

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

January 05, 2015

6:00 PM

PUBLIC HEARING

Loudon County Planning and Codes Director – Laura Smith

**(1)
Public
Hearing**

1. A Resolution of the Loudon County Commission Accepting Clearmill Drive, Cliff Branch Blvd., and Roseland Lane Located in Oak Creek Subdivision into the Public Roadway System, said Roads Located in the 6th Legislative District of Loudon County Tennessee.
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 38 Acres From A-1 (Agriculture-Forestry District) to A-2/PUD (Rural-Residential District) with Planned Unit Development (PUD) Overlay. Referenced by: Tax Map 51B, Group A, Parcels 1.00-17.00, 21.00-22.00, and Tax Map 51, Parcel 8.00, Located off Coytee Rd., Including All Lots in Yellow Wood Subdivision, Phase 1, (To Be Renamed River Cove) Situated in the 3rd Legislative District.

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 January 2015. The **Honorable Steve Harrelson** called the meeting to order.

Commissioner Bradshaw opened the County Commission Meeting, led the Pledge of Allegiance to the Flag of the United States of America, and delivered the invocation.

**(3)
Roll Call**

Present were the following Commissioners: **Brewster, Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, and Cullen: (10)**
The following Commissioner was **Absent: (0)**
Thereupon **Chairman Harrelson** announced the presence of a quorum.
Present was the **Honorable Mayor Rollen “Buddy” Bradshaw**.

**(4)
Agenda
Adopted**

Chairman Harrelson requested that the December 5, 2015 Agenda be adopted. A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Brewster** to approve the agenda.
Upon voice vote the motion **Passed** unanimously.

**(5)
Minutes for
Dec 1, 2014
Comm Mtg &
Dec 15, 2014
Spec Called Mtg
Approved**

Chairman Harrelson requested that the December 1, 2014 County Commission Meeting Minutes and the December 15, 2014 Special Called Meeting Minutes be approved and accepted.
A **motion** was made by **Commissioner Cullen** with a second by **Commissioner Bradshaw** to approve these minutes.
Upon voice vote the motion **Passed** unanimously.

(6)
Comments:
Agenda Items

Chairman Harrelson asked that any visitor wishing to address the Commission regarding items on the planned Agenda come forward.

Richard Truitt came forward to comment that Judge Dale's agenda item did not go to a Commission Workshop Meeting prior to this meeting and the agenda item did not specify what was going to be presented. He emphasized that citizens cannot speak on an item if they don't know what's going to be discussed.

Pat Hunter spoke to agree with Mr. Truitt that all items should go to the Commission Workshop Meetings first and all agenda items should provide details. She commented on the Resolution for a Clean Tennessee Energy Grant not going to the Workshop before coming to this Commission Meeting and asked where the matching funds were going to come from. She also said that the Salary & Benefits Ad-Hoc Committee should have all the Department Heads as members and not all of them are on the list. She agrees that audience members cannot speak on items that don't show content on the agenda.

(7)
Discussion
Of Request
From Judge Dale
For Additional
General Sessions
Judge in County

General Sessions Judge Rex Dale addressed the Commission to present a request for having a new Second Division General Sessions Judge in the County. He noted that the Judicial Magistrate position that the Commission had previously approved had helped with the judicial workload but was still not enough to handle all the cases. He said he needs more help to meet the deadlines for submitting paperwork for the General Sessions Court which has only one judge. He said he works 50-60 hours per week and the case load is tremendous. The Judicial Magistrate works with Juvenile cases only.

Judge Dale wants to get Private Act legislation through the State Legislature to allow another judge and he provided a Working Draft Copy of that legislation for Commission's consideration. He said the first Judge would be appointed by the Commission.

Judge Dale reiterated that the need for this help was immediate and can't wait for a lengthy process to find a solution to the work overload problem.

Commissioner Shaver wanted to know what this would cost the County and wants to see the numbers.

Commissioner Satterfield asked how this problem affects the citizens of the County and **Judge Dale** responded that it takes much longer for a case to go to trial.

Commissioner Meers asked if there was a way of offsetting the cost of this by using funding similar to that of the CASA Program and **Commissioner Duff** asked what about collecting what people already owe right now. **Judge Dale** responded that he doesn't get involved with collections – collections are done by the **Circuit Court Clerk, Lisa Niles**.

Commissioner Maples said that **Judge Dale** knew about the workload when he ran for the office but **Judge Dale** said that he did not know about the workload or the backlog.

Commissioner Maples said that this expense would fall back on the County taxpayers.

Judge Dale noted that the County has grown substantially over time and it needs more judicial services to accommodate that growth. He said we need more help.

Commissioner Shaver reiterated that money was the problem – the County doesn't have enough to create another court. He also had a question regarding our Legislator being willing to take a Private Act to the Legislature before the County Commission has approved of the action. **Judge Dale** said that **Jimmy Matlock** had agreed to walk this legislation through the legislature which has to happen first before any other action.

Commissioner Shaver said that his problem was that the Legislature would be putting this through without the County knowing how much money it's going to cost and before it approves the action and he's not comfortable with that. **Judge Dale** responded that the legislative action needs to be taken as soon as possible for the current legislative process.

Commissioner Brewster reminded that there's a Budget Committee Meeting on January 20th, followed by a Commission Workshop Meeting, where this can be further discussed.

Commissioner Cullen asked **Judge Dale** if he could attend these meetings and it was decided that **Judge Dale** would attend the Workshop Meetings on February 17th.

Exhibit 010515-A

Loudon County Mayor, Buddy Bradshaw, requested consideration and possible action on the following items:

(8)
Priority
Ambulance
Services
Contract
Approved

1. Request Consideration of Approval of a Contract for Ambulance Services from Shoals Ambulance LLC d/b/a Priority Ambulance.
Discussion included **Commissioner Shaver** expressing that he would like to have an initial 6 month contract term and stop there. **County Attorney Bob Bowman** spoke describing the changes between Priority's initial proposal and the final contract. Following his comments, **Commissioner Shaver** said he was OK with the contract the way it was. There was further discussion regarding Priority having a Bond and a Representative for Priority saying that Bonds were really hard to get. Further discussion involved getting Lenoir City and Loudon City and the County on the same contract renewal schedule which would provide unity in negotiating new contract terms if necessary. It was stated that the two cities are on April and July contract renewal schedules currently. **Commissioner Shaver** wants all three entities to be on the same schedule but he doesn't know how the two cities feel about this. **Commissioner Meers** spoke about forming an oversight committee for these services with representatives from Lenoir City, Loudon City, and the County and this committee would come before the Commission as a group and this may facilitate getting them all on the same contract schedule as well. **Mayor Bradshaw** said that he would like to see all three contracts coincide and the entities work together. **Commissioner Brewster** asked if the County's housing facility met Priority's standards and they responded that it did. **Mayor Bradshaw** said that County Maintenance will work with Priority to bring the facility up to speed to meet their needs. The need to get the power on as soon as possible to provide heat before the colder temperatures arrive and keep the pipes from freezing was the first priority. When asked, **Attorney Bowman** said that this contract has already been pre-approved by Priority.
A **motion** was made by **Commissioner Meers** with a **second** by **Commissioner Cullen** to approve this contract.
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, and Brewster: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
Exhibit 010515-B

(9)
Board
Appointments
Approved

2. Request Consideration and Approval of Appointment Resolutions for the Following Boards/Committees:
 - a. Construction Board of Adjustments and Appeals
 - b. Loudon County Ad-Hoc Salary & Benefits CommitteeA **motion** was made by **Commissioner Bradshaw** with a second by **Commissioner Satterfield** to approve these appointments.
Upon voice vote the motion **Passed** unanimously.
Resolutions 010515-C & D

- (10)**
Clean Energy
Grant
Application
Approved
3. Request Consideration of Approval of a Resolution Authorizing Loudon County to make a 2015 Clean Tennessee Energy Grant Application.
Discussion included **Commissioner Harrelson** requesting that the actual application come back to the Commission for approval when drafted. **Mayor Bradshaw** agreed that he would do that.
A **motion** was made by **Commissioner Cullen** with a second by **Commissioner Satterfield** to approve this request.
Upon voice vote the motion **Passed** unanimously.
Resolution 010515-E

- (11)**
Request to
State Legislature
to Remove
Burden From
County Residents
For TVPOA Lots
Approved
- Loudon County Commissioner, Van Shaver**, Requests Consideration of Approval of Asking the State Legislature to Pass Legislation or Modify Existing Legislation to Remove the Burden from County Residents Regarding the Tellico Village Property Owner's Association Delinquent Lots.
A **motion** was made by **Commissioner Shaver** with a **second** by **Commissioner Maples** to approve this request.
Upon voice vote the motion **Passed** with **9 Aye votes and 1 Nay vote**.
Resolution 010515-F

Loudon County Director of Planning and Codes, Laura Smith, Requests Consideration of Approval of the Following Resolutions:

- (12)**
Acceptance of
Three New Roads in
Oak Creek Subdivision
Into Public
Roadway
System
Approved
1. A Resolution of the Loudon County Commission Accepting Clearmill Drive, Cliff Branch Blvd., and Roseland Lane Located in Oak Creek Subdivision into the Public Roadway System, said Roads Located in the 6th Legislative District In Loudon County Tennessee.
A **motion** was made by **Commissioner Bradshaw** with a **second** by **Commissioner Brewster** to approve this request.
Upon voice vote the motion **Passed** unanimously.
Resolution 010515-G

- (13)**
Rezoning for
Lots in
Yellow Wood
Subdivision
Approved
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 38 Acres From A-1 (Agriculture-Forestry District) to A-2/PUD (Rural-Residential District) with Planned Unit Development (PUD) Overlay. Referenced by: Tax Map 51B, Group A, Parcels 1.00-17.00, 21.00-22.00, and Tax Map 51, Parcel 8.00, Located off Coytee Rd., Including All Lots in Yellow Wood Subdivision, Phase 1, (To Be Renamed River Cove) Situated in the 3rd Legislative District.
A **motion** was made by **Commissioner Satterfield** with a **second** by **Commissioner Meers** to approve this request.
Upon voice vote the motion **Passed** with **8 Aye Votes and 2 Nay Votes**.
Resolution 010515-H

Loudon County Budget Director, Tracy Blair, Requests Consideration of Approval of the following Items:

(14)
**Application/
Acceptance of
Emergency
Management
Performance
Grant
Approved**

1. Request Consideration of a Recommendation to Approve Application/
Acceptance of an Emergency Management Performance Grant.
A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Tinker** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, and Meers: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**

(15)
**Fund 101
Approved**

2. Consideration of Approval of Amendments in the Following Funds:

a. County General Fund 101

A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Brrewster** to approve this recommendation.
Upon roll call vote the following Commissioners voted **Aye: Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, and Maples: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
Exhibit 010515-I

(16)
**Fund 131
Approved**

b. Highway Department Fund 131

A **motion** was made by **Commissioner Tinker** with a second by **Commissioner Duff** to approve this recommendation.
Upon roll call vote the following Commissioners voted **Aye: Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, Maples, and Tinker: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10,0, 0)**
Exhibit 010515-J

(17)
**Fund 141
Approved**

c. General Purpose School Fund 141

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Bradshaw** to approve this recommendation.
Upon roll call vote the following Commissioners voted **Aye: Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, Maples, Tinker, and Satterfield: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10 ,0, 0)**
Commissioners Brewster and Tinker made Conflict of Interest Statements as they voted on this item.
Exhibit 010515-K

(18)
Summary
Financial
Statements &
Budget Committee
Meeting Minutes
Distributed

Budget Director, Tracy Blair, requested that records reflect that the Summary Financial Statements for December 2014 and Budget Committee Meeting Minutes for November 17, 2014 have been distributed.

Exhibits 010515-L&M

(19)
Notaries
Approved

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Shaver** to approve the following Notaries:

Belinda Leigh Ann Bright; Glenn A. McNish Sr; and Donovan Stapp.

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

Exhibit 0100515-N

(20)
Comments:
Non-Agenda

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

Richard Anklin asked if the County has a contracted lawyer and the response was that it does and that law firm is Cramer, Raisen Attorneys who are paid a retainer using tax dollars. The Attorney works for the Mayor. The County currently has five active lawsuits going on – not all involving the Commission.

Mr. Anklin then asked why the schools need more money now when school enrollments are going down. He questioned why they need \$1M now and believes that funding requirements should be going down - not up. He said that the roof on the Technical Center issue has been going on for over two years and asks why – is it an emergency? He asks why this hasn't been done. He goes on to say the County needs money for the Jail Study Committee; for the Technical Center Roof; and the Judge wants more money to hire another Court Judge. He closed by saying the tax dollars can only go so far.

Richard Truitt spoke comparing schools and their test score results. He said that Loudon County has low test scores compared with surrounding cities and counties. He noted that there are 2M Americans with only part-time jobs and noted that the County Director of Schools doesn't live in the County but wants to spend Loudon County's tax dollars.

Pat Hunter spoke in response to Judge Dale's request for funds. She said the budgets now are at \$1.3M with other incomes included. She noted that the County is growing but people on fixed incomes can't just keep coming up with more tax money.

Commissioner Shaver made a request to the Mayor and Budget Director to provide the cost of legal bills for 2014 for the Lisa Niles case between this meeting and the next Budget Committee Meeting.

Mayor Bradshaw reported that the County has received the Used Oil Grant and that those funds would be used to upgrade the County convenience center facilities.

Chairman Harrelson 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 January 05, 2015 County Commission Meeting stood adjourned at 8:00 p.m.

ATTEST:

COUNTY CLERK

CHAIRMAN

COUNTY MAYOR