

LOUDON COUNTY COMMISSION

November 7, 2016

6:00 pm

Courthouse Annex

REGULAR MEETING

- 1. Opening of Meeting, Pledge of Allegiance, Invocation**
- 2. Roll Call**
- 3. Adoption of the Agenda - November 7, 2016**
- 4. Reading and Acceptance of October 3, 2016 Commission Meeting Minutes and October 17, 2016 Special Called Meeting Minutes**
- 5. General Public Comments**
- 6. Reports of County Officials, Departments, and Committees:**
 - A. Loudon County Mayor, Buddy Bradshaw**
 - 1. PILOT Agreement with Overlook Assisted Living in Lenoir City**
 - 2. Property at Greenback School**
 - B. Loudon County Commissioner, Van Shaver**
 - 1. Equal Pay for EDA**
 - C. Loudon County Budget Director, Tracy Blair**
 - 1. Consideration of a recommendation to approve grant applications - Loudon County Fire Rescue**
 - 2. Consideration of a recommendation to approve amendments in the following funds:**
 - A. County General Fund 101**
 - B. General Purpose School Fund 141**
 - C. School Federal Projects Fund 142**
 - D. General Capital Projects Fund 171**
 - 3. Distribution of Monthly Reports**

D. Loudon County Commissioner, David Meers

1. Election of Bonds and Notaries

E. Adjournment

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

DRAFT

October 3, 2016

NOT APPROVED

6:00 PM

REGULAR MEETING

(1) **BE IT REMEMBERED** that the Board of Commissioners of Loudon County convened
Opening in regular session in Loudon, Tennessee on the 3rd day of October, 2016.
of Meeting The **Honorable Steve Harrelson** called the meeting to order.

Commissioner Shaver opened the County Commission Meeting, led the Pledge of
Allegiance to the Flag of the United States of America, and gave the invocation.

(2) Present were the following Commissioners: **Brewster, Meers, Maples, Satterfield,**
Roll Call **Bradshaw, Harrelson, Duff, Shaver, and Cullen: (9)**
The following **Commissioner** was **Absent: Tinker: (1)**
Thereupon **Chairman Harrelson** announced the presence of a quorum.

(3) **Chairman Harrelson** requested a motion to adopt this Agenda.
Adoption A **Motion** was made by **Commissioner Shaver** with a **second** by **Commissioner**
Of Agenda **Satterfield** to adopt this agenda as presented.
Upon voice vote the motion passed unanimously.

(4) **Chairman Harrelson** requested that the **September 6, 2016 County Commission**
September 6, **Meeting Minutes** be approved and accepted.
2016 A **Motion** was made by **Commissioner Shaver** with a **second** by **Commissioner**
Commission **Cullen** to approve and accept these Minutes.
Meeting Mins Upon voice vote the motion passed unanimously.
Approved

(5) **Richard Anklin** spoke about the Jail crowding situation.
General Public
Comments

Reports of County Officials, Departments, and Committees:

A. Loudon County Mayor, Buddy Bradshaw

(6) **1. Boards and Committees Updated Resolutions**
Boards/
Committees **a. Loudon County Regional Planning Commission**
b. TCCA Legislative Committee
Updates A **Motion** was made by **Commissioner Shaver** with a **Second** by **Commissioner**
Approved **Bradshaw** to approve these updated appointments.
Upon voice vote the motion passed unanimously.
Resolutions 100316-A&B

(7) Recognition Of Good Neighbor Shoppe 2. Good Neighbor Shoppe Recognition
A Motion was made by Commissioner Meers with a Second by Commissioner Maples to approve this recognition.
Upon voice vote the motion passed unanimously.
Proclamation 100316-C

(8) Officers Of Sheriff's Office Retaining Their Service Weapon Under Certain Circumstances 3. A Resolution Authorizing Post-Certified Officers of the Sheriff's Office Who Serve Honorably and Retire From the Department in Good Standing To Retain His or Her Service Weapon in Recognition of the Officer's Years of Service to Loudon County.
A Motion was made by Commissioner Brewster with a Second by Commissioner Cullen to approve this Resolution.
Upon voice vote the motion passed with a 7 to 2 vote.
Resolution 100316-D

(9) Abandonment Of Davis Ferry Road Easement 4. Davis Ferry Road Easement
A Motion was made by Commissioner Brewster with a second by Commissioner Meers to approve the Abandonment of this Easement.
Upon voice vote the motion passed unanimously.
Exhibit 100316-E

B. Loudon County Economic Development Agency, Stephanie Myers

(10) Payment In-Lieu of Tax For Morgan Olsen Approved 1. Consideration of a Resolution Amending Resolution 101915-A Authorizing the Industrial Development Board of the City of Loudon to Enter Into a Payment In-Lieu of Tax for Morgan Olson.
A Motion was made by Commissioner Bradshaw with a second by Commissioner Meers to approve this Resolution.
Upon roll call vote the following Commissioners voted AYE: Meers, Satterfield, Bradshaw, Harrelson, Duff, Cullen, and Brewster: (7)
The following Commissioners voted NAY: Maples, and Shaver: (2)
The following Commissioner was ABSENT: Tinker: (1)
Thereupon the Chairman declared the motion Passed: (7; 2; 1)
Resolution 100316-F

(11) Temporary Moratorium On Any New PUD Requests Until Regulations Updated/ Improved C. Loudon County Commissioner, Van Shaver
1. Consideration of a temporary Moratorium on granting any new PUD requests until the Planning Commission can update/improve their regulations.
A Motion was made by Commissioner Shaver with a second by Commissioner Maples to approve this temporary Moratorium.
Upon voice vote the motion passed unanimously.

D. Loudon County Budget Director, Tracy Blair

- (12) Accept Donation For Puppy Play Area At Loudon County Animal Shelter
1. Consideration of a Recommendation to approve a Resolution to Accept a Donation of \$2,124.99 for the Construction of a Puppy Play Area at the Loudon County Animal Shelter.
- A Motion was made by Commissioner Cullen with s second by Commissioner Satterfield to approve this Resolution.
- Upon Roll Call vote the following Commissioners voted AYE: Maples, Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, and Meers: (9)
- The following Commissioner voted NAY: (0)
- The following Commissioner was ABSENT: Tinker: (1)
- Thereupon the Chairman declared the Motion Passed: (9; 0; 1)
- Resolution 100316-G
- (13) Create Position Of Assistant Officer in Election Office
2. Consideration of a request to create the position of Assistant Officer with the pay rate of \$135.00 in the Election Office; no additional funds required.
- A Motion was made by Commissioner Meers with a second by Commissioner Satterfield to approve this request.
- Upon Roll Call vote the following Commissioners voted AYE: Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, and Maples: (9)
- The following Commissioner voted NAY: (0)
- The following Commissioner was ABSENT: Tinker: (1)
- Thereupon the Chairman declared the Motion Passed: (9; 0; 1)
- (14) Request For Officer and Representative Of Opposite Party To Report to Work at 7 AM To Prepare Voting Machines
3. Consideration of a request for the Officer and a representative of the opposite party to report to work at 7 AM to prepare the machines, \$10.00 each; no additional funds required.
- A Motion was made by Commissioner Satterfield with a second by Commissioner Bradshaw to approve this Request.
- Upon roll call vote the following Commissioners voted AYE: Satterfield, Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, and Maples: (9)
- The following Commissioners voted NAY: (0)
- The following Commissioners were ABSENT: Tinker: (1)
- Thereupon the Chairman declared the Motion Passed: (9; 0; 1)
- (15) Request For Funding To Provide Matching Funding For Grant For Loudon County Fire/Rescue
4. Consideration of a Request for Additional Funding of \$10, 029 to provide matching funds for a grant – Loudon County Fire/Rescue.
- A Motion was made by Commissioner Cullen with a second by Commissioner Meers to approve this Request.
- Upon roll call vote the following Commissioners voted AYE: Bradshaw, Harrelson, Duff, Shaver, Cullen, Brewster, Meers, Maples, and Satterfield: (9)
- The following Commissioner voted NAY: (0)
- The following Commissioner was ABSENT: Tinker: (1)
- Thereupon the Chairman declared the Motion Passed: (9; 0; 1)

(16)
Purchase Tractor
With Mowing
Implements

5. Consideration of a recommendation to approve a Resolution to Purchase a Tractor with Two Mowing Implements from General Capital Projects Fund 171 Subfund 600 with Reimbursement Over a Three-Year Period from Highway Department Fund 131.

A Motion was made by Commissioner Duff with a second by Commissioner Brewster to approve this Resolution.

Upon roll call vote the following Commissioners voted AYE: Harrelson, Duff, Shaver, Cullen, Brewster, Meers, Maples, Satterfield, and Bradshaw: (9)

The following Commissioner voted NAY: (0)

The following Commissioner was ABSENT: Tinker: (1)

Thereupon the Chairman declared the Motion Passed: (9; 0; 1)

Resolution 100316- H

(17)
Approve Four
Additional
Corrections
Officers For
Loudon County
Sheriff

6. Consideration of a Recommendation to approve four additional Corrections Officers – Loudon County Sheriff. Cost of \$235,000 for four.

A Motion was made by Commissioner Duff with a Second by Commissioner Bradshaw to approve this Recommendation.

Upon roll call vote the following Commissioners voted AYE: Duff, Cullen, Brewster, Meers, Satterfield, Bradshaw, and Harrelson: (7)

The following Commissioners voted NAY: Shaver, and Maples: (2)

The following Commissioner was ABSENT: Tinker: (1)

Thereupon the Chairman declared the Motion Passed: (7; 2; 1)

(18)
Amendments
In Fund 101;
Funds 115; 119;
131; and 141
Approved

7. Consideration of a Recommendation to Approve Amendments in the following funds:

- a. County General Fund 101
- b. Public Libraries Fund 115
- c. Centre 75 Fund 119
- d. Highway Department Fund 131
- e. General Purpose School Fund 141

A Statement of Conflict-of-Interest was delivered by Commissioner Brewster upon voting.

A Motion was made by Commissioner Bradshaw with a second by Commissioner Cullen to approve amendments to all of the above funds.

Upon roll call vote the following Commissioners voted AYE: Shaver, Cullen, Brewster, Meers, Maples, Satterfield, Bradshaw, Harrelson, and Duff: (9)

The following Commissioners voted NAY: (0)

The following Commissioner was ABSENT: Tinker: (1)

Thereupon the Chairman declared the Motion Passed: 9; 0; 1)

Exhibits 100316-I-M

(19)
Budget
Committee Meeting
Minutes and Summary
Financial Statements
Distributed

8. Budget Director, Tracy Blair, requested that records reflect that Committee Meeting Minutes for August 15, 2016 and September 6, 2016 and Summary Financial Statements for September 30, 2016 have been distributed.
Exhibits 100316-N-P

(20)
Bonds &
Notaries
Approved

- E. Loudon County Commissioner, David Meers, made a motion with a second by Commissioner Shaver to approve the following Notaries: *Cindy Auchey; Sara C. Caldwell; Cheeryl E. Ellis; Mary Lou King; Vicki A. Miller; Tamara S. Reynolds; Gary L. Scriven; Becky L. Smith; and Rebecca Wilson.*
Upon voice vote the motion Passed unanimously.
Exhibit 100316-Q

There being no further business, a **motion being duly made and seconded**, the October 3, 2016 County Commission Meeting stood adjourned at 8:30 pm.

Commission Chairman

ATTEST:

County Clerk

County Mayor

LOUDON COUNTY COMMISSION

STATE OF TENNESSEE

County of Loudon

October 17, 2016

DRAFT

6 pm

NOT APPROVED

SPECIAL CALLED MEETING

- (1) **BE IT REMEMBERED** that the Board of Commissioners of Loudon County convened in Special Called Session in Loudon, Tennessee on the 17th day of October, 2016.
Opening Of Meeting The **Honorable Chairman Steve Harrelson** called the meeting to order, delivered the Invocation and the Pledge of Allegiance to the Flag of the United States of America.
- (2) Present were the following Commissioners: **Brewster, Meers, Maples, Tinker, Satterfield, Bradshaw, Harrelson, Duff, Shaver, and Cullen: (10)**
Roll Call The following Commissioners were **Absent: (0)**
Thereupon **Chairman Harrelson** announced the presence of a quorum. Present was the **Honorable Mayor Buddy Bradshaw.**
- (3) **County Residents, Bob and Jan Panozzo, both of whom volunteer at the Loudon County Animal Shelter, are donating \$2,124.99 to the Animal Shelter to pay for a kennel addition which will provide a puppy play area.**
Generous Couple Received Warm & Grateful Welcome They were introduced and received a very warm welcome and display of gratitude. They delivered the check for the project to **Mayor Bradshaw.**
- (4) **Scott Moats** spoke about the approval of the County Road's List.
Public Comments

(5)
Silver Oaks
Community
Roads To Be
Accepted
Into County
Road's List

Loudon County Road's Commissioner, Eddie Simpson

A. Request Approval of the 2016-2017 Loudon County Road's List
Commissioner Brewster spoke about her visit to the Silver Oak's Community and noted that there were a number of houses back there and she was concerned about the consequences of the bad roads on the people who live there. **Road's Commissioner Simpson** spoke about the road's condition noting that these roads were over 15 years old and needed repair. He made a recommendation to accept these roads into the County Road's List. **Chairman Harrelson** said he would like to approve this. A **motion** was made by **Commissioner Duff** with a **second** by **Commissioner Brewster** to approve accepting these roads into the County Road's List. **Upon voice vote there were 9 Aye votes and 1 Nay vote.**
Therefore the motion Passed: (9;1)
Exhibits 101716-A & B

Following the vote **Commissioner Shaver** expressed his opinion regarding voting on this without it going through the system to be vetted.

(6)
Adjournment

Thereupon Commissioner Shaver made a motion with a second by Commissioner Cullen to adjourn this meeting.

There being no further business, a **motion being duly made and seconded**, the October 17, 2016 County Commission Special Called Meeting stood adjourned at 7:00 pm.

Commission Chairman

ATTEST:

County Clerk

County Mayor

PAYMENT IN LIEU OF TAX ("PILOT") AGREEMENT

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THIS AGREEMENT is hereby entered into by and between OVERLOOK SENIOR CITIZENS HOUSING OF KNOX COUNTY, INC. ("the Property Owner), a Tennessee not-for-profit corporation, the CITY OF LENOIR CITY, TENNESSEE (the "City") and LOUDON COUNTY, TENNESSEE (the "County") (together with the City, the "Local Governing Entities"), with reference to a parcel of property located at 200 Dogwood Terrace, Lenoir City, TN 37771, identified as CM 020B, Group C, Parcel 045.00, SI 000 on the Tax Map of Loudon County (the "Subject Property").

WHEREAS, Tennessee Code Annotated § 67-5-207 provides an exemption from local ad valorem taxes for any portion of real and personal property, owned by a qualifying Tennessee not-for-profit corporation, that is used for permanent housing of low income persons with disabilities, or low income elderly or handicapped persons, and financed by grants or loans as provided in T.C.A. § 67-5-207(a)(1); and,

WHEREAS, said legislation requires payments in lieu of taxes projects exceeding twelve (12) units; and,

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Effective Date. The effective date shall be the effective date of the exemption as determined by the Tennessee State Board of Equalization (the "Board"), by and through its designee, unless the determination of the Board is appealed. Should the Board's determination, as made by its designee, be appealed, the effective date shall be the effective date, if any, as established at the conclusion of the matter.

Section 2. Obligation of the Property Owner. The Property Owner represents and warrants to the Local Governing Entities that it meets all qualifications set forth in T.C.A. § 67-

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5-297 to receive the benefit of this PILOT Agreement ("Agreement"), and it acknowledges these representations and warranties are a material term and condition of the Local Governing Entities executing this Agreement. The Property Owner shall pay to the Local Governing Entities, as payment in lieu of taxes, a sum equivalent to twenty-five percent (25%) of the amount of ad valorem tax that would otherwise be due if the Subject Property were not exempt under T.C.A. § 67-5-207.

Section 3. Annual Payment. Payments made pursuant to this Agreement will be due and payable to the City and County at the same time and in the same manner as ad valorem taxes.

Section 4. Term. This Agreement will remain in effect for only as long as the Property Owner is entitled to an exemption from real and personal property taxation under T.C.A. § 67-5-207.

Section 5. Scope. Any portion of Subject Property that does not qualify for exemption will be subject to ad valorem taxes.

Section 6. Remedies for Default. Should the Property Owner fail to timely pay to the Local Governing Entities the payment in lieu of taxes, the Local Governing Entities shall have all remedies available to the Local Governing Entities for the collection of real property taxes. The Property Owner agrees that all unpaid in lieu of tax payments shall bear interest in the same amount as unpaid real property taxes pursuant to T.C.A. § 67-1-101, et seq.

Section 7. Miscellaneous.

(a) Severability. If a court of competent jurisdiction holds that one or more clauses, sections or provisions of this Agreement are unlawful, invalid or unenforceable, the parties

hereto agree that all remaining clauses, sections and provisions shall continue in full force and effect.

(b) Applicable Law. The parties agree that this Agreement is executed in and is to be performed in the State of Tennessee, and that all provisions of this Agreement and any dispute arising hereunder shall be governed by the laws of the State of Tennessee.

(c) Successor and Assigns. The provisions of this Agreement shall inure to the benefit of and shall be binding on the respective successors and assigns of the parties hereto.

(d) Amendment. This Agreement is subject to modification, alteration, amendment or change only upon the mutual agreement of the parties. Any such amendment will become effective only after approval by the Local Governing Entities and Property Owner, reduced to writing and signed by the parties hereto..

(e) Entire Agreement. This Agreement constitutes the totality of the agreement between the parties pertaining to the subject matter hereof, and supersedes all prior agreements, understandings, negotiations and discussions, whether oral or written, of the parties, and there are no warranties, representations, or other agreements between the parties in connection with the subject matter hereof except as set forth specifically herein..

IN WITNESS WHEREOF, the Local Governing Entities and the Owner have respectively executed this Agreement this _____ day of _____, 2016.

CITY OF LENOIR CITY, TENNESSEE

ATTEST: _____

(Seal) _____
Name: _____
Title: _____

LOUDON COUNTY, TENNESSEE

ATTEST: _____

(Seal) _____
Name: _____
Title: _____

OVERLOOK SENIOR CITIZENS HOUSING OF KNOX COUNTY, INC.
a Tennessee nonprofit corporation

By: _____
Susan Luker, President

LOUDON COUNTY CLERK
DARLENE M. RUSSELL COUNTY CLERK
101 MULBERRY ST STE 200
LOUDON TN 37774
Telephone 865-458-3314
Fax 865-458-9891

Notaries to be elected November 07, 2016

PHYLLIS J BURNETTE	KIMBERLY LOVELACE
GRAZYNA HELENA GAMMONS	SELAH LUKE
YESSICA GARCIA	MICHAEL BOONE MOODY
KATRINA HODGE	HEATHER D OWENS
JANA HULSEY	HEATHER RICE
COLLEEN ANN JONES	SHARON E. WILLIAMS
LENFORD TRACY LAYMAN	