

LOUDON COUNTY COMMISSION WORKSHOP

Monday, May 16, 2011
Loudon County Office Building
6:00 pm

- 1. This is the time for audience members to speak on items on or not on the Agenda.**
- 2. Loudon County Planning and Codes – Russ Newman**
 - a. A Resolution to Amend Section 4.070 Swimming Pool Restrictions of the Loudon County Zoning Resolution, Pursuant to Tennessee Code Annotated, Section 13-7-105.
- 3. Loudon County Mayor – Estelle Herron**
 - a. Appointments to the following Boards/Committees:
 1. Board of Zoning Appeals
 2. Equalization Board
 3. Loudon County Library Board
 4. Regional Library Board
 5. Sick Leave Bank Board of Trustees
 6. TCCA Legislative Committee
 7. TASS Board of Directors (Loudon County)
 - b. By-Laws for Employee Sick Leave Bank
 - c. Redistricting/Reapportionment
- 4. Loudon County Roads Superintendant – Eddie Simpson**
 - a. Capital Improvement Monies
- 5. Loudon County Commissioner – Roy Bledsoe**
 - a. Proclamation recognizing Loudon County High School Baseball Team Coach, Bill Thompson, for winning 700 games
- 6. Loudon County Commissioner – David Meers**
 - a. New Procedures for Processing Notary Applications

7. Loudon County Commissioner – Harold Duff

- a. Legislative Update

8. Loudon County Budget Director – Tracy Blair

- a. Budget Committee Recommendations

9. Any other items

10. Adjournment

A RESOLUTION TO AMEND SECTION 4.070 SWIMMING POOL RESTRICTIONS OF THE LOUDON COUNTY ZONING RESOLUTION, PURSUANT TO TENNESSEE CODE ANNOTATED, SECTION 13-7-105

WHEREAS, the Loudon County Commission, in accordance with Chapter Seven, Section 13-7-105 of the Tennessee Code Annotated, may from time to time amend the number, shape, boundary, area or any regulation of or within any districts, or any other provision of the zoning resolution; and

WHEREAS, the Regional Planning Commission has forwarded its recommendation regarding this amendment to the Loudon County Zoning Resolution; and

WHEREAS, a notice of public hearing and a description of the resolution appeared in the Loudon County News Herald on, May 18/19, 2011, consistent with the provisions of Tennessee Code Annotated Section 13-7-105;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that Section 4.070 Swimming Pool Restrictions of the Loudon County Zoning Resolution be amended as follows:

B. The swimming pool area shall be walled or fenced with a latching gate so as to prevent uncontrolled access by children and pets from the street or adjacent properties. The latch shall be placed on the inside of the gate at least 40" from the ground. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition. Hot tubs and spas with covers are not considered swimming pools.

BE IT FINALLY RESOLVED, that this Resolution shall take effect immediately, the public welfare requiring it.

ATTEST

LOUDON COUNTY CHAIRMAN

DATE

APPROVED: LOUDON COUNTY MAYOR

The vote on the question of approval of this Resolution by the Planning Commission is as follows:

APPROVED: 10

DISAPPROVED: 0

 Penelope G. McLow
ATTEST: SECRETARY, LOUDON COUNTY
REGIONAL PLANNING COMMISSION
Dated: April 19, 2011

**FACSIMILE MEMORANDUM
1 PAGE**

TO: News Herald
Fax Number: 988-3261

FROM: Billy Pickel

DATE: April 19, 2011

RE: NOTICE OF PUBLIC HEARING (#11-02-11-RGZ-CO)

Please place the following notice of Public Hearing in the Wednesday/Thursday, May 18/19, 2011 edition of the News-Herald. The ad should be no larger than 2 columns by 3.00 inches.

PUBLIC HEARINGS

The Loudon County Commission will hold a public hearing on Monday, June 6, 2011 at 6:00 P.M. at the Courthouse Annex to consider an amendment to the Zoning Resolution of Loudon County, Tennessee, to amend the following:

That Sub-Section B of Section 4.070 Swimming Pool Restrictions be amended as follows:

B. The swimming pool area shall be walled or fenced with a latching gate so as to prevent uncontrolled access by children and pets from the street or adjacent properties. The latch shall be placed on the inside of the gate at least 40" from the ground. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition. Hot tubs and spas with covers are not considered swimming pools.

Copies of this Resolution are available for review at the Office of Planning & Codes Enforcement Department, 101 Mulberry Street, Suite 101, Loudon, TN, or you may phone 458-4470 during business hours for assistance.

**INVOICE: LOUDON COUNTY PLANNING AND CODES ENFORCEMENT
DEPARTMENT**

LOUDON COUNTY COMMISSION

RESOLUTION 060611

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY MAYOR

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Mayor has authority to make certain committee and board appointments; and

WHEREAS, an appointment is necessary and desirable at this time; and

WHEREAS, the County Mayor appoints the following as a member of

LOUDON COUNTY
BOARD OF ZONING APPEALS

<u>Appointee</u>	<u>Term Expiration</u>
Carlie McEachern(1 st District)	June 30, 2013
Janice Terry (2 nd District)	June 30, 2013

NOW, THEREFORE, BE IT RESOLVED that the County Commission meeting in regular session assembled this 6th day of June, 2011 hereby approves and acknowledges (as appropriate), the said appointment.

COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR

The remaining members and their continuing expiration terms for said board or committee are as follows:

<u>Appointee</u>	<u>Term Expiration</u>
Roy Brooks (3 rd District)	June 30, 2012
Martin Brown (5 th District)	June 30, 2012
Ryan Bright (4 th District)	June 30, 2012

LOUDON COUNTY COMMISSION

RESOLUTION 060611

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY MAYOR

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Mayor has authority to make certain committee and board appointments; and

WHEREAS, appointments are necessary and/or desirable at this time; and

WHEREAS, the County Mayor appoints the following as members of the

LOUDON COUNTY EQUALIZATION BOARD

Appointee

Frank Hahn (Lenoir City Rep.)

Term Expiration

June 30, 2012

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 6th of June, 2011 hereby approves and acknowledges (as appropriate), the said appointments.

COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR

The remaining members and their continuing expiration terms for said board or committee are as follows:

Delmar Davis

April 30, 2012

Homer Allen Millsaps

April 30, 2012

DaWayne Nelson

April 30, 2012

Carl Smith

April 30, 2012

LOUDON COUNTY COMMISSION

RESOLUTION 060611-

**RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY MAYOR**

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Mayor has authority to make certain committee and board appointments; and

WHEREAS, appointments are necessary and/or desirable at this time; and

WHEREAS, the County Mayor appoints the following as members of the

LOUDON COUNTY LIBRARY BOARD

<u>Appointee</u>		<u>Term Expiration</u>
Georgia Burchfield	Loudon	June 30, 2014

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 6th day of June, 2011 hereby approves or acknowledges (as appropriate), the said appointments.

COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR

The remaining members and their continuing expiration terms for said board or committee are as follows:

<u>Appointee</u>		<u>Term Expiration</u>
Tim Grandstaff	Lenoir City	June 30, 2012
Jean Cardwell	Loudon	June 30, 2012
Dr. Gail Disney	Greenback	June 30, 2013
Michele D' Agostino	Philadelphia	June 30, 2013
Joyce Davis	Lenoir City	June 30, 2013
Carole Selmo	Tellico Village	June 30, 2013

LOUDON COUNTY COMMISSION

RESOLUTION 060611-

**RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY MAYOR**

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Mayor has authority to make certain committee and board appointments; and

WHEREAS, an appointment is necessary at this time; and

WHEREAS, the County Mayor appoints the following as a member of the

REGIONAL LIBRARY BOARD

<u>Appointee</u>	<u>Term Expiration</u>
Elfriede Bealle	June 30, 2013
Tammy Reynolds	June 30, 2012

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 6th day of June 2011 hereby approves and acknowledges (as appropriate), the said appointment.

COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR

LOUDON COUNTY COMMISSION

RESOLUTION 060611 -

RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY MAYOR

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Mayor has authority to make certain committee and board appointments; and

WHEREAS, appointments are necessary and/or desirable at this time; and

WHEREAS, the County Mayor appoints the following as members of

LOUDON COUNTY
SICK LEAVE BANK BOARD OF TRUSTEE

<u>Appointee</u>	<u>Term Expiration</u>
Eddie Simpson	August 31, 2014
Commissioner Steve Harrelson	August 31, 2014
Commissioner Brian Jenkins	August 31, 2014
Jane Smith	August 31, 2014
Penny Glasgow	August 31, 2014

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 6th day of June, 2011, hereby approves or acknowledges (as appropriate), the said appointments.

COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR

LOUDON COUNTY COMMISSION

RESOLUTION 060611-

**RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY MAYOR**

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Mayor has authority to make certain committee and board appointments; and

WHEREAS, an appointment is necessary and desirable at this time; and

WHEREAS, the County Mayor appoints the following as a member of

TCCA LEGISLATIVE COMMITTEE

Appointee
Commission Harold Duff

Term Expiration
June 30, 2012

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 6th day of June 2011 hereby approves and acknowledges (as appropriate), the said appointment.

COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR

The remaining members and their continuing expiration terms for said board or committee are as follows:

Appointee

Term Expiration

LOUDON COUNTY COMMISSION

RESOLUTION 060611-

**RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY MAYOR**

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Mayor has authority to make certain committee and board appointments; and

WHEREAS, an appointment is necessary and desirable at this time; and

WHEREAS, the County Mayor appoints the following as a member of

TELLICO AREA SERVICE SYSTEM

Appointee
Roy Goddard

Term Expiration
June 30, 2014

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 6th day of June 2011 hereby approves and acknowledges (as appropriate), the said appointment.

COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR

The remaining members and their continuing expiration terms for said board or committee are as follows:

Appointee
Fred Brewster
Kenneth Dutton

Term Expiration
June 30, 2012
June 30, 2013

EMPLOYEE SICK LEAVE BANK

- I. Purpose: The purpose of the Employee Sick Leave Bank is to provide additional sick leave to members who have suffered a serious illness or injury and who have exhausted all their personal sick and annual leave.
- II. Eligibility: Participation in the Bank is available to regular full-time employees. To be eligible to enroll, an employee must have a balance of eight (8) days (64 hours) accumulated sick leave. Employees with pre-existing illnesses are eligible for enrollment.
 - A. Those eligible to participate in the Bank may apply for membership during Annual Enrollment of July and have three (3) days (24 hours) deducted from their accumulated sick leave and transferred to the Bank. Eligibility to apply for sick leave bank days becomes effective August 1 following Annual Enrollment.
- III. Trustees: The Mayor appoints five (5) trustees to administer the Employee Sick Leave Bank
 - A. The five (5) trustees will consist of a minimum of two support staff and one department head.
 - B. Initial appointments as a trustee are made by the Mayor for three year appointments. Trustees are eligible for reappointment. The Mayor will appoint another trustee to fill any vacancy resulting from expiration of a term, discontinuation of employment, retirement, death, resignation, or removal by the Mayor. A chairperson will be elected by the trustees within ten (10) days of their appointment. Upon expiration of the chairperson's term as trustee, an election will be held to elect a new chairperson. A chairperson may be re-elected.
 - C. If a trustee has a need to request sick leave from the Bank, the trustee will excuse him/herself from the committee and the Mayor will appoint an ad hoc member to serve in the trustee's absence.
 - D. The trustees administer the Bank and approve or reject requests for withdrawal of leave from the Bank.

- E. The trustees will adopt reasonable rules for assessment of sick leave hours in order to maintain an adequate reserve of hours for Bank members. The reserve is established through the assessment of Bank membership and the trustees must ensure a positive balance is maintained at all times. The assessment shall be based upon total membership and projected potential need. All members shall be assessed the same amount of sick leave hours. The trustees will have discretion in determining how many assessments are necessary to maintain the reserve's positive balance.
- F. The trustees will approve or reject all requests for Bank sick leave within ten (10) work days of receipt of the request.
- G. All action by the trustees requires three (3) affirmative votes for approval. All actions by the trustees must remain confidential. The trustees must abide by a confidentiality code that prohibits discussion regarding any meeting, request, action, illness, etc. outside of the committee members, except for those who have a legitimate need to access the information, e.g., Human Resources or Payroll staff. Failure to maintain confidentiality will lead to immediate removal from the committee and may result in disciplinary action. A trustee must not engage in discussions with employees (outside of the committee) that may lead to inference that certain requests will be approved. All questions, discussions, etc., to a trustee should be referred to the committee chair for consideration by the trustees as a group.

IV. Plan: The plan of operation includes the following provisions:

- A. An employee must have been a member of the Bank for thirty (30) calendar days prior to applying for withdrawal of Bank sick leave. Additionally, a Bank member must first have his or her supervisor's approval for sick leave before the request for Bank leave can be submitted to the trustees. Certification by the treating physician must accompany the request and must include the following information regarding the serious illness or injury
 1. Nature and cause of the disability
 2. The expected duration
 3. Prognosis as to ability to return to work
 4. When first treated

Refusal to submit the physician's certification will result in denial of the request for Bank sick leave.

- B.** A Bank member's sick and annual leave must be exhausted prior to receiving Bank sick leave.
- C.** Bank sick leave is for a serious illness or injury only and will not be used for:
1. Routine maternity leave following childbirth
 2. Elective surgery
 3. Illness or death of any member of the individual's family
 4. A period during which the individual is receiving disability benefits from social security or a state sponsored retirement plan
- The List above is not intended to be all-inclusive, but rather, examples of types of requests that would not be appropriate for Bank sick leave.
- D.** Approved Bank sick leave will run concurrently with Family and Medical Leave (FMLA) for an eligible employee who has not already exhausted the 12-work week entitlement.
- E.** Initial grants of Bank sick leave to individual Bank members will not exceed the hourly equivalent of twenty (20) consecutive days for which the applicant would have otherwise lost pay. Applicants may submit requests for additional leave grants when their prior grants expire. Total grants of Bank sick, leave will not exceed the hourly equivalent of sixty (60) days in any fiscal year, or ninety (90) days for any one illness, or recurring diagnosed illness, or accident.
- F.** When a Bank member is physically or mentally unable to apply for Bank sick leave, the immediate next-of-kin may make a request for Bank sick leave on his or her behalf. If the employee does not have a next-of-kin, the request may be made by the legally appointed guardian or conservator or an individual acting under valid power of attorney.
- G.** Grants of Bank sick leave will not be contingent upon repayment of hours.
- H.** A Bank member will lose the right to request Bank sick leave upon:
1. Termination of employment
 2. Retirement
 3. Cancellation of membership (Assessed sick leave is non-refundable upon cancellation of membership)
 4. Refusal to submit a physician's certification
 5. Refusal or inability to honor the trustee's assessment (The right to withdraw Bank sick leave hours will be restored once the employee has the sick leave hours)

required by the trustees for an assessment and upon transfer of the individual's assessed sick leave hours to the Bank.)

6. Going on a leave of absence in a non-pay status for reasons other than serious illness, injury or disability.
 7. Unwarranted abuse of the employee sick leave bank.
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- I. Employees who are granted Bank sick leave will continue to accrue sick and annual leave and service credit for retirement and longevity purposes during the time they are on Bank sick leave. In addition, they will receive credit for any holidays that may occur during the Bank sick leave period.

 - J. All official forms and records pertaining to the Sick Leave Bank and minutes of the trustees' meetings will be maintained in the County Mayor's office.

 - K. When necessary, subsequent assessments will be made by the trustees in order to maintain a minimum balance in the Bank's reserves. The minimum balance is set at sixty (60) days and is subject to modification by the trustees. The amount of subsequent assessments will depend upon the balance in the Bank's reserves and the number of members in the Bank. The maximum number of hours that may be assessed at one time is limited to three (3) days.

 - L. Employees who are unable to meet additional assessments charged by the Employee Sick Leave Bank after its establishment shall lose the right to request bank sick leave.

 - M. The following official forms will be used to operate the Employee Sick Leave Bank:
 1. Sick Leave Bank Membership Request
 2. Sick Leave Bank Request
 3. Sick Leave Bank Physician's Statement First Request

- V. Dissolution of the Bank: The Sick Leave Bank will be dissolved if the Bank membership falls below twenty (20) individuals at any time or upon a majority vote of County Commission. Upon dissolution for insufficient membership, the total hours on deposit will be returned to participating members and credited to their personal sick leave accumulation in proportion to the number of days each has been contributed individually. Days returned under this section and credited to the individual shall be rounded to the nearest one-half (1/2) day. If a member has ever withdrawn 3 or more days of Bank sick leave, that member will not be credited any sick leave hours.

- VI. Abuse of this policy could result in disciplinary action, up to and including termination.

- VII. This policy will supercede the previous practice of sick leave donation among employees.

DRAFT

New Processing Procedures for Loudon County Notary Applications

In an effort to provide greater scrutiny of applications for Notary Commissions in Loudon County, the County Commission has voted to publish the applicant's names as part of the Commission Meeting Packet which is posted on the Loudon County Government Website prior to the meetings. **In accordance, beginning on July 1, 2011 the County Clerk's Office will require Notary applications to be submitted by the 20th of each month to allow presentation to the Commission for approval at the next month's meeting.** Commission Meetings are held on the first Monday of each month with the exception of July when there is no Commission meeting. All applications received after the 20th of the month will be held for the succeeding month's meeting. The governing regulations for Notaries come from the State of Tennessee. All applicants should make themselves aware of the requirements, rules, restrictions, obligations, and laws associated with becoming a Notary prior to applying. This information is available on the Tennessee State Government Website. If you do not have computer access to this information, it can be made available to you by the Clerk's Office. A copy of the Tennessee Notary Handbook and application forms and information are available at the Loudon County Clerk's Office in the Courthouse Annex Building – 865-458-2726 or 865-458-3314.