

LOUDON COUNTY COMMISSION
STATE OF TENNESSEE
COUNTY OF LOUDON
September 3, 2013
6:00 PM

INTRODUCTION

- (1) **Leadership Loudon County Class of 2013 Introduced to County Commission** Mayor Herron introduced Klair Kimmey, Leadership Coordinator for the Loudon County Class of 2013, who then introduced the members of the class to the County Commission. Michelle Lewis, Education Foundation Executive Director, was also present.
- | | | |
|----------------|----------------|------------------|
| Jeanne Barker | Jim Bellune | Michael Bobo |
| Jeremy Buckles | Jason Doyle | Tammy Lane |
| Steve Meadows | Tim Sayers | Daryl Smith |
| Matthew Tinker | Patricia Wells | Sharon Yarbrough |

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 3rd day of September, 2013. The **Honorable Roy Bledsoe** called the meeting to order.
- Commissioner Meers** 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, Quillen, Franke, Bledsoe, Duff, Yarbrough, and Harrelson: (9)**
The following Commissioner was **Absent: Miller: (1)**
Thereupon **Chairman Bledsoe** announced the presence of a quorum.
Present was the **Honorable Mayor Estelle Herron.**
- (4) **Election of Commission Chairman for Sept 2013-Aug 2014 Term** **Mayor Estelle Herron** requested nominations for the election of the Loudon County Commission Chairperson for the September 2013-August 2014 Term. A **motion** was made by **Commissioner Meers** with a second by **Commissioner Franke** to nominate **Commissioner Bledsoe** to another term as Chairman and to close the nominations.
Upon voice vote the motion **Passed** unanimously.
- (5) **Election of Chair Pro-Tempore for Sept 2013-Aug 2014 Term** **Chairman Bledsoe** requested nominations for the election of the Loudon County Commission Chair Pro-Tempore for the September 2013-August 2014 Term. **Commissioner Franke** nominated **Commissioner Maples** to another term as Chair Pro-Tempore. A **motion** was made by **Commissioner Quillen** with a second by **Commissioner Jenkins** to approve **Commissioner Maples** as Chair Pro-Tempore for the Sept 2013- Aug 2014 Term.
Upon voice vote the motion **Passed** unanimously.

(6)
Agenda
Adopted
As Amended

Chairman Bledsoe requested that the September 3, 2013 Agenda be adopted. **Mayor Herron** requested adding to the Agenda Consideration of a Resolution Authorizing the County to Make Application for an Appalachian Regional Commission Grant. She also requested deletion of the item regarding the Eaton Crossroads Ruritan Club Property from her items. A **motion** was made by **Commissioner Harrelson** with second by **Commissioner Yarbrough** to adopt the Agenda as amended. Upon voice vote the motion **Passed** unanimously.

(7)
Minutes for
August 5, 2013
Approved

Chairman Bledsoe requested that the August 5, 2013 County Commission Meeting Minutes be approved and accepted. A **motion** was made by **Commissioner Duff** with a second by **Commissioner Quillen** to approve these minutes. Upon voice vote the motion **Passed** unanimously.

(8)
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.

Estelle Herron, Loudon County Mayor, requested consideration and possible action on the following items:

(9)
Application
For Appalachian
Regional
Commission
Grant
Approved

1. Request Consideration of Approval of a Resolution of Loudon County, Tennessee Authorizing the County to Make Application for an Appalachian Regional Commission Grant and Take Through Its Authorized Representative Such Further and Additional Action as Herein Authorized

A **motion** was made by **Commissioner Franke** with a second by **Commissioner Harrelson** to approve this Resolution. Upon voice vote the motion **Passed** unanimously.

Resolution 090313-A

(10)
Boards/
Committees
Appointments
Approved

2. Request Consideration and Approval of the following Board/Committees Appointments.

a. Loudon County Agricultural Extension Committee
b. Loudon County Animal Control Advisory Committee
c. Loudon County Ethics Committee
d. Industrial Bond Board of Loudon County, Inc.

A **motion** was made by **Commissioner Harrelson** with a second by **Commissioner Yarbrough** to approve all of the above Board/Committee appointments. Upon voice vote the motion **Passed** unanimously.

Resolutions 090313-B-E

(11)
Riverside
Cemetery
Action
Approved

3. Request Consideration of Whether or Not the County Should Assume Responsibility for the Riverview (Riverside) Cemetery and Place it into a Trusteeship.

Mayor Herron opened the discussion by indicating that she believes the County needs to go back to the Court and ask a Judge to appoint a new Board of Trustees, consisting of the Mayor as chairman and four other members.

Commissioner Meers raised the question of whether or not all persons buried here had been legal residents of the County.

Mayor Herron asked **County Attorney Bob Bowman** to speak to the Commission regarding a proposed course of action to resolve these problems. She shared new information regarding the name of the cemetery saying that she had recently learned that this was actually three separate cemeteries which would explain why research had encountered several names for the property.

Attorney Bowman requested that the Commission authorize him to go to the Chancery Court and seek to have a new Board of Trustees appointed for the Riverside Cemetery consisting of the Mayor as Chair and four other members and this Board of Trustees would then form some type of Non-Profit Corporation to manage the property and set up rules and regulations to include who can be buried there. He noted that it's very tough to go back and change burial sites that already exist.

Commissioner Meers acknowledged this and said that the "County resident only" policy would be going forward from here– and not go back to existing graves.

Commissioner Yarbrough asked if this was considered a "County" grave site.

Attorney Bowman responded that it was not owned by the County but that about 100 years ago it was deeded to the citizens of Loudon County for grave sites. Over time people began to encroach on the property and that caused the Court to set up the original Board of Trustees which then set up a corporation to manage and maintain the cemetery. By about 1986 everyone from this original board had died and the corporation collapsed. Based on this situation, **Attorney Bowman** is requesting that the Commission give him permission to file the above action. Following discussion

Chairman Bledsoe asked **Attorney Bowman** to repeat his request to the Commission prior to the vote and **Attorney Bowman** repeated his request that the Commission authorize him to file a Chancery Court action to have a new Board of Trustees appointed, with the Mayor as Chair and four additional members, for the Riverside Cemetery which would then set up a Non-profit Corporation to manage the property, maintain it, and establish rules and regulations for its use. **Mr. Bowman** also noted that Court records refer to this as **Riverside Cemetery** and that it's about 10 acres. He emphasized that they would need to have perspective board members identified over the next thirty days and **Mayor Herron** responded that she had already identified those perspective members.

A **motion** was made by **Commissioner Meers** with a second by **Commissioner Harrelson** to accept **Attorney Bowman's** recommendation and approve this request. Upon voice vote the motion **Passed** unanimously.

4. Request Consideration of How to Proceed with Solutions to the Following Space Utilization Issues Facing the County.

(12)
Disposal of
E-911 Center
Trailer and
Two PODs
Approved

- a. **Mayor Herron** spoke first about the E-911 Center, which is a double-wide trailer next to the Justice Center, and two County-owned POD's at the Elementary School. She requested Commission's permission to take pictures of these and post them on the "Government Deals" website for sale.

Commissioner Yarbrough asked if there was anything in these buildings and **Mayor Herron** responded that she didn't think so because the windows are in the up position and they've been sitting this way for several years.

A **motion** was made by **Commissioner Quillen** with a second by **Commissioner Jenkins** to authorize the **Mayor** to take this action.

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

(13)
Old House
& 3 Bay
Garage
Clean Out
Approved

b. An old house and adjacent three-bay garage were discussed next. **Mayor Herron** reported that there was lots of “surplus stuff” in these buildings including 20-25 chairs stacked up and items belonging to the Fire Department stored here. She said that she would notify the Fire Department to look at these items to see if they were useable before taking any action. She requested Commission’s permission to clean out and clean up these buildings. A **motion** was made by **Commissioner Franke** with a second by **Commissioner Quillen** to authorize the Mayor to take this action. Upon voice vote the motion **Passed** unanimously.

(14)
Disposal of
18 Wheeler
Trailer
Approved

c. **Mayor Herron** reported that in addition to all the above there was an 18-wheeler trailer parked behind the three-bay garage. She doesn’t know what’s inside it but it’s rusted and in poor condition and she doesn’t believe it’s safe to enter. She would like Commissions approval to dispose of this also. **Chairman Bledsoe** granted her **Commission authorization** to take care of this along with the above items.

(15)
90-Day
Space
Utilization
Study By
Mayor and
Dir of Schools
Approved

d. The next property discussed was The Technical Center which was recently inspected by the Mayor and a majority of Commissioners. The **Mayor** asked the Commissioners for their recommendation on what to do with this facility. **Commissioner Yarbrough** recommended the Commission get a recommendation from the School Department. **Commissioner Franke** said that it needed to be cleaned up and organized. **Chairman Bledsoe** said that the Chair would accept a motion. **Commissioner Franke** made a **motion** with a second by **Commissioner Meers** that the **Mayor** work with **Director Vance** and the **School Board** to determine what to do with this facility. **Commissioner Duff** asked who owned the property. The **Mayor** responded that the County owns the County Office Building and, regarding the 25 acres on Harrison Road, the Tech Center and 15 acres are owned by the School Board and the 10 acres adjacent to that are owned by the County. **Commissioner Yarbrough** then asked why the County Commission was making recommendations for a school property. **Mayor Herron** responded that the School Board had asked for \$400,000. to put a new roof on this building and the Mayor has asked for \$300,000. to add on to the County Office Building and the \$300,000. will have to be borrowed. She said that if she could move her offices and people, along with the Finance Center, to the Technical Center she would do so tomorrow but the Mayor’s office must stay in the County Seat and cannot move. However, the School Board could move, with no problem for them, to a 45,000 sq. ft. building. She stated that the Adequate Facilities Tax has \$1M in it today. This money could be used to put a new roof on the building and remodel it without ever having to borrow any money and the School Board would have 45,000 sq. ft. of space. She spoke about the amount of time spent searching through old County records to do research and what a daunting task it is when the records are spread around in different offices and many in long term storage spaces. She is currently taking steps to have these documents scanned so that they will be available to everyone from their computer. She has hired a new employee specifically to do this scanning job which she estimates will take 1- 1 ½ years. This individual will be a permanent County employee, as the County File Clerk, to maintain the scanning in an on-going basis and manage the records. Solid Waste also wants to get their records scanned and they need a place to work but the Mayor has no space to offer them. She noted that the School Board was equally cramped on their side of the County Office Building.

Commissioner Franke made a **motion** that the **Mayor** work with the **Director of Schools** and that together they work out what works best for everyone, as well as the County, and return within 60-90 days with a proposal to present to the Commission. **Director Vance** said that the Mayor was right that their offices were also crowded in the County Office Building but that he had some concerns about moving. He asked for the Commission's permission to work together with the Mayor on an approach and then have an architect come in to help out with a plan. **Commissioner Franke's motion** was **seconded** by **Commissioner Meers**. **Mayor Herron** emphasized again that they were really crowded and action was needed as soon as possible. She said that they have no where to store their year-end records for 2013 at this time. She also said that the Schools should be using a scanned records system as well to help with space utilization. **Commissioner Yarbrough** said that what was needed was a "facilities usage" study with a long range plan for everyone in County government. **Commissioner Meers** said they need to look at both a long and short term plan for facilities usage. **Commissioner Franke** said that 90 days might not be long enough to come up with a plan and **Commissioner Duff** asked the Mayor if this was enough time. The Mayor responded that they were beginning the scanning project with the County Commission's Minutes Books, beginning with 1971, which would result in 33 books being scanned. She estimates about 4-6 months to scan these and then **County Clerk Darlene Russell** would like to get the County Marriage Records scanned. **Chairman Bledsoe** asked for a roll call vote on the **motion** that the Mayor and Director of Schools work together on a 90-day study to resolve the space and facilities usage problems and then return to the Commission with a proposal. Upon roll call vote the following Commissioners voted **Aye: Maples, Quillen, Franke, Beldsoe, Duff, Yarbrough, Harrelson, Jenkins, and Meers: (9)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: Miller: (1)**
Thereupon the Chairman declared the motion **Passed: (9, 0, 1)**

Loudon County Budget Director – Tracy Blair was not present and **Mayor Herron** presented her items for Commission consideration.

(16)
Fund 101
Approved

1. Request Consideration of a Recommendation to Approve Amendments to the Following Funds:
 - a. County General Fund 101

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

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

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

The following Commissioner was **Absent: Miller: (1)**

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

Exhibit 090313-F

(22)
Funding For
3 Year Road
Improvements
Project on
Simpson Rd
Approved

6. Consideration of a Recommendation to Approve Funding for a Three-Year Road Improvement Project on Simpson Road; Total Required Local Match of \$179,000. Divided Equally Between Loudon County and the City of Lenoir City.

A **motion** was made by **Commissioner Quillen** with a second by **Commissioner Harrelson** to approve this recommendation.

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

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

The following Commissioner was **Absent: Miller: (1)**

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

Exhibit 090313-I

(23)
Acceptance of
Byrne/JAG
Law
Enforcement
Grant
Approved

7. Consideration of a Recommendation to Approve Acceptance of a Byrne/JAG Law Enforcement Grant in the Amount of \$15,000. ; 25% Matching Funds Provided from County Drug Fund 122.

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

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

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

The following Commissioner was **Absent: Miller: (1)**

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

(24)
Notaries
Approved

Loudon County Commissioner, David Meers, made a **motion** with a second by **Commissioner Franke** to approve the following Notaries: ***Janna B. Albright; Kelli C. Branam; Margaret Forsythe; Wanda H. Johnson; Cynthia M. Kolevar; Darlene McNabb; Victor M. Millsaps; Jeffrey Potts; Nicole S. Rogers; Sandra Scott; and Rose White.***

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

Exhibit 090313-K

(25)
Comments:
Non-Agenda
Items

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

Commissioner Franke publically apologized for a response he provided at the County Commission Special Called Meeting to pass the 2013-2014 Budget on July 15, 2013. His comments related to the 2% salary increase for County employees proposed in the new budget and a question regarding how much of that pay increase would be absorbed by the increase in health insurance premiums. His response was that the "average" result would be about a \$58. increase each pay period after the health insurance premium increase was deducted. He acknowledged that he had not taken into consideration all the other deductions taken from employee's pay when he made that calculation and he apologized for any misleading information regarding the net result of the employee's pay raise.

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

**(26)
Adjournment**

There being no further business, a **motion** being duly made and seconded, the September 3, 2013 County Commission Meeting stood adjourned at 7:10 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR