

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

February 3, 2014

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 3rd day of February, 2014. The **Honorable Roy Bledsoe** called the meeting to order.
- Commissioner Yarbrough** 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, 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.**
- (3) **Agenda Adopted As Amended** **Chairman Bledsoe** requested that the February 3, 2014 Agenda be adopted. **Mayor Herron** requested that two items for Grants be added to the Agenda under **Budget Director Blair's** presentation. A **motion** was made by **Commissioner Franke** with a second by **Commissioner Meers** to adopt the Agenda as amended. Upon voice vote the motion **Passed** unanimously.
- (4) **Minutes for Jan 13, 2014 Comm Mtg Approved as Corrected** **Chairman Bledsoe** requested that the January 13, 2014 County Commission Meeting Minutes be approved and accepted. **Commissioner Yarbrough** asked that the corrected page distributed prior to this meeting be made part of these minutes. A **motion** was made by **Commissioner Quillen** with a second by **Commissioner Maples** to approve these minutes as corrected. 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** said that he was surprised to learn that the Commission had approved moving the School Board Offices to the Technical Center and at the source of funding for the renovations required for this move. He questioned when the money would be "paid back" to the School Board since he saw that the money would be coming from the school fund and saw no driver for putting the money back into the school fund. He stated that funding left over from the School Building Program should stay with the School Board.

Pat Hunter cautioned the Commission about the way they phrased their motions - particularly regarding moving the School Board to the Technical Center and paying for the renovations, noting that they have had problems with this in the past. She also said it appeared that the Commission was imposing its decision on how to fund this project on the School Board when it should be the School Board coming to the Commission with their recommendation for where the funding should come from. **Commissioner Meers** spoke, for the record, saying that he had talked to **Mr. Dover** and to **Mr. Vance** and that he was hoping that this will start a dialogue on funding and will result in **Mr. Vance** coming back with the School Board's recommendation. He said the ball was in **Mr. Vance's** court now.

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

(6)
E-911 Board
Appointments
Approved

1. Request Consideration of Adopting a Resolution to Approve Appointments to the Following Boards/Committees:
 - a. Loudon County E-911 Board

Mayor Herron presented the Resolution to the Commission and explained the change she had made.

A **motion** was made by **Commissioner Maples** with a second by **Commissioner Franke** to approve this resolution as presented.

Lengthy discussion followed with **Commissioner Meers** expressing his recommendation that Mike Brubaker should be on this board. **Mayor Herron** responded that she understood his position but that the by-laws of this board say you can't replace anyone unless there's a resignation or they come up for renewal of their term. She explained that she had removed **Commissioner Harrelson** and placed **Bryant Howard** on the Board because its meetings are during daytime hours and **Commissioner Harrelson** has a job and cannot attend daytime meetings.

Commissioner Yarbrough responded that she feels that there needs to be a County Commissioner on this board. **Commissioner Miller** agreed and said that the County is spending \$600K per year to maintain the services this Board represents and they should have a representative on it. **Mayor Herron** noted the County representation already on the board in the County Sheriff and County EMA Director but the Commissioner's response was that these representatives don't control County funds. Discussion continued resulting in **Commissioner Meers** volunteering to serve on this board to represent the County Commission. **Mayor Herron** accepted his offer and **removed Bryant Howard (Rural Metro) from the Resolution and replaced him with Commissioner Meers**. She noted that this will solve the immediate problem but that the Mayor and Commission are going to continue to have this problem until the By-Laws of this Board are changed and there's no reason for the Board to change them because the current By-Laws give them more control. The only mechanism the Commission has is to withhold funding, but the consequences of withholding funding from Fire and Rescue services makes this an option no one wants to pursue. The conclusion for a solution was that the only option for the County was to replace board members, as they come up for new terms, with more County representation. **Mayor Herron** noted that this process will take until the year 2019 to complete the needed changes as they rotate. She also noted, with Commission agreement, that she feels the County needs a new, separate Board to "manage" the E-911 program with this board being an "advisory board" to that Board. **Commissioner Franke** commented that he would like to try to open up a dialogue with the current Board to see if they couldn't come to some type of compromise agreement to fix the problems in the meantime.

Mayor Herron responded that this had been tried two years ago and the result was that **Jennifer Estes** of E-911 came to a Commission workshop meeting and talked to them. She reiterated that the only way to fix this was to change the Board members out as they rotate. **Commissioner Miller** expressed his agreement with **Commissioner Franke's** suggestion that they try to open up a dialogue with this Board to see if they can resolve some of the problems. **Mayor Herron** noted that there was a man in the County who would be great on this Board because he has industrial expertise and experience but that the County couldn't put him on this board because of the current situation. **Commissioner Miller** said that he would like to see the Commission and Mayor agree on a list of representation mix they would like to have on this Board six years from now, including County Commissioners, so they would know what they were working toward.

Chairman Bledsoe said that there was a motion and second on the floor and asked how the Commission would like to proceed.

Commissioner Maples and **Commissioner Franke** withdrew their original motion and second to approve the resolution as presented.

Commissioner Maples made a new motion with a second by **Commissioner Franke** to approve the Resolution as changed, placing **Commissioner Meers** on the board. Upon voice vote the motion **Passed** unanimously.

Resolution 020314-A

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

Director Blair noted that the last Commission Workshop Meeting was cancelled due to a scheduling conflict and that, therefore, there was no Budget Committee Meeting and no recommendations from them on these items.

(7)
Funding
Source
For L. C.
Tech Center
Renovations
Approved

1. Funding Source for \$800K for Loudon County Technical Center. A motion was made by **Commissioner Yarbrough** to fund Phase 2 of the School Building Program and to add this Project for \$800K to that funds list. There was no second to this motion, therefore the motion died. **Commissioner Franke** made a motion with a second by **Commissioner Miller** to approve this \$800K of funding coming from the AFT Fund. **Commissioner Yarbrough** asked if the Commission was ignoring **Commissioner Harrelson's motion**, from the last Commission Meeting, to have the School Board come back to the Commission with a recommendation on where they would like these funds to come from and wouldn't that be in violation of the requirements for use of AFT funds. **Commissioner Miller** responded that in a recent meeting **Mayor Herron** had provided a response from CTAS stating that this was an appropriate use of AFT funds. **Commissioner Yarbrough** responded that CTAS had not gotten an attorney's opinion on this – their response was their advisor's opinion. **Commissioner Duff** asked if the School Board had not recommended, at one time, that \$400K come from the AFT Fund and the other \$400K come from the School Surplus Fund. **Commissioner Meers** reiterated that this is why the School Board needs to attend the Budget Committee Meetings to avoid this type of confusion. **Commissioner Yarbrough** said the Director of Schools can't make a decision without the School Board's approval. **Commissioner Franke** said that he could amend his motion to have \$400K come from the AFT Fund and \$400K from the Surplus School Fund Balance if that was Commission's preference but consensus was against that and **Commissioner Harrelson** said that he believes the motion is correct as originally presented. **Commissioner Miller** agreed. **Commissioner Duff** asked if it would be better to approve "up to \$800K". Following discussion, **Commissioner Franke** amended his motion to say "up to \$800K" and **Commissioner Miller** reinstated his second to the amended motion.

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

The following Commissioner voted **Nay: Yarbrough: (1)**

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

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

As he cast his vote, **Commissioner Miller** made comments regarding this funding saying that this was the most efficient use of tax payer's money. The County will gain a lot more facilities space, with space to grow, for the same amount of money and it's the most fiscally responsible thing to do.

Following the voting **Commissioner Yarbrough** asked about information on the School Building Program status and expressed her concern that, in her opinion, she wasn't receiving information on this program that others were getting. **Commissioner Miller** said that he believes the next step in the School Building Program is to look at the Phase Two requirements that are remaining and see if there's enough funding to complete these projects without increasing property taxes. **Mayor Herron** verbally shared some information she had regarding the remaining priorities of the program provided by **Director Vance** and presented to the Capital Projects Committee and the Capital Projects Committee had approved the Greenback Field House only. They also want to build a half million dollar field house at Loudon High School. She said there's about \$2M remaining of the funding which has already been approved for Phase 2 of the School Building Program and that this \$2M could be allocated at the discretion of **Director Vance** - the School Board doesn't have to approve the allocations - it's part of the \$43M already approved. Further discussion on this was deferred to the next Commission Workshop Meeting.

(8)
DOE Grant
Approved

2. Request Consideration of Approval of a DOE FY 2014 \$16,000. Grant; no Matching Funds required.

A **motion** was made by **Commissioner Quillen** with a second by **Commissioner Harrelson** to approve this request.

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

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

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

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

Exhibit 020314-B

(9)
Special Needs
Funding Program
Approved

3. Request Consideration of Approval of Special Needs Funding (Tobacco Settlement) Letter of Agreement with the State Department of Health for a three year funding program, \$38,103. each year; no matching funds required.

Commissioner Franke asked if the County would use these funds in accordance with the guidelines shown. **Loudon County Health Department Director, Teresa Harrill**, responded that the County would and she described how the programs would function. A **motion** was made by **Commissioner Duff** with a second by **Commissioner Meers** to approve this request.

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

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

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

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

Exhibit 020314-C

- (10)**
Summary
Financial
Statements
Distributed
- Budget Director, Tracy Blair**, requested that records reflect that the Summary Financial Statements for January 2014 have been distributed.
Exhibit 020314-D
- (11)**
Notaries
Approved
- Loudon County Commissioner, David Meers**, made a **motion** with a second by **Commissioner Jenkins** to approve the following Notaries: *Linda M. Altic; Marsha A. Anderson; Kimbra Paige Brubaker; Candi Carroll; Myra Grindle; Annie R. Loyd; K. Brittany Murrell; Ann R. Pettitt; Sara Tallant; Greg Wadsworth; and Lesia G. Wallace.*
Upon voice vote the motion **Passed** unanimously.
Exhibit 020314-E
- (12)**
Comments:
Non-Agenda
Items
- Chairman Bledsoe** asked that any visitor wishing to address the Commission regarding items not on the Agenda come forward.
- Richard Anklin** asked about the use of the \$1.4M remaining for the three schools that was approved in the past and asked if this funding was site specific for these 3 locations. **Budget Director Blair** said that they were not site specific. **Mr. Anklin** responded that he didn't see how the School Board could use these funds for other locations. **Commissioner Miller** responded that, as stated by **Budget Director Blair**, the funding wasn't site specific and in the past the legal opinion supports that it can be used at their discretion. This was reiterated by **Director Blair** saying that she was not saying that it wouldn't be courteous, kind, if the School Board would come back to the County and Commission to share their plans for the use of excess funds provided and to discuss it but they are not required to do that.
- Commissioner Meers** responded that this is the reason he wanted to meet with **Mr. Dover** – they have an empty building sitting there and the Commission needs to find out what the School Board's plans for this building are so that the Commission can move on it.
- Mr. Anklin** responded that this program was "sold" to the County tax payers that the increase in property taxes was to fund the School Building Program.
- Commissioner Miller** responded that the tax increase was to provide \$43M in funding (debt) for Phase 1 of the School Building Program and nothing else.
- Commissioner Harrelson** said that the School Board had come to the Capital Projects Committee asking for approval to spend funds on the Greenback Field House and the Capital Projects Committee had given approval for this but now the School Board is spending this money on its own.
- Mr. Anklin** read a list of things that are not completed in the Phase 1 program and asked where the money was coming from to finish these items up if they're spending existing funds on other projects.
- Commissioner Miller**, with general Commission agreement, advised **Mr. Anklin** that he needed to be expressing his concerns to the School Board since the County Commission no longer has control over these funds.
- Richard Truitt** spoke about the \$40M spending on County jails and said that the Sheriff's Department was out of control and that what's needed is a program to prevent repeaters who are constantly in and out of jail.

Pat Hunter said that the Jail Study Public Hearing scheduled for early January and cancelled and had not been rescheduled and that the public needs to know what's going on. She also said that she hasn't seen a reconciliation document on the \$43M School Building Program and expressed concern about the other expenses still out there. She also asked about the schedule that was posted in the News Herald regarding the scheduling of the County Commission Workshop Meeting times. **Wayne Schnell** asked about the status of the EMA equipment recently acquired and wanted information on how much money has been spent on it. **Commissioner Maples** responded that she had learned that this equipment was very useful in helping with problems caused by our recent snow and icy weather conditions. **Commissioner Yarbrough** asked **Mayor Herron** when the Jail Study Public Hearing was going to take place and **Mayor Herron** responded that she doesn't know, at this point, exactly when that will take place.

Commissioner Duff announced that he had distributed several documents from the State Legislative sources that he felt the Commission would find interesting and helpful.

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

(13)
Adjournment

There being no further business, a **motion** being duly made and seconded, the February 3, 2014 County Commission Meeting stood adjourned at 7:35 p.m.

ATTEST:

COUNTY CLERK

CHAIRMAN

COUNTY MAYOR