

## LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

April 2, 2012

6:00 PM

### REGULAR MEETING

- (1) **Opening of Meeting** **BE IT REMEMBERED** that the Board of Commissioners of Loudon County convened in regular session in Loudon, Tennessee on the 2nd day of April, 2012. The **Honorable Chairman Roy Bledsoe** called the meeting to order. **Commissioner Meers** opened the County Commission Meeting, led the Pledge of Allegiance to the Flag of the United States of America and gave the Invocation.
- (2) **Roll Call** Present were the following Commissioners: **Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Harrelson, and Miller: (9)** The following Commissioner was **Absent: Yarbrough: (1)** Thereupon **Chairman Bledsoe** announced the presence of a quorum. Present was the **Honorable Mayor Estelle Herron**.
- (3) **Agenda Adopted As Amended** **Chairman Bledsoe** requested that the April 2, 2012 Agenda be adopted. **Mayor Herron** requested adding to the Agenda Consideration of a Resolution regarding Tax Incentives to Yale Locks to encourage them to remain in Lenoir City. She also requested rescheduling the presentation to the Loudon County High School Lady's Basketball Team until the May 7, 2012 Commission Meeting due to a death in the school principal's family. A **motion** was made by **Commissioner Miller** with a second by **Commissioner Harrelson** to adopt the Agenda as amended. Upon voice vote the motion **Passed** unanimously.
- (4) **Minutes for March 5, 2012 Approved** **Chairman Bledsoe** requested that the March 5, 2012 County Commission Meeting Minutes be approved and accepted. A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Maples** to approve these minutes. Upon voice vote the motion **Passed** unanimously.
- (5) **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.

(6)  
Tax  
Incentive  
Proposal  
To Yale  
Locks  
Approved

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

1. A Resolution Authorizing the Industrial Development Board of Loudon County, Tennessee to Negotiate and Accept from Yale Locks and Hardware, a Subsidiary of Assa Ablov, Payments In Lieu of Ad Valorem Tax with Respect to Manufacturing Facilities in the City of Lenoir City, Tennessee, and Finding that Such Payments are Deemed to be in Furtherance of the Public Purposes of the Board as Defined in Tennessee Code Annotated Sections 7-53-305.

**Economic Development Agency Director, Pat Phillips**, introduced **Lenoir City Mayor Aiken** who spoke urging the Commission to approve this resolution. **Commissioner Meers** asked for his estimate of the impact on the County if this Manufacturer left the area. Discussion concluded that it would be extremely economically detrimental for the area and for the families who depend on the jobs provided by this facility. **Commissioner Franke** asked **Pat Phillips** if he had spoken to Yale Locks directly and his response was that he had not yet spoken to them. **Commissioner Miller** asked if he had heard anything from State or the Governor regarding help in encouraging Yale to stay in Lenoir City and his response was that he had reached out but was still waiting to hear from them. **Commissioner Harrelson** stressed the extremely bad consequences loosing this Manufacturer would have on the individuals who work there and the County. A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Harrelson** to accept this Resolution. Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Shaver, Franke, Bledsoe, Duff, Harrelson, Miller, and Jenkins: (9)** The following Commissioner voted **Nay: (0)** The following Commissioner was **Absent: Yarbrough: (1)** Thereupon the Chairman declared the motion **Passed: (9, 0, 1)** **Commissioner Franke** spoke saying that he thought the Commission should make every effort to keep the Facility in Loudon County even if they failed. **Commissioner Meers** stressed how much this Facility means to the County and its residents. **Commissioner Harrelson** requested that **Pat Phillips** keep the Commission updated on the status of the efforts and he responded that he would. **Chairman Bledsoe** pointed out the unanimous support the Commission had given and commented that he felt that **Commissioner Yarbrough** would have also supported it if she were in attendance.

**Resolution 040212-A**

(7)  
Board  
Appointments  
Approved

2. Consideration of a Resolution Approving Appointments to the Following Board/Committee:

- a. Loudon County Surplus Property Committee (New)

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Miller** to approve these appointments.

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

- b. Loudon County Library Board

A **motion** was made by **Commissioner Franke** with a second by **Commissioner Jenkins** to approve these appointments.

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

c. Loudon County Solid Waste Disposal Commission

There was discussion regarding the length of terms members to this Commission serve. **Mayor Herron** pointed out that the County Commission has been approving members for three year terms but members of the Solid Waste Commission say they are serving six year terms. Discussion pointed out that the Solid Waste Commission does not have the authority to set their own term lengths – the terms are determined by the Appointment Resolution recommended by the Mayor and approved by the County Commission. **Commissioner Miller** stated that his vote was for three years terms as in the Resolution and that he did not feel comfortable appointing anyone to a six year term on a Board or Committee.

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Jenkins** to approve the resolution as presented.

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

**Resolutions 040212-B,C,&D**

**(8)**  
**Interlocal Agreement For New Simpson Road Bridge Approved**

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

1. An Interlocal Agreement between the County of Loudon and the City of Lenoir City Regarding Replacement of the Bridge over Town Creek on Simpson Road, Lenoir City.

**Roads Commissioner Simpson** stated that Simpson Road was currently closed because the Bridge was unsafe. A contract has been approved by State and a contractor has been identified for the project. His office will begin working on reinforcing the concrete understructure to ensure there's a solid concrete bottom to build on.

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Maples** to approve this agreement.

**Chairman Bledsoe** asked for a vote on the motion.

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

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

The following Commissioner was **Absent: Yarbrough: (1)**

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

**Exhibit 040212-E**

**Loudon County Budget Director, Tracy Blair**, requested consideration and possible action on the following items:

**(9)**  
**New TCRS Employer Contribution Rate Approved**

1. Consideration of a Recommendation to Accept the New TCRS Employer Contribution Rate of 9.72% for General Employees; 13.22% for Public Safety Officers; Effective July 1, 2012 through June 30, 2014.

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: Shaver, Franke, Bledsoe, Duff, Harrelson, Miller, Jenkins, Meers, and Maples: (9)**

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

The following Commissioner was **Absent: Bledsoe: (1)**

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

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

**(10)**  
**Fund 101**  
**Approved**

a. County General Fund 101

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

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

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

The following Commissioner was **Absent: Yarbrough: (1)**

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

**Exhibit 040212-F**

**(11)**  
**Fund 131**  
**Approved**

b. Highway Department Fund 131

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

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

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

The following Commissioner was **Absent: Yarbrough: (1)**

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

**Exhibit 040212-G**

**(12)**  
**Summary**  
**Financial**  
**Statements**  
**Distributed**

**Budget Director, Tracy Blair**, requested that records reflect that the Summary Financial Statements for the month of March 2012 have been distributed.

**Exhibit 040212-H**

**(13)**  
**Notaries**  
**Approved**

**Loudon County Commissioner, David Meers**, made a **motion** with a second by **Commissioner Harrelson** to approve the following Notaries: **John Reeves Nichols; Kathy J. Arwood; Martha Lou Westberry; Romania Hensley; Jackie Sue MacDonald; M'recia Leann Oody; and Lynette G. Payne.**

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

**Exhibit 040212-I**

**(14)**  
**Comments:**  
**Non-Agenda**  
**Items**

**Chairman Bledsoe** asked that any visitor wishing to address the Commission regarding items not on the Agenda come forward.

**Kent Calfee** came forward to introduce himself to the Mayor and Commission. He is a candidate for State Representative for the 32<sup>nd</sup> District which is mostly Roan County but also includes North of Rt. 321 in Loudon County. He would like to build a relationship with Loudon County and wished the County success in keeping the Yale Locks Manufacturing facility in the County.

**Phillip Cole**, a resident of Amberly Meadows Sub-division which is in the 5<sup>th</sup> District just past Dixie Lee Junction and adjacent to Harrison Lane, came forward to speak about the roads situation in their development. The sub-division has a total of 28 lots; there are currently 7 houses built with 3 more to be built soon.

Homeowners formed a Home Owner's Association last fall and their objective in coming to the County Commission Meeting is to try to get the streets in this development accepted as County roads. There are 3 streets with a total of less than 2 miles. **Otis Peterson**, treasurer of the Home Owner's Association, spoke saying that there are currently no street signs on any of the streets and emergency vehicles can't find the houses when responding to calls. He stressed that there are a total of 28 lots in the development and that once the streets are completed the other lots will sell and bring increased revenue to the County.

**Commissioner Duff** made a recommendation that this be added to the County Commission Workshop Meeting Agenda for April 16<sup>th</sup> for further discussion.

**Commissioner Miller** asked if they had gone to the Loudon County Planning Commission with this problem explaining that he believes that this is the proper channel for beginning this process. **Mr. Peterson** responded that they had spoken to **Russ Newman**. He stated that they had spoken to the Bank that once held a letter-of-credit for the development but the Bank responded that the letter-of-credit has expired so the County should complete the roads. The County is saying the Bank should do it. There was no Bond signed on this sub-division – only the letter-of-credit which expired before the home owners knew anything about it. They were not notified by the Bank and the developer went bankrupt and left the area so they're stuck with the consequences. **Commissioner Miller** asked what the current status of the roads was. The response was that they have only the first coat down.

**Roads Commission, Eddie Simpson**, stated that there had been several of these incidents in the County – 3 since he took office – and the Bank has paid to complete the roads in those instances. He stated that it would cost the County about \$70,000 per mile to complete these roads. The response was that there's only a total of one-half mile of roadway. **Commissioner Simpson** said that the County has no way of knowing whether or not the first coat was done correctly - to County standards – and that the County would have to receive documentation showing that this was done correctly before they would accept them. **Commissioner Franke** stated that he agreed with **Mr. Simpson** and that the County needed to be careful about taking on such projects without proper assurances of their current status.

Real Estate Agent and representing the Bank in this matter, **Susan Stocer** spoke to explain the Bank's position which is that the Line-of-Credit has expired and the Bank doesn't want it; the County doesn't want it and so the property owners are stuck with the situation. The response from the property owners was that the letter-of-credit expired before they knew anything about it and now they're trying to determine what the correct process is for getting this taken care of.

**Chairman Bledsoe** said that if no one objected the Commission should probably put this item on the Agenda for its next Workshop Meeting for further consideration.

**Commissioner Miller** agreed and suggested that they invite **Plans and Zoning Director, Russ Newman** and the County Attorney in case there were legal issues that the Commission needed to be made aware of on what they could and couldn't do.

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

**(15)  
Adjournment**

There being no further business, a **motion** being duly made and seconded, the April 2, 2012 County Commission Meeting stood adjourned at 7:45 p.m.

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**CHAIRMAN**

**ATTEST:**

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**COUNTY CLERK**

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**COUNTY MAYOR**