

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

October 7, 2013

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 7th day of October, 2013.
The **Honorable Roy Bledsoe** called the meeting to order.
- Commissioner Maples** 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, Quillen, 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** **Chairman Bledsoe** requested that the October 7, 2013 Agenda be adopted.
A **motion** was made by **Commissioner Quillen** with a second by **Commissioner Franke** to adopt the Agenda.
Upon voice vote the motion **Passed** unanimously.
- (4)
**Minutes for
Sept. 3, 2013
Approved** **Chairman Bledsoe** requested that the September 3, 2013 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.
Wayne Schnell spoke about the acquisition of the Homeland Security equipment saying that there was a difference between what you need and what you'd like to have and that the County has no plan for what it needs and what it's going to do with this equipment. He said the EMA Director didn't get approval for this acquisition prior to bringing it back here and that he had spent his entire fuel budget getting it back here. He asked what the purpose of this equipment was and said that it will need a lot of maintenance. He also questioned what strings were attached to getting this equipment by the Federal Government. He said that the Federal Government went house to house after the Katrina disaster making people give up their firearms. He said we don't want the Feds coming into Tennessee and taking our guns away. He said that a 32' boat costs a lot of money to operate. He also said that the Sheriff having two Hum Vs was a good thing.

Jim Brennan said that he didn't trust the Federal Government. He said that the Homeland Security Department was an Internal Security Force for the Federal Government and that the Governor of Tennessee had invited the feds to come in and do a search and seizure on our highways and that we have laws against this without permission of the local Sheriff. He closed by saying that these vehicles will be used against us if these funds are approved.

Bill Fink said that he was a Master Merchant Mariner with many awards and a board certified professionalized engineer. He said that these boats were "big bruisers" and not your average boat and he urged that the County would have to have the proper staff to operate such a boat. He questioned what the uses for an asset like this would be for the County stressing that it consumes \$135. per hour in fuel cost and that every 1500 hours it needs complete servicing to keep it in good condition. He stressed that the people who operate this boat would require extensive and continuous training and questioned whether or not the County could commit to this training and the maintenance costs. He concluded by saying that this was an appealing asset but very expensive to maintain.

Andrew Kern asked if this equipment was "a gift" or "on-loan" and said that either way the County would have to maintain it. He said that this type of equipment requires that for each week of service it needs a week of maintenance and that this equipment will be very expensive to maintain and operate. He said that \$34K wasn't nearly enough and questioned whether or not this was something the County should do. He doesn't think so.

Larry Anderson said that this was very expensive equipment and that if a person had no military background they wouldn't be able to understand the cost of such equipment. He said that it was built for military use and that what the County needs is local equipment and local maintenance. He said that you probably wouldn't be able to find parts for the Hum Vee locally. He believes that this is a purposeful effort by the U.S. Government to give local governments equipment to make them a paramilitary force. He said he was against this because this will be used to intimidate the public to not stand up to the Government and that Knox County was already a paramilitary force and as a Vet he'll fight against this. He cautioned the County to be careful and said that if it needs this type of equipment it should buy it locally. He ended by saying that this was happening across the nation and questioned why we have excess equipment to start with.

Pat Hunter spoke about the budgeting for this in Fund 101 saying that the EMA/HLS Budget grew by 6% in its second year and by 7% the next but if this is approved it will grow by 24%. She said that there was no discussion of the Hum Vs, the boat, or the trucks in the Capital Projects Committee meetings in the budget planning meetings in April and May. She said that following the rules and procedures the County Commission unanimously approved a name change incorporating the Emergency Management Agency and Homeland Security into Home Land Security and Emergency Management Agency and she read from the resolution that states the purpose of Homeland Security and who will do what. She said the bottom line was that EMA works for the County Mayor and that the County Mayor's approval is required for activities of this group. She said that Homeland Security cannot expend any funds without prior approval. She said that she doesn't really know what all the expenses would be for this equipment, maintenance, and insurance but that the \$26,000. doesn't include the cost for repairs. She concluded by saying that procedures and policies were not followed in this case and that the Commission should have known about this in advance. She cited an incident where she witnessed a water rescue at the bridge last year and said that the local rescue squad did a good job of saving an individual with the equipment they currently have and concluded that if all these departments want this equipment then all of them should chip in to help pay for it.

Wes Hibbert spoke saying that Homeland Security had recently bought 2,700 light tanks and a 26 year supply of ammo and he questioned why they needed to have all this equipment. He said that nothing was being communicated to the public as to why they're doing this and asked if this equipment isn't already available through the National Guard. He said that Homeland Security did not have a good reputation for handling money efficiently.

Justin Lafferty said that his tax dollars for this year had already been spent and urged the Commission to please put their foot in the door and stop the hemorrhaging of our tax dollars. He said that if the County needed a boat to help rescue someone they should call on local people and he would guarantee that they would get the help.

Mayor Herron introduced her **Homeland Security Director, Daryl Smith**, to speak to these comments.

Mr. Smith said that this equipment would sit for most of the time and only be used during emergency situations. It would need to have the oil changed regularly to keep it operational. He explained the "War Fighter to Crime Fighter Program" saying that this program works to put military equipment to work for the protection of Law Enforcement Officers by preparing to save lives in a disaster or emergency situation. He said the 2500 gallon tanker, 8 wheel drive could be filled with water to use for firefighting in rural areas where there was no water available and that firefighters wanted this equipment. He said all the equipment had code locks, so there were no keys, making them safer from unauthorized users or theft. He stressed that there were no hidden motives here except being prepared for emergencies or disasters in Loudon County. He also stressed that there was no Federal oversight attached to any of this equipment and that the County EMA Director would have sole control of how it was used. He said the National Guard was a vital partner for the County but that a "state of emergency" must be declared for the Mayor to be able to call them to action. He said these new capabilities the County would be getting would be available immediately in an emergency.

Commissioner Harrelson asked **Mr. Smith** about the approval of funding in advance issue saying that under normal circumstances the Rescue Squad has to come to the County Commission in advance for authorization of money for acquisitions and asked him to explain why his organization wasn't able to do that in this case.

Commissioner Miller and **Commissioner Harrelson** questioned why he didn't come to the Budget Committee prior to acquiring the equipment and then coming to the Commission after he had the equipment. **Mr. Smith** responded that he thought he had a working piece of equipment (boat) but found out one of the engines was bad when he got it here from South Carolina. They asked how many Hum Vs he would have and his response was four A models and four V models.

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

(6)
County
Government
2014 Schedules
Approved

1. Approval of the Loudon County Government 2014 Schedules.
 - A. Holiday's Schedule
 - B. Loudon County Commission Meeting Dates

A motion was made by **Commissioner Miller** with a second by **Commissioner Harrelson** to approve both Schedules.

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

Exhibits 100713-A & B

Loudon County Economic Development Agency Director, Pat Phillips, requested approval of the following Resolutions:

(7)
Sale of Real Property in Sugar Limb Industrial Park Approved

1. Request Approval of a Resolution by the Loudon County Commission Authorizing the Sale of Approximately 6.05 Acres of Real Property Located in Sugar Limb Industrial Park to Loudon Utilities Board.
A **motion** was made by **Commissioner Duff** with a second by **Commissioner Franke** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Quillen, Franke, Bledsoe, Duff, Harrelson, Miller, and Jenkins: (9)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: Yarbrough: (1)**
Thereupon the Chairman declared the motion **Passed: (9, 0, 1)**
Resolution 100713-C

(8)
Purchase of Real Property in Blair Bend Industrial Park Approved

2. Request Approval of a Resolution by the Loudon County Commission Authorizing the Purchase of Approximately 1.1 Acre of Real Property Located in Blair Bend Industrial Park Adjacent to the Williamson House.
A **motion** was made by **Commissioner Duff** with a second by **Commissioner Franke** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Maples, Quillen, Franke, Bledsoe, Duff, Harrelson, Miller, Jenkins, and Meers: (9)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: Yarbrough: (1)**
Thereupon the Chairman declared the motion **Passed: (9, 0, 1)**
Resolution 100713-D

Loudon County Budget Director, Tracy Blair, was absent and **Mayor Herron** presented the following Budget Items for Commission consideration:

(9)
Application/ Acceptance of Recycling Rebate Approved

1. Request Consideration of a Recommendation to Approve Application/ Acceptance of a Recycling Center Rebate; Dollar-for-Dollar Matching Funds Required up to \$9,483.00.
A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Quillen** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Quillen, Franke, Bledsoe, Duff, Harrelson, Miller, Jenkins, Meers and Maples: (9)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: Yarbrough: (1)**
Thereupon the Chairman declared the motion **Passed: (9, 0, 1)**

(10)
Acceptance of Co-recipient Grant Award from U.S. Dept. of Commerce Approved

2. Request Consideration of a Recommendation to Approve Acceptance of a Grant Award as a Co-recipient with Loudon Utilities Board and the City of Loudon from the U.S. Department of Commerce, Economic Development Administration in the amount of \$1,500,000. for Utility Improvements in Sugar Limb Industrial Park; LUB Providing the Required Match of \$1,625,000.
A **motion** was made by **Commissioner Franke** with a second by **Commissioner Quillen** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Duff, Harrelson, Miller, Jenkins, Meers, Maples, and Quillen: (9)**
The following Commissioners voted **Nay: (0)**

The following Commissioner was **Absent: Yarbrough: (1)**
Thereupon the Chairman declared the motion **Passed: (9, 0, 1)**

3. Consideration of Amendments to the Following Funds:

(11)
Fund 101

Commissioner Miller made a request to **Chairman Bledsoe** that the Commission be allowed to consider the EMA portion of the Fund 101 Amendments separately and **Chairman Bledsoe** asked if this was agreeable with all Commissioners. Hearing no disagreement, he announced he would accept a **motion**. A **motion** was made by **Commissioner Miller** with a second by **Commissioner Franke** to vote on the Fund 101 Amendments separately to allow a vote on the **Senior Citizens** portion and then consider the **EMA** portion.

a. County General Fund 101

(12)
Sr. Citizen's
Funding Lines
of \$2,103.
Approved

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Maples** to approve the **line amendments for Senior Citizen's funding totaling \$2,103.**

Upon roll call vote the following Commissioners voted **Aye: Bledsoe, Duff, Harrelson, Miller, Jenkins, Meers, Maples, Quillen, 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)**

Chairman Bledsoe then called for a motion on the EMA portion of Fund 101 for **boat fuel totaling \$17,000.**

(13)
EMA Funding
Lines of
\$17,000. for
Boat Fuel
Failed

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Quillen** to approve the **line amendments for the EMA funding of \$17,000.** Lengthy discussion followed during which **Commissioner Miller** expressed his opinion against approval of this request due to what he believes would be the on-going future costs of maintenance and operation of this equipment and questioned the commitment of funding that would likely be needed in the future for much higher priorities. He suggested that if this type of heavy duty equipment was needed in this area then larger counties such as Knox would be better able to support the acquisition and maintenance cost for having it available.

Commissioner Franke spoke in agreement with this view and said that the equipment would be sitting there not costing anything and it could be scrapped later if the County found that it wasn't needed.

Commissioner Maples spoke in agreement with both views and said that she was fearful of committing the tax payers to unknown costs in the future.

Commissioner Harrelson spoke also supporting this position.

Each Commissioner strongly emphasized that their negative opinion on this funding was in no way a reflection on **EMA Director Daryl Smith** and that he was doing a good job in his position.

Upon roll call vote the following Commissioners voted **Aye: Duff, Jenkins, Quillen, and Bledsoe: (4)**

The following Commissioners voted **Nay: Harrelson, Miller, Meers, Maples, and Franke: (5)**

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

Thereupon the Chairman declared the motion **Failed: (4, 5, 1)**

Exhibit 100713- E & F

- (14) Fund 122 Approved b. Drug Control Fund 122
A **motion** was made by **Commissioner Harrelson** with a second by **Commissioner Franke** to approve these amendments.
Upon roll call vote the following Commissioners voted **Aye: Harrelson, Miller, Jenkins, Meers, Maples, Quillen, Franke, Bledsoe, and Duff: (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 100713-G
- (15) Fund 128 Approved c. Federal Drug Control Fund 128
A **motion** was made by **Commissioner Duff** with a second by **Commissioner Franke** to approve these amendments.
Upon roll call vote the following Commissioners voted **Aye: Harrelson, Miller, Jenkins, Meers, Maples, Quillen, Franke, Bledsoe, and Duff: (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 100713-H
- (16) Fund 141 Approved d. General Purpose School Fund 141
A **motion** was made by **Commissioner Miller** with a second by **Commissioner Maples** to approve these amendments.
Upon roll call vote the following Commissioners voted **Aye: Miller, Jenkins, Meers, Maples, Quillen, Franke, Bledsoe, Duff, and Harrelson: (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 100713-I
- (17) Fund 142 Approved e. School Federal Projects Fund 142
A **motion** was made by **Commissioner Quillen** with a second by **Commissioner Franke** to approve these amendments.
Upon roll call vote the following Commissioners voted **Aye: Jenkins, Meers, Maples, Quillen, Franke, Bledsoe, Duff, Harrelson, and Miller: (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 100713-J
- (18) Fund 177 Approved f. Education Capital Projects Fund 177
A **motion** was made by **Commissioner Franke** with a second by **Commissioner Harrelson** to approve these amendments.
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Quillen, Franke, Bledsoe, Duff, Harrelson, Miller, and Jenkins: (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 100713-K

- (19)**
Debt Obligation
Summary and
Summary Financial
Statements
Distributed
- Let records reflect the distribution of a Report on County Debt Obligation and Summary Financial Statements for June 30, 2013 and September 30, 2013.
Exhibits 100713-L-N
- (20)**
Notaries
Approved
- Loudon County Commissioner, David Meers**, made a **motion** with a second by **Commissioner Harrelson** to approve the following Notaries: ***Terry Brackett; Dianne Brown; Tammy H. Eller; Karen P. Hawkins; Jamie Melissa Lambert; Loretta L. McMurry; Kimberly Millsaps; Cynthia D. Rausin; Jinni B. Redmond; and Meredith Tinnel.***
Upon voice vote the motion **Passed** unanimously.
Exhibit 100713-0
- (21)**
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 came forward to speak about the Solid Waste Commission Committee Joint Meeting with the Loudon County Commission saying that the Public was not allowed to speak at this meeting. She also urged Lenoir and Loudon Cities to recycle everything they could because the County needs their help to reach its recycling goals.
- Chairman Bledsoe** asked if there were any further comments and, upon receiving none, he asked for a motion to adjourn.
- (22)**
Adjournment
- There being no further business, a **motion** being duly made and seconded, the October 7, 2013 County Commission Meeting stood adjourned at 8:30 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR