

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

June 28, 2010

6:00 PM

PUBLIC HEARING

Loudon County Planning and Codes Director - Russ Newman

- (1)**
Public
Hearing
- 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 8.8 Acres from R-1 (Suburban-Residential) to A-2 (Rural- Residential), Referenced by Tax Map 5, Part of Parcel 105.00, Located on Waller Ferry Road at the Northeast Intersection of Hwy 321 North, 5th 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 28th day of June, 2010.
The **Honorable Roy Bledsoe** called the meeting to order.

Commissioner Duff 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: **Marcus, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Park, Gardin, and Miller: (10)**
The following Commissioners were **Absent: (0)**
Thereupon **Chairman Bledsoe** announced the presence of a quorum.
Present was the **Honorable Mayor Doyle Arp**.

- (4)**
Agenda
Adopted
As Amended
- Chairman Bledsoe** requested that the June 28, 2010 Agenda be adopted.
Mayor Arp requested that an Item be added to the Agenda - Presentation of a Proclamation Honoring Eagle Scout Jacob Cardwell.
A **motion** was made by **Commissioner Meers** with a second by **Commissioner Franke** to adopt the Agenda as Amended.
Upon voice vote the motion **Passed** unanimously.

- (5)**
Proclamation
Presentation
- Mayor Arp** presented a Proclamation Declaring June 20, 2010 as Jacob Cardwell Day to commemorate his achievement of attaining the Highest Rank of Eagle Scout in Boy Scouts of America.
Exhibit 062810-A

- (6) **Minutes for June 7, 2010 Approved** **Chairman Bledsoe** requested that the June 7, 2010 County Commission Minutes be approved and accepted. A **motion** was made by **Commissioner Miller** with a second by **Commissioner Gardin** to approve the June 7, 2010 County Commission Minutes. Upon voice vote the motion **Passed** unanimously.
- (7) **Comments: Agenda Items** **Chairman Bledsoe** asked that any visitor wishing to address the Commission regarding items on the planned Agenda come forward. **Penny Glasgow** came forward to speak in favor of the wage increase for Loudon County Employees proposal. Several members of the audience stood in support of her comments.
- (8) **Executive Session** **Mayor Arp** announced that the **Commission** would be going into private **Executive Session** to discuss an under-seal, class-action lawsuit being presented by **Bob Bowman** of Kramer & Rayson Attorneys. Following the Executive Session, the regular meeting resumed.
- Bob Bowman** of Kramer & Rayson Attorneys presented two class-action lawsuits for consideration of the Commission.
- (9) **Remain in Class Action Lawsuit Approved** 1. City of Goodlettsville, Tennessee v. Priceline.com., Inc. et al., Case No. 3:08-CV-00561, now pending in the United States District Court of the Middle District of Tennessee. A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Miller** to accept the attorney's recommendation that Loudon County remain in this class action lawsuit. Upon voice vote the motion **Passed** unanimously.
Exhibit 062810-B
- (10) **Under Seal Class Action Lawsuit to Proceed Approved** 2. Under-Seal Lawsuit A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Gardin** to accept the attorney's recommendation not to intervene and to allow this under-seal, class-action lawsuit to proceed. Upon voice vote the motion **Passed** unanimously.
- Doyle E. Arp, Loudon County Mayor**, requested discussion and possible action on the following items:
- (11) **Compliance With Federal Title VI Regulations Approved** 1. Consideration of Approving a Resolution to Affirm Compliance with Federal Title VI Regulations. A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Duff** to approve this Resolution. Upon voice vote the motion **Passed** unanimously.
Resolution 062810-C
- (12) **Adopt Strategic Economic Development Plan Approved** 2. Consideration of Approving a Resolution to Adopt the Strategic Economic Development Plan. A **motion** was made by **Commissioner Meers** with a second by **Commissioner Franke** to approve this Resolution. Upon voice vote the motion **Passed** unanimously.
Resolution 062810-D

(13)
Strategic
Economic
Development
Plan
Approved

3. Consideration of Adopting the Five Year Asset Based Strategic Economic Development Plan 2010-2014.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Gardin** to approve adoption of this plan .

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

Exhibit 062810-E

(14)
Resolution of
Support for
Hospital
Advisory Board
Approved

4. Consideration of Adopting a Resolution for Loudon County Hospital Advisory Board Appointments.

Following discussion it was agreed that the Commission should not appoint members to this committee.

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Marcus** to approve a Resolution of Support and Concurrence with the Hospital Administration.

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

Resolution 062810-F

Loudon County Planning and Codes Director - Russ Newman

(15)
Rezone
8.8 Acres on
Waller Ferry Rd
Approved

1. 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 8.8 Acres from R-1 (Suburban-Residential) to A-2 (Rural- Residential). Referenced by Tax Map 5, Part of Parcel 105.00, Located on Waller Ferry Road at the Northeast Intersection of Hwy 321 North, 5th Legislative District.

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Park** to approve this Resolution.

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

Resolution 062810-G

Economic Development Agency Director - Pat Phillips

(16)
Participate in
Retiree
Tennessee
Program
Approved

1. Consideration of Approving a Resolution to Participate in the Retiree Tennessee Program through the Tennessee Department of Economic and Community Development.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Gardin** to approve this Resolution.

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

Resolution 062810-H

Loudon County Commissioner - David Meers

(17)
Letter to
TDEC
Regarding
Storm Water
Run Off
Permit
Proposal
Approved

1. Consideration of a Letter of Inquiry to State on Storm Water Runoff

Russ Newman, Director of Planning and Codes, presented a draft letter to TDEC regarding the Commission's position on a draft Phase II Small MS4 General Permit proposed by State and its possible impact on some County residents. Discussion followed.

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Maples** to forward the letter to TDEC.

Commissioner Miller amended the **motion** with a second by **Commissioner Park** to forward the letter to TDEC incorporating the changes he had suggested regarding the size of affected tracts, flexibility to deviate from the buffer width requirement based on existing topography, and using "a more reasonable level" vs. 30 ft. buffer width.

The **Chairman** asked for a vote on the **Amendment** to the original motion.

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

The **Chairman** then asked for a vote on the original **motion**.

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

Exhibit 062810-I

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

FY 2009-2010:

(18)
Amend
Capital
Asset
Policy
GASB
Statement 51
Approved

1. Consideration of Adopting a Resolution to Amend the Capital Asset Policy to Implement GASB Statement 51, Accounting and Financial Reporting for Intangible Assets.

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Duff** to approve this Resolution.

Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Shaver, Franke, Bledsoe, Duff, Park, Gardin, Miller, and Marcus: (10)**

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

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

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

Resolution 062810-J

2. Consideration of Approving Budget Amendments in the Following Funds:

(19)
Fund 101
Approved

- a. County General Fund 101

A **motion** was made by **Commissioner Franke** with a second by **Commissioner Maples** to approve these Amendments.

Upon roll call vote the following Commissioners voted **Aye: Maples, Shaver, Franke, Bledsoe, Duff, Park, Gardin, Miller, Marcus, and Meers: (10)**

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

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

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

Exhibit 062810-K

(20)
Fund 115
Approved

b. Public Libraries Fund 115
A **motion** was made by **Commissioner Meers** with a second by **Commissioner Miller** to approve these Amendments.
Upon roll call vote the following Commissioners voted **Aye: Shaver, Franke, Bledsoe, Duff, Park, Gardin, Miller, Marcus, Meers, and Maples: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioners were **Absent: (0)**
Thereupon the Chairman announced the motion **Passed: (10, 0, 0)**
Exhibit 062810-L

(21)
Fund 116
Approved

c. Recycling Centers Fund 116
A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Franke** to approve these Amendments.
Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Duff, Park, Gardin, Miller, Marcus, Meers, Maples, and Shaver: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioners were **Absent: (0)**
Thereupon the Chairman announced the motion **Passed: (10, 0, 0)**
Exhibit 062810-M

(22)
Fund 141
Approved

d. General Purpose School Fund 141
A **motion** was made by **Commissioner Meers** with a second by **Commissioner Marcus** to approve these Amendments.
Upon roll call vote the following Commissioners voted **Aye: Bledsoe, Duff, Park, Gardin, Miller, Marcus, Meers, Maples, Shaver, and Franke: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioners were **Absent: (0)**
Thereupon the Chairman announced the motion **Passed: (10, 0, 0)**
Exhibit 062810-N

FY 2010-2011:

(23)
Wage Increase
For County
Employees
Approved

3. Consideration of Approving an Additional 1% Wage Increase for County Employees.
Prior to the vote on this issue, **Commissioner Duff** made a Conflict of Interest Declaration.
A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Meers** to approve this wage increase.
Upon roll call vote the following Commissioners voted **Aye: Duff, Park, Gardin, Meers, Maples, and Bledsoe: (6)**
The following Commissioners voted **Nay: Miller, Marcus, Shaver and Franke: (4)**
The following Commissioners were **Absent: (0)**
Thereupon the Chairman announced the motion **Passed: (6, 4, 0)**
Exhibit 062810-O

(24)
Temporary
Additional
Employees
For Clerk's
Office
Approved

4. Consideration of a Request for Two Additional Employees for the Months of July and August for Training Prior to Retirement of Employees in the County Clerk's Office.

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Meers** to approve this request.

Upon roll call vote the following Commissioners voted **Aye: Park, Gardin, Miller, Marcus, Meers, Maples, Shaver, Franke, Bledsoe, and Duff: (10)**

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

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

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

(25)
Grant Contract
Reimburse
Health
Department
Employees
Salaries
Approved

5. Consideration of Approving a \$398,400 Grant Contract with the State Department of Health to Reimburse Salaries of Health Department Employees; no matching funds.

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

Upon roll call vote the following Commissioners voted **Aye: Gardin, Miller, Marcus, Meers, Maples, Shaver, Franke, Bledsoe, Duff, and Park: (10)**

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

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

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

(26)
Public
Library
Grant
Approved

6. Consideration of Approving Acceptance of a \$1,000 Jane L. Pettway Foundation Grant for Lenoir City Public Library; no matching funds.

A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Maples** to approve this grant.

Upon roll call vote the following Commissioners voted **Aye: Miller, Marcus, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Park, and Gardin: (10)**

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

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

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

(27)
Litter
Grant
Approved

7. Consideration of Approving a Resolution Authorizing Application and Acceptance of a FY 2010-2011 Litter Grant in the Amount of \$31,188; no matching funds.

A **motion** was made by **Commissioner Franke** with a second by **Commissioner Miller** to approve this grant.

Upon roll call vote the following Commissioners voted **Aye: Marcus, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Park, Gardin, and Miller: (10)**

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

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

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

Resolution 062810-P

- (28)
Career
Center
Budget
Approved
8. Consideration of Approval of the FY 2010-2011 Career Center Budget. A **motion** was made by **Commissioner Duff** with a second by **Commissioner Maples** to approve this budget. Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Shaver, Franke, Bledsoe, Duff, Park, Gardin, Miller, and Marcus: (10)** The following Commissioners voted **Nay: (0)** The following Commissioners were **Absent: (0)** Thereupon the Chairman announced the motion **Passed: (10, 0, 0)**
Exhibit 062810-Q
- (29)
FY2010-2011
Appropriations
Resolution
Adjustment
Approved
9. Consideration of Approving a Resolution to Rescind a Portion of Section 9 of Resolution #060410-V, the FY 2010-2011 Appropriations Resolution, to Receipt Investment Income from Fund 143 to Fund 143. A **motion** was made by **Commissioner Maples** with a second by **Commissioner Duff** to approve this Resolution. Upon roll call vote the following Commissioners voted **Aye: Marcus, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Park, Gardin, and Miller: (10)** The following Commissioners voted **Nay: (0)** The following Commissioners were **Absent: (0)** Thereupon the Chairman announced the motion **Passed: (10, 0, 0)**
Resolution 062810-R
- (30)
Board of
Education
Preliminary
Budget
- Tracy Blair** distributed a Preliminary Loudon County Board of Education Budget document.
Exhibit 062810-S
- (31)
Notaries
and Bond
Approved
- A **motion** was made by **Commissioner Meers** with a second by **Commissioner Maples** to approve the following **Notaries: Bill Reynolds; Ella G. Carman; Melissa E. Boles; Tami L. Edenfield; Lindsey Armstrong; Catherine A. Elrod; and Henry E. Sledge Jr.** and **Bond: Henry E. Sledge Jr.** Upon voice vote the motion **Passed** unanimously.
Exhibit 062810-T
- (32)
Comments:
Non-Agenda
Items
- Chairman Bledsoe** asked that any visitor wishing to address the Commission regarding items not on the Agenda come forward. **Mr. Lawson** came forward to present documentation to the Commission regarding a personal legal issue that he and his wife were confronting. He was seeking assistance explaining that he was currently unable to afford to retain a law firm to represent them. **Commissioner Shaver**, who is a lawyer, volunteered to help Mr. Lawson who was very grateful.

(33)
Mayor's
Comments

Mayor Arp announced that the next Meetings would be the Workshop on July 26th (4th Monday) and the Commission Meeting on August 9th (2nd Monday). He thanked the News Herald for their coverage of the recent Ground Breaking ceremonies for construction of the new Fort Loudoun Dam Bridge project. He also thanked the Commission and Loudon County State Representatives for their hard work and dedication to soliciting and providing funding for the project. **Commissioner Miller** thanked the Mayor and all the County Officials for all their hard work to get the Bridge Project funding approved noting that this project was a great thing for the County. **Commissioner Gardin** seconded those comments and thanked the Mayor for his dedication, hard work and service to the County citing that he has been an excellent Mayor. **Chairman Bledsoe** asked if there were any further comments and, upon receiving none, he asked for a motion to adjourn.

(34)
Adjournment

There being no further business, a **motion** being duly made and seconded, the June 28, 2010 County Commission Meeting stood adjourned at 7:30 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR