

**LOUDON COUNTY COMMISSION**  
**STATE OF TENNESSEE**  
**COUNTY OF LOUDON**  
**February 02, 2009**  
**6:00 PM**

**PUBLIC HEARING**

- (1)  
**Public Hearing**
1. Request Consideration of Approval of Rezoning Approximately 4 Acres of Property Located on Hwy 70 near Brandywine Drive from R-1, Suburban Residential District to R-1/PUD Suburban Residential District with Planned Unit Development Overlay of 7.6 Units Per Acre, Referenced by Tax Map 7, Parcel 82.00, 5<sup>th</sup>  
**Gene Rudicell came forward to speak.**

**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 2nd day of February 2009.  
The **Honorable Roy Bledsoe** called the meeting to order.
- Commissioner Park** opened 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).**  
Thereupon **Chairman Bledsoe** announced the presence of a quorum.  
Present were the **Honorable Mayor Doyle Arp**
- (4)  
**Agenda Adopted**
- Chairman Bledsoe** requested that the February 02, 2009 agenda to be adopted.  
Mayor asked that under the Director of Budgets & Accounts to combine number 3 & 4, as there is a resolution doing this.  
A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Franke** to adopt the agenda as presented.  
Upon voice vote the motion **Passed** unanimously.
- (5)  
**Minutes for January 5<sup>th</sup>, 2009 Approved**
- Chairman Bledsoe** Requested that the January 05, 2009 County Commission Minutes be Approved and Accepted.  
**Commissioner Franke** had minor changes.  
A **motion** was made by **Commissioner Miller** with a second by **Commissioner Maples** to approve the January 05, 2009 County Commission Minutes with corrections.  
Upon voice vote the motion **Passed** unanimously.
- (6)  
**Comments: Agenda Items**
- Chairman Bledsoe** asked for any visitor wishing to address the Commission regarding items on the planned agenda to come forward.  
Several People came forward to speak.

**Doyle E. Arp, Loudon County Mayor**, requested discussion and possible action on the following items:

**Mayor Arp** requested to move to item number # 3 first with Mr. Robert Bowman to explain the purpose of the lawsuit with Loudon County.

**(7)  
Sarten  
Lawsuit**

1. **Mr. Robert Bowman** came forward to explain the lawsuit of *City of Lenoir City v. George H. Sarten, et ux. Florence Sarten, Loudon County Circuit Court Docket No. 7400*.

Mr. Bowman stated that Loudon County has no real involvement in this lawsuit, but brought into it by a formality in order to get it resolved. The city of Lenoir City filed a Condemnation lawsuit towards the Sarten's back in 2005 to take the property for a walking trail inside the city. Part of the walking trail lies inside and outside the city limits. Mr. Bowman has an agreement with the city that if Loudon County does not fight from being brought into the lawsuit, than Loudon County would be indemnified and the county will be held harmless with anything related to the walking trail. Loudon County is fully protected on anything that arises thru this agreement regarding the walking trail. Mr. Bowman requested that the Loudon County Commission approve this settlement agreement. No money involved to Loudon County and that the city of Lenoir City is paying everything.

A **motion** was made by **Commission Maples** to accept this recommendation that Loudon County will not be held liable with a second by **Commissioner Franke**.

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

**Exhibit 020209-A**

**(8)  
Loudon  
County  
E-911 Board  
Appointments  
Approved**

2. Consideration of Adopting a Resolution approving the appointments for the Loudon County E-911 Board.

A **motion** was made by **Commission Gardin** to approve the appointments for the Loudon County E-911 Board with a second by **Commissioner Meers**.

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

**Resolution 020209-B**

**(9)  
Resolution  
to Increase  
Court Costs  
Approved**

3. Consideration of Adopting a Resolution to increase court costs, to defray cost of legal representation and support services provided indigent defendants in criminal procedures.

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Marcus** to adopt a resolution to increase court costs, to defray cost of legal representation and support services provided indigent defendants in criminal procedures.

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

Commissioner Meers made an inquiry if they need to do individual votes as it involves money. Mayor Doyle Arp comment was if someone was to be arrested it involves money. To be on the safe side should do a roll call.

Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Franke, Bledsoe, Duff, Park, Gardin, Miller and Marcus: (9)**.

The following Commissioners voted **Nay: Shaver (1)**.

The following Commissioner was **Absent: (0)**.

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

**Resolution 020209-C**

**Russ Newman, Loudon County Planning and Community Development**, requested discussion and possible action on the following item's:

**(10)  
Resolution  
Rezoning on  
Hwy 70  
Approved**

1. Request Consideration of Approval of Rezoning Approximately 4 Acres of Property Located on Hwy 70 near Brandywine Drive from R-1, Suburban Residential District to R-1/PUD Suburban Residential District with Planned Unit Development Overlay of 7.6 Units per Acre, Referenced by Tax Map 7, Parcel 82.00, 5<sup>th</sup> Legislative District.

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

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

**Resolution 020209-D**

**(11)  
Resolution  
for Driveway  
Permits  
Approved**

2. Consideration of Adopting a Resolution to amend the Loudon County Zoning Resolution, Article 7: Administration and Enforcement, Section 7.035: Driveway Permits.  
A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Franke** to approve this resolution to amend the Loudon County Zoning Resolution, Article 7: Administration and Enforcement, Section 7.035: Driveway Permits.  
Upon voice vote the motion **Passed**. (**Commissioner Shaver** opposed)  
**Resolution 020209-E**

**(12)  
Private Act  
for the  
Submission of  
Plats, Plans &  
Plots  
Approved**

3. Consideration of Adopting a Resolution of the Loudon County Commission Requesting the Adoption of a Private Act by the Tennessee State Legislature Requiring the Submission of Plats, Plans, Plots, and Road Plans Proposed within the Urban Growth Area of Lenoir City, TN be Submitted to the Loudon County Planning Commission for Review and Approval.  
After much discussion, 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 020209-F**

**Pat Phillips, Loudon County EDA**, requested discussion possible action on the following item's:

**Mayor Doyle Arp** spoke in the absence of Pat Phillips.

**(13)  
Revising  
Land Value  
Approved**

1. Consideration of Approval for Revising Land Values for Centre Commercial Properties.  
A **motion** was made by **Commissioner Marcus** with a second by **Commissioner Meers** to approve the revising of land values for Centre Commercial Properties.  
Upon roll call vote the following Commissioners voted **Aye: Maples, Franke, Bledsoe, Duff, Park, Gardin, Miller, Marcus and Meers: (9)**.  
The following Commissioners voted **Nay: Shaver: (1)**.  
The following Commissioner was **Absent: (0)**.  
Thereupon the Chairman announced the motion **Passed: (9,1,0)**.  
**Exhibit 020209-G**

**(14)  
Resolution  
Endorsing  
Funding  
Approved**

2. Consideration of Adopting a Resolution Endorsing Funding for the Replacement of the Hwy 321 (S.R.73)/Tennessee River Bridge at Fort Loudoun and Construction of the Hwy 321 (S.R.73)/Hwy 11 (S.R.2) Flyover in Loudon County, Tennessee.  
A **motion** was made by **Commissioner Maples** with a second by **Commissioner Miller** to approve this resolution.  
Upon voice vote the motion **Passed** unanimously.  
**Resolution 020209-H**

**Sean Giles, Loudon County Road Commissioner**, requested discussion possible action on the following item:

**(15)  
2009 Road &  
Subdivision  
List  
Approved**

1. Consideration of Approving the 2009 Road List and Subdivision List.  
A **motion** was made by **Commissioner Maples** with a second by **Commissioner Meers** to approve the 2009 Road List and Subdivision List.  
Upon voice vote the motion **Passed** unanimously.  
**Exhibit 020209-I**

**Chairman Roy Bledsoe – Loudon County Commissioner**, requested discussion possible action on the following item:

**(16)  
Resolution  
Appointment  
of the  
Director of  
Schools  
Approved**

1. Consideration of Adopting a Resolution asking the State of Tennessee to Pass a Law Pertaining to the Appointments of the Director of Schools.  
After much discussion, A **motion** was made by **Commissioner Maples** with a second by **Commissioner Shaver** to approve a resolution asking the State of Tennessee to pass a law pertaining to the appointments of the Director of Schools. Mayor Arp requested to strike the word *Federal* from the Resolution.  
Upon voice vote the motion **Passed** unanimously.  
**Resolution 020209-J**

**Tracy Blair, Loudon County Director of Budget**, requested consideration and possible action on the following item's:

1. Consideration of recommendation to approve amendments and/or line adjustments in the following funds:

- a. 101 County General Fund

**(17)  
101 County  
General  
Fund  
Approved**

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Franke** to approve the Amendment in County General Fund 101.

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 Commissioner was **Absent: (0).**

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

**Exhibit 020209-K**

- b. 116 Recycling Center Fund

**(18)  
116  
Recycling  
Center Fund  
Approved**

A **motion** was made by **Commissioner Franke** with a second by **Commissioner Park** to approve the Amendment in Recycling Center Fund 116.

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 Commissioner was **Absent: (0).**

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

**Exhibit 020209-L**

- c. 122 County Drug Fund

**(19)  
122 County  
Drug Fund  
Approved**

A **motion** was made by **Commissioner Park** with a second by **Commissioner Gardin** to approve the Amendment in County Drug Fund 122.

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 Commissioner was **Absent: (0).**

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

**Exhibit 020209-M**

- d. 128 Federal Drug Fund

**(20)  
128 Federal  
Drug Fund  
Approved**

A **motion** was made by **Commissioner Franke** with a second by **Commissioner Gardin** to approve the Amendment in Federal Drug Fund 128.

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

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

The following Commissioner was **Absent: (0).**

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

**Exhibit 020209-N**

- e. 131 Highway Fund

**(21)  
131 Highway  
Fund  
Addressed in  
Item 3 & 4**

Amendment for the highway fund is addressed in the resolution that you will consider on agenda items 3 and 4 that have been combined and with Chairman Bledsoe's permission then these amendments can be considered at that time on the agenda. Chairman Bledsoe's response – yes.

f. 141 General Purpose School Fund

(22)  
141 General  
Purpose  
School Fund  
Approved

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Park** to approve the Amendment in General School Purpose Fund 141.  
Upon roll call vote the following Commissioners voted **Aye: Gardin, Miller, Marcus, Meers, Maples, Shaver, Franke, Bledsoe and Park: (9)**.  
The following Commissioners voted **Nay: Duff: (1)**.  
The following Commissioner was **Absent: (0)**.  
Thereupon the Chairman announced the motion **Passed: (9,1,0)**.  
**Exhibit 020209-O**

g. 156 Education Debt Service

(23)  
156  
Education  
Debt Service  
Approved

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Park** to approve the Amendment in Education Debt Service 156.  
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 Commissioner was **Absent: (0)**.  
Thereupon the Chairman announced the motion **Passed: (10,0,0)**.  
**Exhibit 020209-P**

(24)  
Resolution  
Payroll  
Direct  
Deposit  
Approved

2. Consideration of Adopting a Resolution Authorizing a Cash Management Services Agreement for Payroll Direct Deposit with First National Bank.  
A **motion** was made by **Commissioner Franke** with a second by **Commissioner Gardin** to approve a resolution authorizing a cash management services agreement for payroll direct deposit with First National Bank.  
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 Commissioner was **Absent: (0)**.  
Thereupon the Chairman announced the motion **Passed: (10,0,0)**.  
**Resolution 020209-Q**

(25)  
Resolution  
to Rescind &  
Appoint  
Approved

3. Consideration of Adopting a Resolution to Rescind Resolution #110308-B, 'A Resolution to Rescind Resolution #061107-F, also Serve in the Capacity of the Loudon County Engineer' and Authorize Execution of a Contract with a Civil Engineer", and Appoint the Loudon County Road Superintendent to also Serve in the Capacity of the Loudon County Road Inspector.  
A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Maples** 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 Commissioner was **Absent: (0)**.  
Thereupon the Chairman announced the motion **Passed: (10,0,0)**.  
**Resolution 020209-R**

(26)  
January  
Financial  
Statements  
Distributed

**Tracy Blair, Loudon County Director of Budgets and Accounts**, requested that records reflect that the January Financial Statements have been distributed.  
**Exhibit 020209-S**

Tracy Blair introduced Julie Kleinschmidt. Julie is the Special Projects & Grants Administrator and is Senior Accounts Payable and Accounts Receivable staff in Central Accounting Department. Julie attended last month's budget meeting and is getting acquainted with her projects.

(27)  
Notaries  
Approved

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Franke** to approve the following notaries: Charles T. Jones, Charles H. Stevens Jr., Wanda Kirby, David Rankin, Stephanie K. Putkonen, Harry T. Wart, Sandra G. Gentry and Debra Joyce Heisch.  
Upon voice vote the motion **Passed** unanimously.

**(28)**  
**Change**  
**Workshop**  
**Mtg. Date**  
**and Location**  
**Approved**

**Mayor Arp** proposed to move the Workshop meeting date from the 23<sup>rd</sup> to the 16<sup>th</sup> of February and to move the location from the Loudon County Office Building to the Courthouse Annex. A **motion** was made by **Commissioner Gardin** with a second by **Commissioner Miller** to change the Workshop meeting from the 23<sup>rd</sup> to the 16<sup>th</sup> of February and to move the location from the Loudon County Office Building to the Courthouse Annex. Upon voice vote the motion **Passed** unanimously.

**(29)**  
**Comments:**  
**Non-Agenda**  
**Items**

**Chairman Bledsoe** asked for any visitor wishing to address the Commission regarding items not on the agenda to come forward.

Sean Giles came forward and spoke on doing work for the city. After much discussion, it was decided this topic needs to go to the workshop.

Sheriff Guider spoke on the budget. Sheriff Guider commented that the Sheriff's Department budget is the larger budget of Fund 101 and wants to submit a budget that is equal to or less than the budget submitted last year.

**(30)**  
**Adjournment**

There being no further business, a **motion** being duly made and seconded, the February 02, 2009 meeting stood adjourned at 7:25 p.m.

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**CHAIRMAN**

**ATTEST:**

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**COUNTY CLERK**

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**COUNTY MAYOR**