

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

COUNTY OF LOUDON

October 6, 2014

6:00 PM

PUBLIC HEARING

- A. **A Resolution Amending the Zoning Map of Loudon County, Tennessee, Pursuant to Chapter 7, §13-7-105 of Tennessee Code Annotated, to Rezone Approximately 16.3 Acres from A-1 (Agricultural District) to C-2 (General Commercial District). Referenced by Tax Map 2, Parcel 92.00 Located on Buttermilk Road and Paw Paw Plains Road, Situated in the 5th Legislative District.**
- B. **A Resolution Amending the Zoning Map of Loudon County, Tennessee, Pursuant to Chapter 7, § 13-7-105 of Tennessee Code Annotated, to Rezone Approximately 38.1 Acres from A-2 (Rural Residential District) to R-1 (Suburban Residential District) with Planned Unit Development (PUD) Overlay at 1.5 Units Per Acre, Referenced by Tax Map 51B, Group A, Parcels 1.00-20.00, 22.00, 8.03, and Part of Parcel 8.00 Located on Coytee Road, Including All Lots in Yellow Wood Subdivision, Phase 1 (to be Renamed River Cove), Situated in the 3rd Legislative District.**

Richard Anklin spoke in favor of allowing the Rossi's development to go forward. He said he has known the Rossi's for over 7 years and that they have paid their taxes on the property over the past 5 years and he trusts them to do what they say they'll do.

Chris Sharp, a contractor working with the Rossi's since 2005/06, described the plan for the development for 1 house per acre for a total of 40 units on 53 acres.

William Gosh, who lives in the area, said the development has been going on for 9 years and they only have 1 house built which is currently for sale. He said there has been a lot of plans but nothing more. He feels the A-2 Zoning is as far as they should go and that R-1 Zoning would not be good for the community.

Throughout the discussion, the requirement for the width of the road coming into the development and whether or not it was acceptable was brought up.

Stewart Rossi, property owner and developer, said the development started in 2007 and they have held their own and paid their taxes throughout. He said the road into the development is 22 feet wide and that another developer got zoning approval with a 13 foot road and that he (Rossi) was asked to not be at the Planning Commission meeting when this was approved because, in his opinion, it would have meant that the Planning Commission would have had to approve his request as well.

Commissioner Meers asked about the water and sewer situation and the Contractor responded that the plan was to bring public water – no sewer - into the development.

Mr. Rossi said that they have already committed to providing water and sewer which they will pay for.

Commissioner Satterfield asked if the road coming into the development was acceptable as it is and the Contractor responded that it would be up to the Planning Commission to approve or not.

Loudon County Roads Superintendant, Eddie Simpson, said the City requires a 16 foot minimum of road to get approval of a sub-division. He doesn't know about the County requirement.

Planning and Codes Representative, Jim Jenkins, said that he had not been involved in the road discussions but the Planning Commission does not think the road meets specifications. He said Coytee Road is a County Road and that parts of it are only 11 feet wide and he thinks the Planning Commission denied rezoning approval because of the road.

Mr. Rossi responded that, according to the Planning Commission, it was because of "Spot Zoning" that it was denied and that he would take care of the water, sewer and infrastructure issues.

Commissioner Shaver said the County has planning zones for a reason and that this development has a road issue and lacks water and sewer and that's why the rezoning was denied.

Mr. Rossi said that there will be water and sewer that he will provide.

Deborah Rossi said they already have permission to put the development in and they will know exactly what's required in the way of infrastructure as they go along but they need the zoning change before they can proceed with the development.

Pam Owens, a realtor in Loudon County, who works with the Rossi's said the development is good for the County – it will bring in tax dollars and should not impact the schools as she for sees more retirees being attracted to this type of community. She said that she supports the Rossi's in being able to build this development.

Charles Frosh (Ken), resident of Rarity Bay, said he met the Rossi's in 2009 and that he made a mistake when he chose the Rarity Bay Development. He wants to live in a cluster house community in the Rossi's development and asks the Commission to approve their request.

REGULAR MEETING

- (1)**
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 October, 2014.
The **Honorable Steve Harrelson** called the meeting to order.
- Commissioner Brewster** opened the County Commission Meeting, led the Pledge of Allegiance to the Flag of the United States of America and gave the invocation.
- (2)**
Roll Call
- Present were the following Commissioners: **Brewster, Meers, Maples, Tinker, Satterfield, Harrelson, Bradshaw, Duff, Shaver, and Cullen: (10)**
The following Commissioner was **Absent: (0)**
Thereupon **Chairman Harrelson** announced the presence of a quorum.
Present was the **Honorable Mayor Buddy Bradshaw**.
- (3)**
Agenda Adopted As Amended
- Chairman Harrelson** requested that the October 6, 2014 Agenda be adopted.
Mayor Bradshaw requested the addition of an item to his presentation to change his appointee to the Loudon County Chamber of Commerce.
A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Brewster** to adopt the Agenda as Amended.
Upon voice vote the motion **Passed** unanimously.

- (4) **Minutes for Sept. 8, 2014 Approved** **Chairman Harrelson** requested that the September 8, 2014 County Commission Meeting Minutes be approved and accepted. A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Tinker** to approve these minutes. Upon voice vote the motion **Passed** unanimously.
- (5) **Comments: Agenda Items** **Chairman Harrelson** asked that any visitor wishing to address the Commission regarding items on the planned Agenda come forward. **Pat Hunter** spoke about the removal of weapons signs from County Buildings and her safety concerns around the issue of people carrying weapons in these buildings. She cited the presence of children in the County Office Building since the School Board offices are located there and the fact that the Annex Building has the Conference Room where meetings are held. She suggested talking to the County Attorney about this before taking action. She also commented on the Rossi development issue and said that she can understand how the Rossi's would be concerned if another developer was able to get a permit in the same circumstances and they were not. She said the County needs quality developments. **Richard Truitt** spoke against being allowed to bring guns into County buildings – he's against this 100%.
Loudon County Mayor, Buddy Bradshaw, requested consideration and possible action on the following items:
- (6) **Request to Legislators To Rename Bridge For Judge William H. Russell Approved** 1. Request Consideration of Approval of a Resolution Requesting our State Legislative Delegation to Rename the Bridge Crossing Sweetwater Creek on State Road 323 (Pond Creek Road) in Philadelphia for Judge William H. Russell. A **motion** was made by **Commissioner Brewster** with a **second** by **Commissioner Bradshaw** to approve this resolution. Upon voice vote the motion **Passed** unanimously.
Resolution 100614-A
- (7) **Cell Tower Study Committee Established Approved** 2. Request Consideration of Approval of a Resolution Establishing Making Appointments to a Loudon County Cell Tower Study Committee. A **motion** was made by **Commissioner Shaver** with a **second** by **Commissioner Duff** to approve this request. Upon voice vote the motion **Passed** unanimously.
Resolution 100614-B
- (8) **Registered Letter Sent to Warrior's Chase Developer** 3. Addressing the Street Conditions Situation In Warrior's Chase Subdivision. **Mayor Bradshaw** reported that the County Planning Officer had sent a registered letter to the remaining developer of Warrior's Chase Subdivision addressing this issue and that we are awaiting a response from him.
- (9) **Weapons Signs Removal Pending Discussions With County Attorney** 4. Addressing the Removal of Weapons Signs in County Buildings. **Mayor Bradshaw** said that the weapons signs had been put up originally by the County Commission and that he felt he needed their approval to remove them. He feels that people carrying weapons in the buildings will make them safer and deter anyone who may be intending to do harm. **Commissioner Shaver** made a **motion** with a **second** by **Commissioner Bradshaw** to approval the removal of the weapons signs from County Office Buildings.

Commissioner Shaver said this would only apply to the two County Office Buildings – the Mayor’s Office Building and the Courthouse Annex Building – and that security in the other buildings would be determined by the other Departments.

He noted that heightened security in the Old Courthouse Building is in effect five-days a week now. He believes responsibility for this building comes under the Sheriff’s Department.

Commissioner Meers suggested that the Mayor speak with the County Attorney on this to make sure this doesn’t expose the County to liabilities.

Commissioner Shaver commented that he believes the liability came in when the signs were put up.

Commissioner Brewster said that she felt that it was still a good idea to discuss this with the County Attorney before following through with it primarily because of the children.

Mayor Bradshaw adjusted his motion to “The Removal of Weapons Signs from County Office Buildings pending the results of discussions with the County Attorney”.

Commissioner Shaver and **Commissioner Bradshaw** agreed and their **motion** and **second** remain.

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

(10)
New Appointment To L.C. Chamber of Commerce Board
Approved

5. Request Consideration of Approval of the Appointment of Commissioner Henry Cullen to the Loudon County Chamber of Commerce Board to Replace Commission Harold Duff who has requested to be replaced after nine years of serving.

A **motion** was made by **Commissioner Shaver** with a **second** by **Commissioner Maples** to approve this request.

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

Resolution 100614-C

Loudon County Planning and Codes Office Representative, Jim Jenkins requested consideration of action on the following items:

(11)
Rezoning on Buttermilk & Paw Paw Plains Roads
Approved

1. A Resolution Amending the Zoning Map of Loudon County, Tennessee, Pursuant to Chapter 7, §13-7-105 of Tennessee Code Annotated, to Rezone Approximately 16.3 Acres from A-1 (Agricultural District) to C-2 (General Commercial District). Referenced by Tax Map 2, Parcel 92.00 Located on Buttermilk Road and Paw Paw Plains Road, Situated in the 5th Legislative District.

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

Upon voice vote the motion **Passed** unanimously

Resolution 100614-D

(12)
Rezoning on Coytee Road Sent Back To Planning Commission For Further Consideration

2. A Resolution Amending the Zoning Map of Loudon County, Tennessee, Pursuant to Chapter 7, § 13-7-105 of Tennessee Code Annotated, to Rezone Approximately 38.1 Acres from A-2 (Rural Residential District) to R-1 (Suburban Residential District) with Planned Unit Development (PUD) Overlay at 1.5 Units Per Acre, Referenced by Tax Map 51B, Group A, Parcels 1.00-20.00, 22.00, 8.03, and Part of Parcel 8.00 Located on Coytee Road, Including All Lots in Yellow Wood Subdivision, Phase 1 (to be Renamed River Cove), Situated in the 3rd Legislative District.

Following lengthy discussion, a **motion** was made by **Commissioner Satterfield** with a **second** by **Commissioner Meers** to send this Request back to the Planning Commission for further consideration.

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

Resolution 100614-E

Loudon County Commissioner, David Meers, requested consideration of approval of the following Item:

- (13)**
Interlocal Agreement Regarding Distribution Of Tax Dollars From Sale of Alcoholic Beverages Consumed on the Premises Approved
1. Request Consideration of Approval of a Resolution – Interlocal Agreement Between the City of Loudon and Loudon County and the Loudon County Board of Education regarding distribution of tax dollars related to the retail sales of alcoholic beverages for consumption on the premises.
A **motion** was made by **Commissioner Meers** with a **second** by **Commissioner Brewster** to approve this request.
Upon voice vote the motion **Passed** unanimously.
Resolution 100614-F

Loudon County Budget Director, Tracy Blair, was absent and her **Assistant, Julie Kleinschmidt** presented the following Budget Items for Commission consideration:

- (14)**
Increase in Medicare Advantage Plan Rates For 2015 Approved
1. Consideration of a Recommendation to Approve an Increase in Medicare Advantage Plan Rates for 2015.
A **motion** was made by **Commissioner Cullen** with a second by **Commissioner Shaver** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, and Brewster: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
- (15)**
Application/Acceptance of Equipment Reimbursement From State Dept of Revenue Vehicle Services Division Approved
2. Consideration of a Recommendation to Approve Application/Acceptance of a \$2, 500.00 Equipment Reimbursement from the State Department of Revenue Vehicle Service Division.
A **motion** was made by **Commissioner Duff** with a second by **Commissioner Bradshaw** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, and Meers: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
- (16)**
Application/Acceptance of Technology Grant For Philadelphia Library Approved
3. Consideration of a Recommendation to Approve Application/Acceptance of a \$1,252.00 Technology Grant for Philadelphia Library; 50% Required Match from the Philadelphia Library Fund Balance.
A **motion** was made by **Commissioner Duff** with a second by **Commissioner Bradshaw** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, and Maples: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**

(17)
Acceptance of
Pettway Grant
For Lenoir City
Library
Approved

4. Consideration of s Recommendation to Approve Acceptance of a \$2,000.00 Pettway Grant for Lenoir City Library; No Matching Funds Required.

A **motion** was made by **Commissioner Tinker** with a second by **Commissioner Maples** to approve this request.

Upon roll call vote the following Commissioners voted **Aye: Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, Maples, and Tinker: (10)**

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

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

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

5. Consideration of Amendments to the Following Funds:

a. County General Fund 101

(18)
Fund 101
Approved

A **motion** was made by **Commissioner Cullen** with a second by **Commissioner Tinker** to approve this request.

Upon roll call vote the following Commissioners voted **Aye: Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, Maples, Tinker, and Satterfield: (10)**

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

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

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

Exhibit 100614-G

b. Public Library Fund 115

(19)
Fund 115
Approved

A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Satterfield** to approve this request.

Upon roll call vote the following Commissioners voted **Aye: Harrelson, Duff, Shaver, Cullen, Brewster, Meers, Maples, Tinker, Satterfield, and Bradshaw: (10)**

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

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

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

Exhibit 100614-H

c. County Drug Fund 122

(20)
Fund 122
Approved

A **motion** was made by **Commissioner Bradshaw** with a second by **Commissioner Cullen** to approve this request.

Upon roll call vote the following Commissioners voted **Aye: Duff, Shaver, Cullen, Brewster, Meers, Maples, Tinker, Satterfield, Bradshaw, 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 100614-I

d. Highway Department Fund 131

(21)
Fund 131
Approved

A **motion** was made by **Commissioner Tinker** with a second by **Commissioner Brewster** to approve this request.

Upon roll call vote the following Commissioners voted **Aye: Shaver, Cullen, Brewster, Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, 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 100614-I

(22)
Fund 141
Approved

e. General Purpose School Fund 141 (BOE Approved 14 Aug 2014)
A **motion** was made by **Commissioner Cullen** with a second by **Commissioner Brewster** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Cullen, Brewster, Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, 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 100614-K

f. General Purpose School Fund 141 (BOE Approved 11 Sept 2014)
A **motion** was made by **Commissioner Brewster** with a second by **Commissioner Bradshaw** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Brewster, Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, and Cullen: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
Exhibit 100614-L

(23)
Fund 142
Approved

g. School Federal Projects Fund 142 (BOE Approved 14 Aug 2014) and
School Federal Projects Fund 142 (BOE Approved 11 Sept 2014)
A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Brewster** to address both sets of Fund 142 spreadsheets with one vote. There were no objections.
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, and Brewster: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
Exhibit 100614-M

(24)
Fund 151
Approved

h. General Debt Services Fund 151
A **motion** was made by **Commissioner Bradshaw** with a second by **Commissioner Cullen** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Brewster, Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, and Cullen: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
Exhibit 100614-N

(25)
Fund 177
Approved

i. Education Capital Projects Fund 177
A **motion** was made by **Commissioner Shaver** with a second by **Commissioner Tinker** to approve this request.
Upon roll call vote the following Commissioners voted **Aye: Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, and Brewster: (10)**
The following Commissioners voted **Nay: (0)**
The following Commissioner was **Absent: (0)**
Thereupon the Chairman declared the motion **Passed: (10, 0, 0)**
Exhibit 100614-O

- (26)**
Summary
Financial
Statements
Distributed
- Let records reflect the distribution of Summary Financial Statements for September 30, 2014.
Exhibit 100614-P
- Commissioner Meers** reported that he has been working with the Purchasing Committee on a template and timeline for ambulance contract services for the County which he hopes will be resolved by June or July of next year. He will take this to the next Purchasing Committee meeting.
- (27)**
Notaries
Approved
- Loudon County Commissioner, David Meers**, made a **motion** with a second by **Commissioner Maples** to approve the following Notaries: ***Rebecca Ann Davis; Kasey Palmer; Vicki R. Strange; Terry Vann; Gail Denise Welch; and Susan Williamson.***
Upon voice vote the motion **Passed** unanimously.
Exhibit 100614-Q
- (28)**
Comments:
Non-Agenda
Items
- Chairman Harrelson** asked that any visitor wishing to address the Commission regarding items not on the Agenda come forward.
Richard Anklin spoke about the issue of properties in Tellico Village with unpaid taxes and why the County tax payers are held responsible for these taxes. He said there's got to be a way to fix this problem.
Chairman Harrelson responded that our legislators – particularly **Representative Matlock** – are working on getting this fixed so the County doesn't have to pay for Tellico Village delinquent property taxes and they're also working on this with the County attorney.
Richard Truitt said that he agrees with **Commissioner Harrelson's** comments in the local newspaper regarding the Circuit Court Clerk's lawsuit against the County for additional funds to hire more employees in her department and to raise the salaries of the current employees. He believes the County should "let her take you to court". He noted that when she ran for office she didn't mention that this was her intention and that she had the same chance as all the other Department Heads to go to the Budget Committee for funding during the regular budgeting process.
Pat Hunter spoke about not being able to take her purse into the County Courthouse and she believes this should be looked into. She noted that other courthouses have electronic scanners to look into purses and she believes that if people are now going to be allowed to take guns into County buildings you should be able to take your purse into the courthouse.

Chairman Harrelson 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 October 6, 2014 County Commission Meeting stood adjourned at 7:30 p.m.

CHAIRMAN

ATTEST:

COUNTY CLERK

COUNTY MAYOR