

# **LOUDON COUNTY COMMISSION**

**March 5, 2012**

**6:00 pm**

**Courthouse Annex**

**Presentation: Eastern Region Public Speaking Winner, Hannah Koeshall**

## **REGULAR MEETING**

- 1. Opening of Meeting, Pledge of Allegiance, Invocation**
- 2. Roll Call**
- 3. Adoption of the Agenda - March 5, 2012**
- 4. Reading and Acceptance of February 6, 2012 Commission Minutes.**
- 5. This is the time for any visitor or delegation to come forward and state the business for which he/she may wish to address concerning any item of interest on the planned agenda.**
- 6. Reports of County Officials, Departments and Committees:**
  - A. Loudon County Mayor - Estelle Herron**
    1. Request Consideration and Approval of the following Board/Committee Appointments:
      - a. Loudon County Board of Zoning Appeals
      - b. Loudon County Regional Planning Commission
    2. Request Consideration of Approving a Resolution of the Loudon County Commission Declining to Join the Proposed Tennessee Oversight Interlocal Agreement for Implementing the Tennessee Oversight Agreement on Issues Related to the U.S. Department of Energy's Environmental Management Program and Emergency Management Activities at the Oak Ridge Reservation.
    3. A Resolution to Authorize the Submission of a USDA Rural Development Agency Rural Business Enterprise Grant to Fund a Market Feasibility and Economic Impact Study of a Multi-Use Agricultural Facility.

**B. Loudon County Budget Director - Tracy Blair**

1. Budget Committee Recommendations

**C. Loudon County Commissioner - David Meers**

1. Election of Bonds and Notaries

7. **This is the time for any visitor or delegation to come forward and state the business for which he/she may wish to address concerning any items not on the planned agenda.**
8. **Adjournment**

**LOUDON COUNTY COMMISSION**  
**STATE OF TENNESSEE**  
**COUNTY OF LOUDON**  
**February 6, 2012**  
**6:00 PM**

**PUBLIC HEARING**

**(1)**  
**Public**  
**Hearing**

**Loudon County Planning and Codes Director – Russ Newman**

A Resolution Adopted by the Loudon County Commission Pursuant to Tennessee Code Annotated (TCA) §13-3-406 Accepting Summitt Hill Drive, Bingham Hill Lane, Red Hill Lane, and Baxter Bright Road Located in YellowWood Subdivision, Phase 1 into the County Roadway System, said Roads Being Located in the 3<sup>rd</sup> legislative District of Loudon County.

YellowWood resident **Deborah Rossi** spoke explaining that she and her husband thought they had an agreement with other subdivision property owners to erect a privacy gate coming into the development. They installed the gate on Summitt Hill Road near where it intersects with Coyatee Road which is a County road. She stated things had gone well until recently when other property owners became upset about the gate. Now there is a legal controversy between property owners regarding whether this road should be a private road or a County road. She urged the Commission to remain neutral on the issue until the Courts had ruled on the matter. **Lyn Bright** and **Ted McDonald**, both property owners, spoke in favor of this being made a public County road. **Mr. Bright** described his position of concern for emergency vehicles and mail delivery access and who would be responsible for maintenance if the road was made private. **Mr. McDonald** said that he has a tree farm on his property and doesn't live there and urged the Commission to make it a public road as it has always been. **Martin Brown, Chairman of the Planning Commission**, stated that this issue had been discussed by the Planning Commission some time ago and there was a 10-0 vote decision to make it a public road and that there had never been a petition to the Planning Commission to make it a private road.

**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 6th day of February, 2012. The **Honorable Roy Bledsoe** called the meeting to order.

**Commissioner Miller** 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, Shaver, Franke, Bledsoe, Duff, Yarbrough, Harrelson, and Miller: (10)**

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

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 February 6, 2012 Agenda be adopted.  
**Mayor Herron** requested adding to the Agenda Consideration of a Homeland Security Grant within the Budget Director's presentation.  
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)**  
**Minutes for**  
**January 3, 2011**  
**Approved**
- Chairman Bledsoe** requested that the January 9, 2012 County Commission Meeting Minutes be approved and accepted.  
A **motion** was made by **Commissioner Miller** with a second by **Commissioner Shaver** 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.  
**No one** came forward.
- (7)**  
**Board**  
**Appointments**  
**Approved**
- Estelle Herron, Loudon County Mayor**, requested consideration and possible action on the following item:
1. Consideration of a Resolution Approving Appointments to the Following Board/Committee:
    - a. Loudon County E-911 BoardA **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Meers** to approve these appointments.  
Upon voice vote the motion **Passed** unanimously.  
**Resolution 020612-A**
- (8)**  
**CDBG**  
**Application**  
**Approved**
2. Request Consideration of Approving a Resolution Authorizing Submission of a Community Development Block Grant Program Application to Fund Waterline Extensions to Unserved Areas Along Sections of Ross Road and Stockton Valley Road in Southwestern Loudon County. No matching funds required.  
A **motion** was made by **Commissioner Miller** with a second by **Commissioner Yarbrough** to approve this resolution.  
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Shaver, Franke, Bledsoe, Duff, Yarbrough, Harrelson, Miller, and Jenkins: (10)**  
The following Commissioners voted **Nay: (0)**  
The following Commissioner was **Absent: (0)**  
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**  
**Resolution 020612-B**

**(9)**  
**CASA**  
**Program**  
**For County**  
**Failed**

3. Request Consideration of Establishing a Court Appointed Special Advocacy Program for Loudon County.

**Mayor Herron** described the program's operation noting that a CASA Advocate can only be appointed by a Judge and the worker's are volunteers. The Loudon County Program would ask for a \$5. fee to be placed on all civil and criminal cases tried in the County. She stated that last year there were 10,036 of these cases which would result in over \$50,000. for the CASA program. There's an additional \$45. Victim's Assessment fee for those convicted of these offenses and this fee would be split between the County and the victims with \$3. of each assessment paid to the clerk of the court imposing the assessment and \$42. going to the County for the exclusive use of the victims program. The CASA program is currently active in Loudon County but is funded by other counties at this time.

A **motion** was made by **Commissioner Yarbrough** with a second by **Commissioner Harrelson** to approve this Program for Loudon County as stated.

**Commissioner Shaver** stated that the \$5. fee would be for Loudon County only – other counties do not have this fee - and pointed out that the resolution presented does not address this \$5. fee.

**Commissioner Yarbrough** moved to include the \$5. fee in her **motion** with a second by **Commissioner Harrelson**.

**Commissioner Miller** stated that these programs should be addressed as part of the Budget process and that this is a lot of money and much more than other non-profits get. He prefers a fixed dollar amount rather than fees. **Commissioner Franke** agreed that this should be part of the budget process and wanted to be sure this is not currently included in the County non-profits. **Commissioner Miller** would like to consider making this program part of the County non-profits. **Commissioner Yarbrough** spoke in support of the program. **Commissioner Miller** said that he had checked to be sure this program was not a duplication of the CAC and determined that it was not. He agreed that the program had a good mission. **Commissioner Duff** asked where the money given to the program was spent. **CASA** representatives stated that it was used to staff and manage the program – they currently have 11 volunteers in Loudon County. **Commissioner Meers** asked if there were other grants available to apply for later and the **CASA** response was that there were and they described those grants. **Commissioner Shaver** stated that he had two concerns – the existing resolution was unintelligible and ambiguous and didn't make sense and that he couldn't support a \$5. fee on all court cases because it was an additional tax on County residents. **Commissioner Harrelson** asked if the fees could be separated. **Mayor Herron** responded that there was a Tennessee Law from the State Legislature that allows the Counties to assess this fee if the Commission approves. **Commissioner Harrelson** asked who would provide these services for the County if the Commission doesn't and the general response was that nobody would.

Upon roll call vote the following Commissioners voted **Aye: Yarbrough, Harrelson, and Jenkins: (3)**

The following Commissioners voted **Nay: Maples, Shaver, Franke, Bledsoe, Duff, Miller, and Meers: (7)**

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

Thereupon the Chairman declared the motion **Failed: (3, 7, 0)**

**Resolution 020612-C**

**(10)**  
**No Motion**  
**On Electronic**  
**Voting System**

4. Request Consideration of Approving an Electronic Voting System for the Loudon County Commission.  
**No motion** was made on this proposal.

**(11)**  
**Debt**  
**Management**  
**Policy**  
**Summary**  
**Approved**

**Loudon County Commissioner, Don Miller**, requested consideration of approving the Loudon County Debt Management Policy Summary. A **motion** was made by **Commissioner Miller** with a second by **Commissioner Shaver** to approve this Summary. **Commissioner Yarbrough** stated that she didn't see the need for this Summary and that it had not been distributed to or reviewed by the public for their input. Therefore, she couldn't support it. **Commissioner Miller** responded that he had been requested by the Commission to produce the summary to make the larger Debt Management Policy easier for the public to understand. **Commissioner Yarbrough** stated that it should then be considered **Commissioner Miller's** document and not an official County document. Upon voice vote the motion **Passed** with one dissenting vote.  
**Exhibit 020612-D**

**(12)**  
**2012**  
**Roads List**  
**Approved**

**Loudon County Roads Commissioner, Eddie Simpson**, requested consideration and approval of the following:

1. Loudon County Roads List for 2012  
**Commissioner Franke** questioned the name of a road on the list and **Mr. Simpson** stated that this name coincided with the 911 List and **Commissioner Franke** stated that their list was also wrong and then made a correction to the length of another road. **Commissioner Miller** asked about a road that actually runs into private property being designated a "dead end" on the list and **Mr. Simpson** stated that that's how the County classifies such a road. A **motion** was made by **Commissioner Franke** with a second by **Commissioner Harrelson** to adopt the Roads List as presented. Upon voice vote the motion **Passed** unanimously.  
**Exhibit 020612-E**

**(13)**  
**County**  
**Repair**  
**Road Tile**  
**on Vonore Rd**  
**Approved**

2. Approval for the County Highway Department to replace a collapsing road tile on Vonore Road at Valley View Baptist Church which poses possible future home flooding in the area.  
**Chairman Bledsoe** asked **Vice-chairman Maples** to chair the meeting and he spoke in support of approval of this request noting that he had visited the site with **Commissioner Simpson** and that it was clear that this situation posed problems for homes in the area. **Chairman Bledsoe** resumed the Chair. Discussion focused on whether or not the County had originally installed this project and the response was that no documentation to prove that it had could be found but that local residents remembered and agreed that the County had installed it but they couldn't remember exactly when. **Commissioner Shaver** spoke against approving this work stating that he feared setting a precedent for the County to repair roads with no documented proof that the County had put the road in initially. **Mayor Herron** stated that this would be paid for with \$8,000. from the Highway Capital Projects Fund. Discussion continued regarding asking the Church to give the County an additional 5 ft. right-of-way easement to insure the County's interest in this project.

A **motion** was made by **Commissioner Harrelson** with a second by **Commissioner Meers** to approve giving the Highway Superintendant authority to do the work on Vonore Road at Valley View Baptist Church contingent upon the County getting an additional 5 ft. easement from the Church.

Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, and Maples: (9)**

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

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

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

**Exhibit 020612-F**

**Loudon County Commissioner, Bob Franke**, requested discussion and possible action on the following items:

**(14)**  
**Legal Opinion**  
**on Intent for**  
**Road to be**  
**Public**

1. YellowWood Subdivision Roads Situation.

Discussion included noting that, at request, a recommendation had been provided to the Commissioners by the County Attorney which could not be shared due to attorney/client privilege. The conclusion was that the initial intent was for Summitt Hill Road to be a public road - not a private road.

**(15)**  
**AG Center**  
**Proposal**  
**Presentation**

2. Multi-Use AG Center

**John Goddard, Director of Loudon County Farm Extension Office, David Brashears, and Donna Eason-Pile** presented information for the Commission on a proposal to build a multi-use "Agricultural Center" in Loudon County that would be a venue for a variety of uses from dog, horse, and trade shows to entertainment and a variety of activities that draw crowds too large for existing facilities. They expect such a facility to bring multiple users, be heavily booked, and generate strong revenue growth for the County. They're proposing a large 7,000 sq. ft. facility and recommend including camping accommodations. They first need to do a feasibility study and would apply for a \$25,000. Grant and request \$6,000. from Loudon County and \$4,000. from the City of Loudon to fund this study. They need to apply for the grant by April 1, 2012. An appropriate location for the facility and a timeframe for start-up would be determined by the feasibility study. They anticipate about a three-year timeframe to complete the project. They described similar facilities in other areas – particularly Rainsville, Alabama – and their successes. They noted that there are also similar facilities at Walter State in Morristown and at Roane State. They've received strong positive reaction to the project from everyone in the County that they've spoken to as well as from surrounding counties. **Commissioner Miller** asked who pays back the loans required to finance the building of the facility and the on-going maintenance costs and the response was that the facility income covers these costs. He asked if in Rainsville local communities contribute to the support of the facility there and the response was that they guarantee payment of the loans but that income from the facility pays all the costs so there's been no outlay from local communities. **Commissioner Yarbrough** stated that the Commission needs to pay attention to the sustainability of such a facility. **Commissioner Miller** asked if they could get information from Roane State and Walter State about their costs and the response was that this should be public record. He stated that the question for him was will this project be looking for money from the County in the future and the response was that they would be hoping for private donations and the expectations

that the facility would generate its own revenue to cover these costs. The Rainsville facility runs 365 days per year and has a small staff to keep things going. It has a 10 person managing board. The plan for Rainsville also includes a meeting facility for seating 5,000 that opens the venue up to many more users. **Commissioner Harrelson** requested that this be presented to the Budget Committee at their next meeting to further discuss the funding that would be required from the County and the participants agreed to come to that meeting.

**Loudon County Planning and Codes Director, Russ Newman**, requested consideration and possible action on the following item:

**(16)**  
**Accepting**  
**Public Roads**  
**Approved**

1. A Resolution Adopted by the Loudon County Commission Pursuant to Tennessee Code Annotated (TCA) § 13-3-406 Accepting Summitt Hill Drive, Bingham Hill Lane, Red Hill Lane, and Baxter Bright Road Located in YellowWood Subdivision, Phase 1 into the County Roadway System, said Roads Being Located in the 3<sup>rd</sup> Legislative District of Loudon County.

A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Maples** to approve the Planning Commission's recommendation to accept these roads as County Public roads.

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

**Resolution 020612-G**

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

**(17)**  
**Revised**  
**Salary Scale**  
**For Voting**  
**Workers**  
**Approved**

1. Consideration of a Recommendation to Approve a Revised Salary Scale for Early Voting and Election Day Workers.

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Jenkins** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Franke, Bledsoe, Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, and Shaver: (10)**

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

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

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

**Exhibit 020612-H**

**(18)**  
**Revised**  
**Fee Schedule**  
**For Animal**  
**Shelter**  
**Approved**

2. Consideration of a Recommendation to Approve a Revision to the Adoption Fee Schedule at the Animal Shelter.

A **motion** was made by **Commissioner Yarbrough** with a second by **Commissioner Shaver** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Bledsoe, Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, Shaver, and Franke: (10)**

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

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

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

**Exhibit 020612-I**



3. Consideration of a Recommendation to Approve Amendments in the Following Funds:

**(19)**  
**Fund 101**  
**Approved**

a. County General Fund 101

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Franke** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Duff, Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, Shaver, Franke, and Bledsoe: (10)**

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

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

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

**Exhibit 020612-J**

**(20)**  
**Fund 115**  
**Approved**

b. Public Library Fund 115

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

Upon roll call vote the following Commissioners voted **Aye: Yarbrough, Harrelson, Miller, Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, and Duff: (10)**

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

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

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

**Exhibit 020612-K**

**(21)**  
**Fund 141**  
**Approved**

c. General Purpose School Fund 141

A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Yarbrough** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Harrelson, Miller, Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, and Yarbrough: (10)**

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

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

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

**Exhibit 020612-L**

**(22)**  
**Fund 142**  
**Approved**

d. School Federal Projects Fund 142

A **motion** was made by **Commissioner Miller** with a second by **Commissioner Jenkins** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Miller, Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Yarbrough, and Harrelson: (10)**

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

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

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

**Exhibit 020612-M**

**(23)**  
**Homeland**  
**Security**  
**Grant**  
**Approved**

4. Consideration of Approving a Homeland Security Grant for \$31,971. No matching funds.

A **motion** was made by **Commissioner Duff** with a second by **Commissioner Franke** to approve this recommendation.

Upon roll call vote the following Commissioners voted **Aye: Jenkins, Meers, Maples, Shaver, Franke, Bledsoe, Duff, Yarbrough, Harrelson, and Miller: (10)**

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

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

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

- (24)  
**Summary  
Financial  
Statements  
Distributed**
- Budget Director, Tracy Blair**, requested that records reflect that the Summary Financial Statements for the month of January 2012 have been distributed.  
**Exhibit 020612-N**
- (25)  
**Notaries  
Approved**
- Loudon County Commissioner, David Meers**, made a **motion** with a second by **Commissioner Jenkins** to approve the following Notaries: ***Amanda Lynn DeBord; Robin Sims Wilson; Jim Buttram; and Tammy L. Moon.***  
Upon voice vote the motion **Passed** unanimously.  
**Exhibit 020612-O**
- (26)  
**Legislative  
Reviews  
Distributed**
- Commissioner Duff** distributed Legislative Documents as follows: the TCCA Key Bill List and a lengthy Legislative Review from the Tennessee County Newspaper.
- (27)  
**Comments:  
Non-Agenda  
Items**
- Chairman Bledsoe** asked that any visitor wishing to address the Commission regarding items not on the Agenda come forward.  
**Pat Hunter** asked about a legislative item – what was the status of School Boards requesting authority on taxation? She did not see this on the Legislative Reviews distributed. No one knew the status but **Commissioner Yarbrough** responded that the Counties would still oppose this. **Ms. Hunter** then asked about the School Building Program bids. She asked when the Commission would be borrowing additional funds and when will contracts be awarded? **Purchasing Director, Leo Bradshaw** responded that there was \$7M obligated and that the process would move faster now. He stated that a couple of bids came in too high and will be broken down and re-bid to try to reduce costs. **Commissioner Miller** stated that they were only authorized to spend \$10M in 2011 and reminded everyone that additional authorization would be required to spend more than this amount. **Mr. Bradshaw** responded that he understood that additional authorization was required for dispersal of monies but not prior to letting contracts and this was confirmed by **Mayor Herron**.
- (28)  
**Mayor's  
Comments:**
- Mayor Herron** announced that the County had completed its yearly audit process with no problems and thanked **Budget Director, Tracy Blair** for her excellent work! There was a supporting round of applause from all in the room!

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

**(29)  
Adjournment**

There being no further business, a **motion** being duly made and seconded, the February 6, 2012 County Commission Meeting stood adjourned at 8:20 p.m.

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**CHAIRMAN**

**ATTEST:**

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**COUNTY CLERK**

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**COUNTY MAYOR**

**LOUDON COUNTY COMMISSION**

**RESOLUTION 030512**

**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**

Appointee

**Howard Luttrell (6th District)**

Term Expiration

**June 30, 2012**

*NOW, THEREFORE, BE IT RESOLVED* that the County Commission meeting in regular session assembled this 5th day of March, 2012 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

**Ryan Bright (4<sup>th</sup> District)**

**Martin Brown (5<sup>th</sup> District)**

**Carlie McEachern (1<sup>st</sup> District)**

**Janice Terry (2<sup>nd</sup> District)**

Term Expiration

**June 30, 2012**

**June 30, 2012**

**June 30, 2013**

**June 30, 2013**

**LOUDON COUNTY COMMISSION**

**RESOLUTION 030512**

**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  
REGIONAL PLANNING COMMISSION**

Appointee

**Jimmy Brooks (3rd District)**

Term Expiration

**June 30, 2013**

*NOW, THEREFORE, BE IT RESOLVED* that the County Commission meeting in regular session assembled this 5th day of March, 2012 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>
<b>Pam McNew (1<sup>st</sup> District – Slot A)</b>	<b>June 30, 2012</b>
<b>Roger Hale (5<sup>th</sup> District – Slot A)</b>	<b>June 30, 2012</b>
<b>Martin Brown (5<sup>th</sup> District – Slot B)</b>	<b>June 30, 2013</b>
<b>John Napier (1<sup>st</sup> District – Slot B)</b>	<b>June 30, 2014</b>
<b>Janice Terry (2<sup>nd</sup> District – Slot A)</b>	<b>June 30, 2014</b>
<b>Ryan Bright (4<sup>th</sup> District)</b>	<b>June 30, 2014</b>
<b>Barbara J. Cardwell (2<sup>nd</sup> District – Slot B)</b>	<b>June 30, 2015</b>
<b>Harold Luttrell (6<sup>th</sup> District)</b>	<b>June 30, 2015</b>
<b>Carlie McEachern (LRPC)</b>	<b>Co-term</b>
<b>Monty Ross (LPC)</b>	<b>Co-term</b>

**A RESOLUTION OF THE LOUDON COUNTY COMMISSION DECLINING TO JOIN THE PROPOSED TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT FOR IMPLEMENTING THE TENNESSEE OVERSIGHT AGREEMENT ON ISSUES RELATED TO THE U.S. DEPARTMENT OF ENERGY'S ENVIRONMENTAL MANAGEMENT PROGRAM AND EMERGENCY MANAGEMENT ACTIVITIES AT THE OAK RIDGE RESERVATION**

**WHEREAS,** The Tennessee Oversight Agreement (TOA) was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety and environment are protected by DOE; and

**WHEREAS,** The Oak Ridge Reservation Local Oversight Committee, Inc. (LOC), a 501(c)(3) organization, was established in 1992 to act as a liaison initially with the counties of Anderson, Meigs, Rhea, Roane, and the city of Oak Ridge, with the counties of Knox, Loudon, and Morgan added later, on DOE or State activities requiring local government action or participation; and

**WHEREAS,** The LOC Board of Directors, by a resolution, dissolved the Oak Ridge Local Oversight Committee, Inc. effective January 9, 2012 (a copy of the resolution is attached as Exhibit A); and

**WHEREAS,** A Proposed Tennessee Oversight Interlocal Agreement (Proposed TOIA) between the Counties of Anderson, Knox, Loudon, Meigs, Morgan, Rhea, Roane and the City of Oak Ridge has been drafted for the local governmental entities to meet on a regular basis regarding DOE or State activities requiring local government action or participation through June 30, 2016 (a copy of the Proposed TOIA is attached as Exhibit B); and

**WHEREAS,** After thoroughly reviewing and discussing the Proposed TOIA, Loudon County declines to join or become a party to it.

**NOW, THEREFORE, BE IT RESOLVED** that Loudon County through this Resolution hereby formally declines joining or becoming a party to the Proposed TOIA attached hereto as Exhibit B.

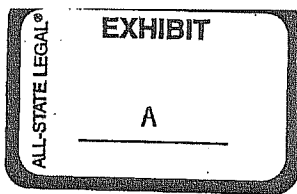
**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be recorded upon the minutes of this meeting and Loudon County authorizes the Mayor or her representative to submit a copy of it to Mayor Thomas Beehan of Oak Ridge, Mayor Myron Iwanski of Anderson County, Mayor Tim Burchett of Knox County, Mayor Garland Lankford of Meigs County, Mayor Don Edwards of Morgan County, Mayor George Thacker of Rhea County and County Executive Ron Woody of Roane County informing them of Loudon County's decision not to join the Proposed TOIA.

This Resolution adopted this the \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Darlene Russell, County Court Clerk

\_\_\_\_\_  
Estelle Herron, Mayor

\_\_\_\_\_  
Roy Bledsoe, Chairman



RESOLUTION

WHEREAS, the Tennessee Oversight Agreement (TOA) was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety and environment are being protected by DOE; and

WHEREAS, the TOA states that the DOE and the State commit to maintaining a direct and open relationship with local governments, and that affected local governments will have direct access to Tennessee and DOE officials on a regular basis; and

WHEREAS, the Oak Ridge Reservation Local Oversight Committee, Inc. (LOC) is a 501(c)(3) organization established in 1992 to liaison initially with the counties of Anderson, Meigs, Rhea, Roane, and the City of Oak Ridge (affected local governments), with the counties of Knox, Loudon, and Morgan added later, on DOE or State activities requiring local government action or participation; and

WHEREAS, the Mayor/Executive of each of the affected local governments, plus the chairs of the LOC Citizens' Advisory Panel (CAP), Oak Ridge Environmental Quality Advisory Board (EQAB), and Roane County Environmental Review Board (RCERB), serve on the LOC Board of Directors and are voting members of the LOC Board; and

WHEREAS, the LOC Board desires to engage DOE and State officials directly and believes this could be accomplished without the continuation of the LOC as a separate, 501(c)(3) organization; and

WHEREAS, the LOC Board urges the remaining affected local governments to adopt the new Tennessee Oversight Interlocal Agreement within forty-five days; and

WHEREAS, the LOC Board urges the new Board of Mayors/Executive to meet pursuant to the new Tennessee Oversight Interlocal Agreement within forty-five days; and

WHEREAS, the LOC Board encourages additional citizen participation through organizations such as the DOE Site Specific Advisory Board, the Roane County Environmental Review Board, and the Oak Ridge Environmental Quality Advisory Board to contribute to DOE and State decisions affecting the local governments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE OAK RIDGE RESERVATION LOCAL OVERSIGHT COMMITTEE, INC.:

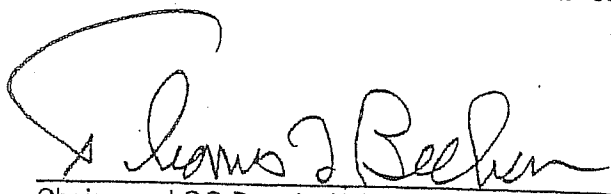
That the Oak Ridge Reservation Local Oversight Committee, Inc. is hereby dissolved effective January 9, 2012; and

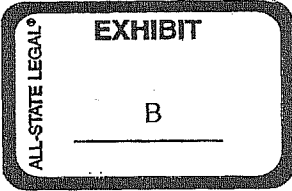
BE IT FURTHER RESOLVED THAT the Chairman, in consultation with legal counsel, is hereby authorized to meet with the State and DOE to commence the transition, and to execute the appropriate legal documents in order to accomplish the dissolution of the LOC, Inc. and transition to the Board of Mayors/Executive pursuant to the Tennessee Oversight Interlocal Agreement, including transition of any grants, disposition of the corporation's assets, and to honor any outstanding legal obligations.

BE IT FURTHER RESOLVED THAT the Chairman is hereby authorized to request that the City of Oak Ridge serve as the fiscal agent/grantee on an interim basis during the transition to the new Board of Mayors/Executive pursuant to the Tennessee Oversight Interlocal Agreement, and to request that Anderson County serve as the fiscal agent/grantee on an interim basis in the event the City of Oak Ridge is unable or unwilling to serve.

BE IT FURTHER RESOLVED THAT the Chairman is hereby authorized to terminate employment of employees, pay all earned compensation and two weeks' severance pay.

This the 9th day of January 2012.

  
Chairman, LOC Board of Directors



TENNESSEE OVERSIGHT INTERLOCAL AGREEMENT

Between the Counties of Anderson, Knox, Loudon, Meigs, Morgan, Rhea, Roane along with the City of Oak Ridge to Cooperate on Issues Related to the U.S. Department of Energy's Environmental Management Program and Emergency Management Activities

WHEREAS, the Tennessee Oversight Agreement (TOA) was established between the State of Tennessee (State) and the U.S. Department of Energy (DOE) in May 1991 to assure the citizens of Tennessee that their health, safety and environment are being protected by DOE; and

WHEREAS, the Tennessee Oversight Agreement has been renewed for the period July 1, 2011 through June 30, 2016; and

WHEREAS, the TOA states that the DOE and the State commit to maintaining a direct and open relationship with local governments, and that affected local governments will have direct access to Tennessee and DOE officials on a regular basis; and

WHEREAS, the affected local governments for the purpose of TOA implementation are the counties of Anderson, Knox, Loudon, Meigs, Morgan, Rhea, Roane, and the City of Oak Ridge; and

WHEREAS, although each jurisdiction fully reserves the right to pursue its own interests, through communication, cooperation, and joint utilization of resources, the Mayors and County Executive of the affected local governments desire to meet on a regular basis regarding DOE or State activities requiring local government action or participation pursuant to the TOA.

I. PURPOSE

This Interlocal Agreement is established among the affected local government jurisdictions for the purpose of implementing the Tennessee Oversight Agreement. The objective of the Interlocal Agreement is to provide:

- A. A mechanism for ongoing review and study of DOE's current and planned environmental program at the Oak Ridge Reservation (ORR)
- B. A forum for local governments and citizens to communicate about environmental issues and public concerns related to the Oak Ridge Reservation
- C. A forum to enhance emergency management planning and training related to the ORR
- D. Position statements, as needed, pertaining to policies, projects, issues and studies related to the ORR



II. PARTIES TO THE AGREEMENT

The Parties to the Agreement shall be the local governments most directly affected by the implementation of the Tennessee Oversight Agreement. These are: (1) Anderson County; (2) Knox County; (3) Loudon County; (4) Meigs County; (5) Morgan County; (6) Rhea County; (7) Roane County; and (8) the City of Oak Ridge.

III. ORGANIZATION

A. **Board of Mayors/Executive**

Upon the execution of this agreement, a Board of Mayors/Executive is herein created (Board). This Board consist of the Mayors of each affected local governments and the Roane County Executive.

B. **Officers**

There shall be a Chairperson and Vice-Chairperson elected from among the Board to serve one-year terms effective January 1 of each year.

IV. OPERATION

- A. The Board shall meet annually to approve a budget and work program for the coming year, and at least once per quarter thereafter, and at other times as needed. Meetings shall be open to the public.
- B. The Board shall take recommendations and establish agenda items from their respective local government jurisdictions, including Environmental Review Boards and the public.
- C. Work with TEMA, DOE, and other agencies and local government jurisdictions on emergency management preparedness.
- D. The Board may establish subcommittees from time to time to study and report on issues.
- E. Each Board Member has an equal vote on all issues. Each Board Member shall be entitled to appoint a proxy as needed in the event of his/her absence at a meeting.

V. ADMINISTRATION

The Board shall appoint a Fiscal Agent (FA), which shall be a governmental entity. The FA shall:

- A. Receive a normal and customary fee of One (1%) percent of revenue (Trustee's commission);

- B. Receive, distribute, and report financial activities related to the grant to the parties, state and public;
- C. Disburse funds under the direction of an annual budget and/or approval of the expenditures by the Agreed Parties;
- D. Be an ad hoc secretary to the parties by preparing and maintaining all minutes of the Advisory Board;
- E. Assist with meeting logistics and distribution of materials.

VI. DURATION OF THE AGREEMENT

This agreement shall be effective when signed by the participating jurisdictions and shall continue through June 30, 2016. The term of this agreement may be extended thereafter with the written approval of the participating jurisdictions.

VII. AMENDMENT

This Agreement may be amended by a majority vote of the Board.

VIII. WITHDRAWAL

At any time a local government jurisdiction may withdraw from this agreement by providing written notification to the parties.

This Interlocal Agreement is signed by the Agreed Parties this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Anderson County Mayor

\_\_\_\_\_  
Knox County Mayor

\_\_\_\_\_  
Loudon County Mayor

\_\_\_\_\_  
Meigs County Mayor

\_\_\_\_\_  
Morgan County Executive

\_\_\_\_\_  
Rhea County Executive

\_\_\_\_\_  
Roane County Executive

\_\_\_\_\_  
City of Oak Ridge Mayor

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A  
USDA RURAL DEVELOPMENT AGENCY RURAL BUSINESS ENTERPRISE GRANT  
TO FUND A MARKET FEASIBILITY AND ECONOMIC IMPACT STUDY OF A  
MULTI-USE AGRICULTURAL FACILITY**

**WHEREAS**, Loudon County supports agricultural programs within the county and East Tennessee region, and

**WHEREAS**, the agricultural community has expressed a need for a multi-use agricultural facility to host livestock shows, expos, large meetings, and other community and regional events, and

**WHEREAS**, Loudon County is interested in promoting and growing its agricultural resources and creating economic development opportunities through tourism, job creation, and capital investment, and

**WHEREAS**, Loudon County desires to commission an independent market feasibility and economic impact study to evaluate the market demand for such a facility and the economic effect it would have on the community, and

**WHEREAS**, the USDA Rural Development Agency Rural Business Enterprise Grant (RBEG) program provides up to \$20,000 grants for rural projects that finance and facilitate development of small and emerging rural businesses, and

**WHEREAS**, the RBEG grant requires a local match of 25% of total project costs plus any cost overruns, and

**WHEREAS**, Loudon County estimates that total project costs for such a study would be \$30,000, and

**WHEREAS**, the City of Loudon has agreed to share 40% or \$4,000 of the local cost share requirement of the grant and the additional project costs, and

**WHEREAS**, Loudon County must submit a formal application to be considered for funding, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Loudon County Commission hereby authorizes the Mayor or her representatives to prepare and submit a USDA Rural Business Enterprise Grant (RBEG) grant application in the amount of \$20,000 to partially finance the cost of an independent market feasibility and economic impact study for a multi-use agricultural facility, and

**BE IT FURTHER RESOLVED**, that Loudon County agrees to contribute \$6,000 in order to satisfy the local share requirements of the USDA Rural Development RBEG program and balance of the costs associated with the project.

This Resolution adopted this the 5th day of March 2012

Attest:

\_\_\_\_\_  
Loudon County Commission Chair

\_\_\_\_\_  
Loudon County Clerk

Approved:

\_\_\_\_\_  
Loudon County Mayor

## CERTIFICATE OF ELECTION OF NOTARIES PUBLIC

**As Clerk of the County of Loudon, Tennessee, I hereby certify to the Secretary of State that the following were elected to the office of Notary Public during the March 5, 2012 meeting of the governing body:**

**NAME**

Starlet Rene Summitt

Whitney Edwards

Diane Link

Jacqueline E. Trice

Timmy L. Tallent

Hannah Dewsen

Brittany R. Monger

Yurisan Cornejo

Thomas J. Cook

Deborah R. Baker

Kimberly L. Gage

G. Keith Alley

Lisa P. Packett

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**County Clerk for Loudon, Tennessee**

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**Date**