Chairman Bledsoe** requested that the January 9, 2012 County Commission Meeting Minutes be approved and accepted.  
A **motion** was made by **Commissioner Miller** with a second by **Commissioner Shaver** to approve these minutes.  
Upon voice vote the motion **Passed** unanimously.

**(6)**  
**Comments:**  
**Agenda Items**

**Chairman Bledsoe** asked that any visitor wishing to address the Commission regarding items on the planned Agenda come forward.  
**No one** came forward.

**(7)**  
**Board**  
**Appointments**  
**Approved**

**Estelle Herron, Loudon County Mayor**, requested consideration and possible action on the following item:

1. Consideration of a Resolution Approving Appointments to the Following Board/Committee:
  - a. Loudon County E-911 Board

A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Meers** to approve these appointments.  
Upon voice vote the motion **Passed** unanimously.  
**Resolution 020612-A**

**(8)**  
**CDBG**  
**Application**  
**Approved**

2. Request Consideration of Approving a Resolution Authorizing Submission of a Community Development Block Grant Program Application to Fund Waterline Extensions to Unserved Areas Along Sections of Ross Road and Stockton Valley Road in Southwestern Loudon County. No matching funds required.

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Yarbrough** to approve this resolution.  
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Shaver, Franke, Bledsoe, Duff, Yarbrough, Harrelson, Miller, and Jenkins: (10)**  
The following Commissioners voted **Nay: (0)**  
The following Commissioner was **Absent: (0)**  
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**  
**Resolution 020612-B**

**(9)**  
**CASA**  
**Program**  
**For County**  
**Failed**

3. Request Consideration of Establishing a Court Appointed Special Advocacy Program for Loudon County.

**Mayor Herron** described the program's operation noting that a CASA Advocate can only be appointed by a Judge and the worker's are volunteers. The Loudon County Program would ask for a \$5. fee to be placed on all civil and criminal cases tried in the County. She stated that last year there were 10,036 of these cases which would result in over \$50,000. for the CASA program. There's an additional \$45. Victim's Assessment fee for those convicted of these offenses and this fee would be split between the County and the victims with \$3. of each assessment paid to the clerk of the court imposing the assessment and \$42. going to the County for the exclusive use of the victims program. The CASA program is currently active in Loudon County but is funded by other counties at this time.

A **motion** was made by **Commissioner Yarbrough** with a second by **Commissioner Harrelson** to approve this Program for Loudon County as stated.

**Commissioner Shaver** stated that the \$5. fee would be for Loudon County only – other counties do not have this fee - and pointed out that the resolution presented does not address this \$5. fee.

**Commissioner Yarbrough** moved to include the \$5. fee in her **motion** with a second by **Commissioner Harrelson**.

**Commissioner Miller** stated that these programs should be addressed as part of the Budget process and that this is a lot of money and much more than other non-profits get. He prefers a fixed dollar amount rather than fees. **Commissioner Franke** agreed that this should be part of the budget process and wanted to be sure this is not currently included in the County non-profits. **Commissioner Miller** would like to consider making this program part of the County non-profits. **Commissioner Yarbrough** spoke in support of the program. **Commissioner Miller** said that he had checked to be sure this program was not a duplication of the CAC and determined that it was not. He agreed that the program had a good mission. **Commissioner Duff** asked where the money given to the program was spent. **CASA** representatives stated that it was used to staff and manage the program – they currently have 11 volunteers in Loudon County. **Commissioner Meers** asked if there were other grants available to apply for later and the **CASA** response was that there were and they described those grants. **Commissioner Shaver** stated that he had two concerns – the existing resolution was unintelligible and ambiguous and didn't make sense and that he couldn't support a \$5. fee on all court cases because it was an additional tax on County residents. **Commissioner Harrelson** asked if the fees could be separated. **Mayor Herron** responded that there was a Tennessee Law from the State Legislature that allows the Counties to assess this fee if the Commission approves. **Commissioner Harrelson** asked who would provide these services for the County if the Commission doesn't and the general response was that nobody would.

Upon roll call vote the following Commissioners voted **Aye: Yarbrough, Harrelson, and Jenkins: (3)**

The following Commissioners voted **Nay: Maples, Shaver, Franke, Bledsoe, Duff, Miller, and Meers: (7)**

The following Commissioners were **Absent: (0)**

Thereupon the Chairman declared the motion **Failed: (3, 7, 0)**

**Resolution 020612-C**

**(10)**  
**No Motion**  
**On Electronic**  
**Voting System**

4. Request Consideration of Approving an Electronic Voting System for the Loudon County Commission.  
**No motion** was made on this proposal.

**(11)**  
**Debt**  
**Management**  
**Policy**  
**Summary**  
**Approved**

**Loudon County Commissioner, Don Miller**, requested consideration of approving the Loudon County Debt Management Policy Summary.  
A **motion** was made by **Commissioner Miller** with a second by **Commissioner Shaver** to approve this Summary.  
**Commissioner Yarbrough** stated that she didn't see the need for this Summary and that it had not been distributed to or reviewed by the public for their input. Therefore, she couldn't support it. **Commissioner Miller** responded that he had been requested by the Commission to produce the summary to make the larger Debt Management Policy easier for the public to understand. **Commissioner Yarbrough** stated that it should then be considered **Commissioner Miller's** document and not an official County document.  
Upon voice vote the motion **Passed** with one dissenting vote.  
**Exhibit 020612-D**

**(12)**  
**2012**  
**Roads List**  
**Approved**

**Loudon County Roads Commissioner, Eddie Simpson**, requested consideration and approval of the following:

1. Loudon County Roads List for 2012  
**Commissioner Franke** questioned the name of a road on the list and **Mr. Simpson** stated that this name coincided with the 911 List and **Commissioner Franke** stated that their list was also wrong and then made a correction to the length of another road. **Commissioner Miller** asked about a road that actually runs into private property being designated a "dead end" on the list and **Mr. Simpson** stated that that's how the County classifies such a road.  
A **motion** was made by **Commissioner Franke** with a second by **Commissioner Harrelson** to adopt the Roads List as presented.  
Upon voice vote the motion **Passed** unanimously.  
**Exhibit 020612-E**

**(13)**  
**County**  
**Repair**  
**Road Tile**  
**on Vonore Rd**  
**Approved**

2. Approval for the County Highway Department to replace a collapsing road tile on Vonore Road at Valley View Baptist Church which poses possible future home flooding in the area.  
**Chairman Bledsoe** asked **Vice-chairman Maples** to chair the meeting and he spoke in support of approval of this request noting that he had visited the site with **Commissioner Simpson** and that it was clear that this situation posed problems for homes in the area. **Chairman Bledsoe** resumed the Chair. Discussion focused on whether or not the County had originally installed this project and the response was that no documentation to prove that it had could be found but that local residents remembered and agreed that the County had installed it but they couldn't remember exactly when. **Commissioner Shaver** spoke against approving this work stating that he feared setting a precedent for the County to repair roads with no documented proof that the County had put the road in initially. **Mayor Herron** stated that this would be paid for with \$8,000. from the Highway Capital Projects Fund. Discussion continued regarding asking the Church to give the County an additional 5 ft. right-of-way easement to insure the County's interest in this project.

A **motion** was made by **Commissioner Harrelson** with a second by **Commissioner Meers** to approve giving the Highway Superintendant authority to do the work on Vonore Road at Valley View Baptist Church contingent upon the County getting an additional 5 ft. easement from the Church.

Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, and Maples: (9)**

The following Commissioners voted **Nay: Shaver: (1)**

The following Commissioners were **Absent: (0)**

Thereupon the Chairman declared the motion **Passed: (9, 1, 0)**

**Exhibit 020612-F**

**Loudon County Commissioner, Bob Franke**, requested discussion and possible action on the following items:

**(14)**  
**Legal Opinion**  
**on Intent for**  
**Road to be**  
**Public**

1. YellowWood Subdivision Roads Situation.

Discussion included noting that, at request, a recommendation had been provided to the Commissioners by the County Attorney which could not be shared due to attorney/client privilege. The conclusion was that the initial intent was for Summitt Hill Road to be a public road - not a private road.

**(15)**  
**AG Center**  
**Proposal**  
**Presentation**

2. Multi-Use AG Center

**John Goddard, Director of Loudon County Farm Extension Office, David Brashears, and Donna Eason-Pile** presented information for the Commission on a proposal to build a multi-use "Agricultural Center" in Loudon County that would be a venue for a variety of uses from dog, horse, and trade shows to entertainment and a variety of activities that draw crowds too large for existing facilities. They expect such a facility to bring multiple users, be heavily booked, and generate strong revenue growth for the County. They're proposing a large 7,000 sq. ft. facility and recommend including camping accommodations. They first need to do a feasibility study and would apply for a \$25,000. Grant and request \$6,000. from Loudon County and \$4,000. from the City of Loudon to fund this study. They need to apply for the grant by April 1, 2012. An appropriate location for the facility and a timeframe for start-up would be determined by the feasibility study. They anticipate about a three-year timeframe to complete the project. They described similar facilities in other areas – particularly Rainsville, Alabama – and their successes. They noted that there are also similar facilities at Walter State in Morristown and at Roane State. They've received strong positive reaction to the project from everyone in the County that they've spoken to as well as from surrounding counties. **Commissioner Miller** asked who pays back the loans required to finance the building of the facility and the on-going maintenance costs and the response was that the facility income covers these costs. He asked if in Rainsville local communities contribute to the support of the facility there and the response was that they guarantee payment of the loans but that income from the facility pays all the costs so there's been no outlay from local communities. **Commissioner Yarbrough** stated that the Commission needs to pay attention to the sustainability of such a facility. **Commissioner Miller** asked if they could get information from Roane State and Walter State about their costs and the response was that this should be public record. He stated that the question for him was will this project be looking for money from the County in the future and the response was that they would be hoping for private donations and the expectations

that the facility would generate its own revenue to cover these costs. The Rainsville facility runs 365 days per year and has a small staff to keep things going. It has a 10 person managing board. The plan for Rainsville also includes a meeting facility for seating 5,000 that opens the venue up to many more users. **Commissioner Harrelson** requested that this be presented to the Budget Committee at their next meeting to further discuss the funding that would be required from the County and the participants agreed to come to that meeting.

**Loudon County Planning and Codes Director, Russ Newman**, requested consideration and possible action on the following item:

- (16)**  
**Accepting Public Roads Approved**
1. A Resolution Adopted by the Loudon County Commission Pursuant to Tennessee Code Annotated (TCA) § 13-3-406 Accepting Summitt Hill Drive, Bingham Hill Lane, Red Hill Lane, and Baxter Bright Road Located in YellowWood Subdivision, Phase 1 into the County Roadway System, said Roads Being Located in the 3<sup>rd</sup> Legislative District of Loudon County.
- A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Maples** to approve the Planning Commission's recommendation to accept these roads as County Public roads. Upon voice vote the motion **Passed** unanimously.
- Resolution 020612-G**

- (17)**  
**Revised Salary Scale For Voting Workers Approved**
1. Consideration of a Recommendation to Approve a Revised Salary Scale for Early Voting and Election Day Workers.
- A **motion** was made by **Commissioner Meers** with a second by **Commissioner Jenkins** to approve this recommendation. Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, and Shaver: (10)** The following Commissioners voted **Nay: (0)** The following Commissioner was **Absent: (0)** Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
- Exhibit 020612-H**

- (18)**  
**Revised Fee Schedule For Animal Shelter Approved**
2. Consideration of a Recommendation to Approve a Revision to the Adoption Fee Schedule at the Animal Shelter.
- A **motion** was made by **Commissioner Yarbrough** with a second by **Commissioner Shaver** to approve this recommendation. Upon roll call vote the following Commissioners voted **Aye: Bledsoe, Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, Shaver, and Franke: (10)** The following Commissioners voted **Nay: (0)** The following Commissioner was **Absent: (0)** Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
- Exhibit 020612-I**

3. Consideration of a Recommendation to Approve Amendments in the Following Funds:

**(19)**  
**Fund 101**  
**Approved**

a. County General Fund 101

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Franke** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, Shaver, Franke, and Bledsoe: (10)**

The following Commissioners voted **Nay: (0)**

The following Commissioner was **Absent: (0)**

Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**

**Exhibit 020612-I**

**(20)**  
**Fund 115**  
**Approved**

b. Public Library Fund 115

A **motion** was made by **Commissioner Yarbrough** with a second by **Commissioner Maples** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, and Duff: (10)**

The following Commissioners voted **Nay: (0)**

The following Commissioner was **Absent: (0)**

Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**

**Exhibit 020612-K**

**(21)**  
**Fund 141**  
**Approved**

c. General Purpose School Fund 141

A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Yarbrough** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Harrelson, Miller, Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, and Yarbrough: (10)**

The following Commissioners voted **Nay: (0)**

The following Commissioner was **Absent: (0)**

Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**

**Exhibit 020612-L**

**(22)**  
**Fund 142**  
**Approved**

d. School Federal Projects Fund 142

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Jenkins** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Miller, Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Yarbrough, and Harrelson: (10)**

The following Commissioners voted **Nay: (0)**

The following Commissioner was **Absent: (0)**

Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**

**Exhibit 020612-M**

**(23)**  
**Homeland**  
**Security**  
**Grant**  
**Approved**

4. Consideration of Approving a Homeland Security Grant for \$31,971. No matching funds.

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Franke** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Yarbrough, Harrelson, and Miller: (10)**

The following Commissioners voted **Nay: (0)**

The following Commissioner was **Absent: (0)**

Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**

- (24)  
**Summary  
Financial  
Statements  
Distributed**
- Budget Director, Tracy Blair**, requested that records reflect that the Summary Financial Statements for the month of January 2012 have been distributed.  
**Exhibit 020612-N**
- (25)  
**Notaries  
Approved**
- Loudon County Commissioner, David Meers**, made a **motion** with a second by **Commissioner Jenkins** to approve the following Notaries: ***Amanda Lynn DeBord; Robin Sims Wilson; Jim Buttram; and Tammy L. Moon.***  
Upon voice vote the motion **Passed** unanimously.  
**Exhibit 020612-O**
- (26)  
**Legislative  
Reviews  
Distributed**
- Commissioner Duff** distributed Legislative Documents as follows: the TCCA Key Bill List and a lengthy Legislative Review from the Tennessee County Newspaper.
- (27)  
**Comments:  
Non-Agenda  
Items**
- Chairman Bledsoe** asked that any visitor wishing to address the Commission regarding items not on the Agenda come forward.  
**Pat Hunter** asked about a legislative item – what was the status of School Boards requesting authority on taxation? She did not see this on the Legislative Reviews distributed. No one knew the status but **Commissioner Yarbrough** responded that the Counties would still oppose this. **Ms. Hunter** then asked about the School Building Program bids. She asked when the Commission would be borrowing additional funds and when will contracts be awarded? **Purchasing Director, Leo Bradshaw** responded that there was \$7M obligated and that the process would move faster now. He stated that a couple of bids came in too high and will be broken down and re-bid to try to reduce costs. **Commissioner Miller** stated that they were only authorized to spend \$10M in 2011 and reminded everyone that additional authorization would be required to spend more than this amount. **Mr. Bradshaw** responded that he understood that additional authorization was required for dispersal of monies but not prior to letting contracts and this was confirmed by **Mayor Herron**.
- (28)  
**Mayor's  
Comments:**
- Mayor Herron** announced that the County had completed its yearly audit process with no problems and thanked **Budget Director, Tracy Blair** for her excellent work! There was a supporting round of applause from all in the room!



**Chairman Bledsoe** asked if there were any further comments and, upon receiving none, he asked for a motion to adjourn.

**(29)**  
**Adjournment**

There being no further business, a **motion** being duly made and seconded, the February 6, 2012 County Commission Meeting stood adjourned at 8:20 p.m.

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**CHAIRMAN**

**ATTEST:**

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**COUNTY CLERK**

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**COUNTY MAYOR**