

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

November 5, 2012

6:00 PM

PUBLIC HEARING

**(1)
Public
Hearing**

Loudon County Planning and Codes Director – Russ Newman

1. A Resolution Adopted by the Loudon County Commission Pursuant to Tennessee Code Annotated (TCA) § 13-3-406 Accepting Garnet Hill Drive and Gunter Drive Located in Garnet Hill Subdivision into the County Roadway System, said Roads Being Located in the 5th Legislative District of Loudon County.
2. A Resolution Amending the Zoning Map of Loudon County, Tennessee, Pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to Rezone Approximately 0.95 Acres from R-1(Suburban-Residential) to C-2 (General Commercial), Referenced by: Tax Map 33K, Group H, Parcel 7.00 and 8.00, Located at 310 Port Madison Drive, 1st Legislative District of Loudon County.

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 5th day of November, 2012. The **Honorable 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.

**(3)
Roll Call**

Present were the following Commissioners: **Jenkins, Meers, Maples, Franke, Bledsoe, Yarbrough, and Harrelson: (7)**

The following Commissioners were **Absent: Duff, and Miller: (2)**

The Commission currently has a **Vacant Seat: (1)**

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 November 5, 2012 Agenda be adopted.

Mayor Herron requested adding to the Agenda Consideration of Approval of the Budget for Roane State Community College for 2012/2013.

A **motion** was made by **Commissioner Franke** with a second by **Commissioner Maples** to adopt the Agenda as amended.

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

- (5) **Minutes for Oct 15, 2012 Comm Meeting & October 29, 2012 Special Called Meeting Approved**
- Chairman Bledsoe** requested that the October 15, 2012 County Commission Meeting Minutes and the October 29, 2012 Special Called Meeting Minutes be approved and accepted.
- A **motion** was made by **Commissioner Maples** with a second by **Commissioner Jenkins** 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.
- Pat Hunter** spoke about the Resolution concerning Board/Commission Appointments to the Loudon County Solid Waste Commission. She requested that the Commission table consideration of this resolution for further consideration. She had questions regarding the people on this Commission and why these appointments were different from previous resolutions setting the terms for the members. She said that there was one person that she didn't think should be on the Board – Mr. Waldrop. She noted that Mr. Sitzler's appointment term length had been changed from previous resolutions and it was very confusing as to why. She cited several previous resolutions which showed term length expirations that were different from those presented in this resolution. She also said that, at one time, the Mayor had suggested that she was going to appoint representatives of the Commission to this Board which she feels is a good idea since the County would incur a \$7M liability if the Landfill has a shortfall.
- Aileene Longmire** spoke on the same issue stating that she had a chart that had been distributed at a Solid Waste Commission Meeting that showed different terms than the one now being presented. She would like an investigation into the term limits and some of the actions of the Solid Waste Commission. She feels a complete audit should be done on their spending. She stated that the Solid Waste Commission refers to two different funds in their meetings and she would like to see an itemized audit on these funds and where they are going.
- Commissioner Meers** asked the Mayor when the Solid Waste Commission Report would be completed and she replied that she did not expect it until mid to late January. He responded with a request to wait until after that report was completed to consider this appointments resolution.
- Mayor Herron** explained that the term limits for the Solid Waste Commission were determined to be 6 year terms, with three teams rotating the 6 year term to maintain continuity, when the Solid Waste Commission was established. However, at some point the rotation schedule apparently became confused and the appointments were not made in accordance with the establishing agreement. The purpose of the current resolution was to get the Commission terms back on the correct rotation schedule as stipulated by the original documents. She also noted that only one Commission member's term was being affected by this resolution - Mr. Sitzler.
- Commissioner Yarbrough** agreed with the request that the County Commission wait until after the Solid Waste Commission Report was presented to consider this and **Mayor Herron** responded that she had no problem with waiting in that none of the terms would be expiring until March of 2013 and it could be readdressed at that time. The resolution was removed from this meeting's agenda for consideration at that time.

Mr. Johnson thanked **Commissioner Yarbrough** for attending the recent Solid Waste Commission meeting and he admonished the Commission for what he described as “not controlling the Solid Waste Commission activities and spending”. He spoke about improper actions by Solid Waste Commission members regarding a bid on a project. He stated that allowing Santax to spread out another 100 acres had been approved by the Solid Waste Commission. He said that there were trucks going in and out of the Landfill after closing hours and stated that most of the activities of the Solid Waste Commission over the past several years have been “illegal”. He said it was time that the County Commission took care of this and started getting the money the County should be getting from dumping fees - it was time they did something about this problem!! He said the Solid Waste Commission lawyer controls all their meetings and that he did not renew his license to practice law. He stated that the attorney illegally kept on practicing law after that. He questioned why an additional 100 acres was added when the original property purchase was supposed to last for 10 years? He concluded by saying that Mr. Sitzler of the Solid Waste Commission wants constraints on public speakers at both the Solid Waste Commission Meetings and the Loudon County Commission Meetings and he strongly objects to this opinion. However, he praised Mr. Watkins.

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

- (7)**
Roane State Community College Budget for 2012/2013 Approved
1. Request Consideration and Approval of the Roane State Community College Budget for 2012/2013.
A **motion** was made by **Commissioner Maples** with a second by **Commissioner Franke** to approve this budget.
Upon voice vote the motion **Passed** unanimously.
Exhibit 110512-A

- (8)**
Board Appointments Approved
2. Request Consideration and Approval of Appointment Resolutions for the Following Boards/Committees:
 - a. Air Quality Task Force
 - b. GIS BoardA **motion** was made by **Commissioner Harrelson** with a second by **Commissioner Meers** to approve these appointments.
Upon voice vote the motion **Passed** unanimously.
Resolutions 110512-B & C

- (9)**
County 2013 Meeting & Holiday Schedules Approved
3. Request Consideration and Approval of the Following 2013 Schedules:
 - a. 2013 Loudon County Government Holidays Schedule
 - b. 2013 Loudon County Commission Meeting ScheduleA **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Yarbrough** to approve these appointments.
Upon voice vote the motion **Passed** unanimously.
Exhibits 110512-D & E

(10)
Receipt of
Statutory
Bonds
Acknowledged

4. Request Approval of Accepting into the Commission Minutes Records acknowledgement that the Loudon County Clerk's Office is in receipt of Official Statutory Bonds in the sum of \$50,000. from the County Assessor of Property and the sum of \$100,000. from the County Road's Commissioner as required by an Amendment to Public Chapter 974, Acts of 2012.

A **motion** was made by **Commissioner Maples** with a second by **Commissioner Franke** to acknowledge this for the Loudon County records.

Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Franke, Bledsoe, Yarbrough, Harrelson, and Jenkins: (7)**

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

The following Commissioners were **Absent: Duff, and Miller: (2)**

The Commission currently has a **Vacant Seat: (1)**

Thereupon the Chairman declared the motion **Passed: (7,0,2,1)**

Exhibit 110512-F

Loudon County Planning and Codes Director – Russ Newman

(11)
Roads
Accepted
Into County
Roadway
System

1. Request Consideration of Approving a Resolution Pursuant to Tennessee Code Annotated (TCA) §13-3-406 Accepting Garnet Hill Drive and Gunter Drive Located in Garnet Hill Subdivision into the County Roadway System, said Roads Being Located in the 5th Legislative District of Loudon County.

A **motion** was made by **Commissioner Yarbrough** with a second by **Commissioner Harrelson** to approve this resolution.

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

Resolution 110512-G

(12)
Rezoning
Approved

2. Request Consideration of a Resolution Amending the Zoning Map of Loudon County, Tennessee, Pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to Rezone Approximately 0.95 Acres From R-1 (Suburban-Residential) To C-2 (General Commercial), Referenced by: Tax Map 33K, Group H, Parcels 7.00 and 8.00, Located at 310 Port Madison Drive, 1st Legislative District.

A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Meers** to approve this rezoning resolution although the Planning Commission had recommended disapproval. Both Commissioners stated that they had spoken to the owners of the property and viewed the area and they felt this should be approved.

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

Resolution 110512-H

Loudon County Budget Director – Tracy Blair

(13)
Animal
Shelter
Participate In
PETSMART
Charities
Approved

1. Consideration of Approval of a Recommendation for the Animal Shelter to Participate in PETSMART Charities.

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

Upon roll call vote the following Commissioners voted **Aye: Maples, Franke, Bledsoe, Yarbrough, Harrelson, Jenkins, and Meers: (7)**

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

The following Commissioners were **Absent: Duff, and Miller: (2)**

The Commission currently has a **Vacant Seat: (1)**

Thereupon the Chairman declared the motion **Passed: (7,0,2,1)**

Exhibit 110512-I

- (14)**
Animal Shelter
Pets for
Patriots
Approved
2. Consideration of Approval of a Recommendation for the Animal Shelter to Participate in the Pets for Patriots Program.
- A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Harrelson** to approve this recommendation.
- Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Yarbrough, Harrelson, Jenkins, Meers, and Maples: (7)**
- The following Commissioners voted **Nay: (0)**
- The following Commissioners were **Absent: Duff, and Miller: (2)**
- The Commission currently has a **Vacant Seat: (1)**
- Thereupon the Chairman declared the motion **Passed: (7,0,2,1)**
- Exhibit 110512-I**
- (15)**
Fund 141
Approved
3. Consideration of Approval of Amendments in the Following Funds:
- a. General Purpose School Fund 141
- A **motion** was made by **Commissioner Harrelson** with a second by **Commissioner Yarbrough** to approve this recommendation.
- Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Yarbrough, Harrelson, Jenkins, Meers, and Maples: (7)**
- The following Commissioners voted **Nay: (0)**
- The following Commissioners were **Absent: Duff, and Miller: (2)**
- The Commission currently has a **Vacant Seat: (1)**
- Thereupon the Chairman declared the motion **Passed: (7,0,2,1)**
- Exhibit 110512-K**
- b. School Federal Projects Fund 142
- A **motion** was made by **Commissioner Franke** with a second by **Commissioner Harrelson** to approve this recommendation.
- Upon roll call vote the following Commissioners voted **Aye: Bledsoe, Yarbrough, Harrelson, Jenkins, Meers, Maples, and Franke: (7)**
- The following Commissioners voted **Nay: (0)**
- The following Commissioners were **Absent: Duff, and Miller: (2)**
- The Commission currently has a **Vacant Seat: (1)**
- Thereupon the Chairman declared the motion **Passed: (7,0,2,1)**
- Exhibit 110512-L**
- c. Central Cafeteria Fund 143
- A **motion** was made by **Commissioner Franke** with a second by **Commissioner Harrelson** to approve this recommendation.
- Upon roll call vote the following Commissioners voted **Aye: Yarbrough, Harrelson, Jenkins, Meers, Maples, Franke, and Bledsoe: (7)**
- The following Commissioners voted **Nay: (0)**
- The following Commissioners were **Absent: Duff, and Miller: (2)**
- The Commission currently has a **Vacant Seat: (1)**
- Thereupon the Chairman declared the motion **Passed: (7,0,2,1)**
- Exhibit 110512-M**
- (18)**
Summary
Financial
Statements
Distributed
- Budget Director, Tracy Blair**, requested that records reflect that the Summary Financial Statements for June 2012 - end of the fiscal year, September 2012 - 1st Qtr, and for the month of October 2012 have been distributed. The Financial Statements should be monthly from this time forward.
- Exhibits 110512-N-P**

(19)
Notaries
Approved

Loudon County Commissioner, David Meers, made a **motion** with a second by **Commissioner Maples** to approve the following Notaries: *Ana Caren Aguilera; Jeanne E. Hill; Cindy Auchey; Mary Lou King; W. Grace Howard; Pamela A. Culvahouse; Gayle G. Galyon; Deborah R. Cook; Linda F. McAmis; Angela D. Houghton; Jennifer L. Ratliff; and Stephanie S. Scarborough.*
Upon voice vote the motion **Passed** unanimously.
Exhibit 110512-Q

(20)
Comments:
Non-Agenda
Items

Chairman Bledsoe asked that any visitor wishing to address the Commission regarding items not on the Agenda come forward.
Mr. Johnson asked **Budget Director Blair** if the County had been refunded the money paid to the Lawyer for the Solid Waste Commission for the months of September and October and she responded that it had not been refunded.
Mr. Johnson says that the lawyer had no license to practice during this time and his pay for the work he did in those months should be refunded to the County. He concluded by asking what the purpose of the new Solid Waste Commission Report was and about money the Commission is spending here that the County does not have and he stated that the Landfill did not need an additional 100 acres.

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

(21)
Adjournment

There being no further business, a **motion** being duly made and seconded, the November 5, 2012 County Commission Meeting stood adjourned at 7:05 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR