

LOUDON COUNTY COMMISSION WORKSHOP

Loudon, Tennessee
Monday May 20, 2019
County Office Building
6 P.M.

AGENDA

1. Comments by Members of the General Public

2. **Chief Deputy – Jimmy Davis**
 - A. Jail Update

3. **Loudon County Mayor – Buddy Bradshaw**
 - A. Board & Committee Term Updates
 1. TASS
 2. TCCA
 3. Regional Planning Commission
 4. Loudon County Library Board

 - B. Public Records Commission

 - C. Gun Sanctuary Resolution

 - D. Per Diem Reimbursement

 - E. Loudon County/Loudon City Inter-local Agreement

4. **EDA Director – Jack Qualls**
 - A. Property Sell- Centre 75, Lot 9

Warranty Deed from J. R. Browder and wife Loudon county Board of Education.

This Indenture, made this 23 day of October A. D. 1926, between J. R. Browder and wife Nellie Browder of Loudon County, in the State of Tennessee, of the first part, and Loudon County Board of Education of Loudon Tennessee, of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Thousand (\$1,000.00) Dollars to them in hand paid by the said parties of the second part, the receipt of which is hereby acknowledged, and to secure the payment of said note a specific lien is hereby retained on the property here conveyed, have granted, bargained, sold and conveyed, and do hereby grant, bargain, sell, and convey unto the said parties of the second part, the following described premises, to-wit: situate in District No. Two (2) bounded and described as follows:

A certain parcel of land lying on the North side of the Lee Highway; Beginning on an iron pin in the side of the said Lee Highway and running parallel with said Lee Highway S. 80° W. Six hundred and fifty (650) feet to an iron pin in the side of the said Lee Highway; thence N. 28° W. two hundred and twenty five (225) feet to a stake; thence N. 67° E. seven hundred and twenty three (723) feet to a stake; thence S. 23° E. three hundred and seventy three (373) feet to the beginning corner. This being a part or parcel of the west side of the J. R. Browder farm which appears of record in the Register's Office at Loudon, Tennessee. Noted in Note Book ___ page ___, recorded in Book of Deeds No. ___ pages ___ with the hereditaments and appurtenances thereto appertaining, hereby releasing all claims to homestead and dower therein. To have and to hold the said premises to the said parties of the second part or their assigns forever.

And the said parties of the first part for themselves and for their heirs, executors and administrators, do hereby covenant with the said parties of the second part and their assigns that they are lawfully seized in fee simple of the premises above conveyed and now have full power, authority and right to convey the same, that said premises are free from all incumbrances and that they will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons whomsoever.

In Witness Whereof, the said parties of the first part have hereunto set their hand and seal the day and year first above written.

J. R. Browder. (L. S)
Nellie Browder. (L. S)

State of Tennessee)
Loudon County) ss Personally appeared before me W. B. Green, a Notary Public in and for said County the within named bargainors J. R. Browder and wife Nellie Browder with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purpose therein contained. And Nellie Browder, wife of the said J. R. Browder, having appeared before me privately and apart from her husband, said Nellie Browder acknowledged the execution of the said deed to have been done by her freely, voluntarily and understandingly, without compulsion or constraint from her said husband, and for the purposes therein expressed.

Witness my hand and official seal at office, this 23 day of October A. D. Ninteen Hundred and Twenty Six. W. B. Green, Notary Public.

My commission expires April 7, 1927.

Register's Office

State of Tennessee, County of Loudon) ss

Received for record the 25 day of Oct. A. D. 1926, at 4.30 oclock P. M. Noted in Note Book C, page 95, and recorded in Book of Deeds No. 34, page 351.

Witness my hand.

R. M. Brooks Register.



For Corrected Deed see Deed Book No. 35 page 373

Warranty Deed from J.R. Browder and wife to Loudon County Board of Education.

THIS INDENTURE, made this 22 day of November A.D. 1926, between J.R. Browder and wife Nellie Browder of Loudon County, in the state of Tennessee, of the first part, and Loudon County Board of Education, of Loudon, Tennessee, of the second part.

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of One Thousand (\$1000.00) Dollars to them in hand paid by the said parties of the second part, the receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed, and do hereby grant, bargain, sell, and convey, unto the said parties of the second part the following described premises to-wit: situate in District No. 2 (Two), bounded and described as follows; A certain parcel of land lying on the North side of the Lee Highway; Beginning on an iron pin on North side of Lee Highway, corner to J.R. Browder, thence with said Highway S. 80 W. six hundred and fifty (650) feet to an iron pin, corner to S.B. Smullen lot, thence with Smullen line N. 28 W. Two hundred and twenty five (225) feet to an iron pin, corner to J.R. Browder, thence with said Browder line N. 67 E. Seven hundred and twenty three (723) feet to an iron pin, corner to said J.R. Browder, thence with said Browder line S. 23 E. Three hundred and seventy three (373) feet to the beginning, containing Five (5) acres more or less.

The tract of land above described is the same tract of land described in deed from J.R. Browder and wife to the Loudon County Board of Education, dated October 23rd, 1926, and recorded in Deed Book No. 34, page 351, in the Register's Office of Loudon County, Tennessee, and this deed is made for the purpose of giving a more perfect description of said tract of land, and in lieu of same with the hereditaments and appurtenances thereto appertaining, hereby releasing all claim to homestead and dower therein to have an to hold the said premises to the said parties of the second part, or their heirs and assigns forever.

And the said parties of the first part for themselves and for their heirs, executors and administrators, do hereby covenant with the said parties of the second part and their heirs and assigns, that they are lawfully seized in fee simple of the premises above conveyed, and now have full power, authority and right to convey the same; that said premises are free from all incumbrances and that they will forever warrant and defend the said premises and the title thereto against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seal the day and year first above written.

J.R. Browder. (L.S.)
Nellie Browder. (L.S.)
State of Tennessee)
Loudon County)

Personally appeared before me W.B. Green, a Notary Public in and for said County, the within named bargainors J.R. Browder and wife Nellie Browder with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained. And Nellie Browder wife of the said J.R. Browder, having appeared before me privately and apart from her husband, the said Nellie Browder acknowledged the execution of the said deed to have been done by her freely, voluntarily and understandingly, without compulsion or constraint from her said husband, and for the purposes therein expressed.

Witness my hand and official seal, at office, this 22 day of November A.D. 1926. W.B. Green, Notary Public.
State of Tennessee) My commission expires April 7, 1927.

Loudon County) Received for record the 17 day of July A.D. 1928, at
Register's Office) 9.15 o'clock A.M. Noted in Note Book C, page 131, and
recorded in Book of Deeds No. 35, page 373.

Witness my hand. R.M. Burch Register.



5. **Commissioner Harold Duff**

- A. Browder School Property

6. **Commissioner Matthew Tinker**

- A. Discussion on Ways to Cut Down Amount of Paper Used for Workshops & Meetings

7. **Commissioner Van Shaver**

- A. Consider Digital Sign Approval by Staff Rather Than Going through BZA

8. **Director of Accounts & Budgets – Tracy Blair**

- A. Budget Committee Recommendations

LOUDON COUNTY COMMISSION
LOUDON COUNTY, TENNESSEE
Monday May 06, 2019
Courthouse Annex Building
6 P.M.

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REGULAR COMMISSION MEETING

(1)
Public
Hearing

1. A Resolution amending the Zoning Map of Loudon County, Tennessee pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to rezone approximately 32.4 acres from A-2 (Rural Residential District) to R-1 (Suburban Residential District) with Planned Unit Development (PUD) overlay, 2.5 units per acre, 7431 Highway 411, Tax Map 84, parcel 044.00, situated in the 3rd Legislative District.
2. A Resolution amending the Zoning Map of Loudon County, Tennessee pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to rezone approximately 5.45 acres from A-1 (Agricultural Forestry District) to C-2 (General Commercial District) Hotchkiss Valley Road, Tax Map 24, Parcels 037.00 and 038.00, situated in the 5th Legislative District.

Chairman Cullen opened the floor for members of the General Public to come forward and speak on either of the two Resolutions. The following people came forward to speak on item 1, rezone request for 7431 Highway 411:

1. Chris True- Attorney for property owner, Mitchell Hyde
Mr. True requested that the minutes reflect that Mr. Hyde's farm was established long before the PUD. They do not want people and/or future residents filing nuisance law suits, if the rezone resolution is approved.
2. Rodney Phillips- Developer, Capital Commercials Realty
3. Mitchell Hyde- Property Owner
4. Robert Wolfe- Property Owner
5. Pat Hunter- Concerned Citizen

Chairman Cullen requested that if anyone else from the General Public wished to come forward and speak on either Resolution, to do so now. No others came forward. Chairman Cullen closed the Public Hearing at 6:22 P.M.

(2)
Opening of
Meeting

BE IT REMEMBERED that the Board of Commissioners of Loudon County convened in regular session in Loudon, TN on the 6th day of May, 2019.

Commission Chairman Henry Cullen called the meeting to order at 6:00 P.M.

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Commissioner Harold Duff opened the County Commission Meeting, led the Pledge of the Allegiance to the Flag of the United States of America, and gave the Invocation.

(3)
Roll Call

Upon Roll Call, the following Commissioners were present: **Kelly Brewster, David Meers, Julia Hurley, Matthew Tinker, Bill Satterfield, Gary Whitfield, Henry Cullen, Harold Duff, Van Shaver, and Adam Waller (10)**

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

Thereupon **Chairman Cullen** announced the presence of a quorum.

Also present was **The Honorable Mayor Buddy Bradshaw** and **Director of Accounts and Budgets, Tracy Blair**.

(4)
Agenda
Adoption

Chairman Cullen requested that the May 06, 2019 Agenda be adopted. **Commissioner Brewster** requested that a Resolution appointing a County Historian be added to the agenda. **Chairman Cullen** added the item as 6.A.2. **Commissioner Shaver** made a motion to approve the agenda with the additions made. **Commissioner Tinker** seconded the motion.

Upon Voice Vote, the motion **PASSED** unanimously.

(5)
04-01-19
Minutes
Approved

Chairman Cullen requested that the April 01, 2019 Commission Meeting Minutes be accepted and approved. **Commissioner Shaver** made a motion to accept and approve the April 01, 2019 minutes as they were written. The motion was seconded by **Commissioner Satterfield**.

Upon Voice Vote, the motion **PASSED** unanimously.

(6)
Priority
Ambulance

Chairman Cullen introduced Critical Care Paramedic, Travis Estes, from Priority Ambulance. Mr. Estes came forward and spoke to Commission about the newest ambulance addition to Priority Ambulance, along with all of its upgrades and capabilities.

(7)
General
Public
Comments

Chairman Cullen opened the floor for comments by the General Public. Pat Hunter spoke first followed by Penny Livingston Cochran. With no other members of the General Public coming forward to speak, **Chairman Cullen** closed the floor for additional General Public Comments.

(8)
Loudon County/
Loudon City/LUB
Lease/License
Agreement

Mayor Buddy Bradshaw presented Commission with a recommendation to approve a lease and license agreement between Loudon County, Loudon Utilities Board, and the City of Loudon for use of facilities to relocate Loudon County Circuit and Chancery Courtrooms, the offices of the Clerk and Master and Circuit Court Clerk, and other government agencies which were located in The Loudon County Courthouse before

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the courthouse suffered extensive damage from a fire that occurred on April 23, 2019. There was much discussion over the lease agreement including concerns over capital repairs and the fact that the courthouse insurance policy through Tennessee Risk Management, would pay monthly rent. **The Honorable Mayor of Loudon City, Jeff Harris** was present, as well as **Loudon City Councilman, Tim Brewster**. It was decided that the lease agreement be tabled until after Loudon City Council had their next meeting on May 13, 2019 to see if the wording might be changed to best benefit all parties.

(9)
Appointment
of New
County
Historian

Commissioner Kelly Brewster requested that Loudon County Commission approve and pass a Resolution appointing Mr. Darryl Tuck to the position of Loudon County Historian. **Commissioner Brewster** reminded Commission that the reason the resolution had been postponed a few months ago was because Commission was waiting to receive a letter from Mr. Spence that he was officially retiring from the position of Loudon County Historian. Since that time, Commission received the letter and it was now time to appoint the new County Historian. **Commissioner Brewster** made a motion to approve a Resolution appointing Mr. Darryl Tuck as the new Loudon County Historian. **Commissioner Meers** seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted **AYE: Meers, Hurley, Tinker, Satterfield, Whitfield, Cullen, Duff, Shaver, Waller, and Brewster (10)**

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

The motion **PASSED (10/0)**

RESOLUTION 050619-A

(10)
Rezone
Resolution
7431 Hwy 411

Planning Director Laura Smith presented Commission with a Resolution amending the Zoning Map of Loudon County, Tennessee pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to rezone approximately 32.4 acres from A-2 (Rural Residential District) to R-1 (Suburban Residential District) with Planned Unit Development (PUD) overlay, 2.5 units per acre, 7431 Highway 411, Tax Map 84, parcel 044.00, situated in the 3rd Legislative District.

While there was much debate over this particular rezone on both sides, **Commissioner Satterfield** spoke in favor of the rezone in his district, stating that there was little growth opportunity in Greenback. **Commissioner Shaver** also pointed out that the rezone request met all of the County Commission requirements for a rezone, and should they turn it down, the County Commission would face consequences for doing so. **Commissioner Satterfield** made a motion to approve the Resolution and **Commissioner Meers** seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted **AYE: Hurley, Satterfield, Whitfield, Cullen, Duff, Shaver, Waller, Brewster and Meers (9)**

The following Commissioners voted **NAY: Tinker (1)**

The motion **PASSED (9/1)**

RESOLUTION 050619-B

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(11)
Rezone
Resolution
Hotchkiss
Valley Rd.

Planning Director Laura Smith presented Commission with a Resolution amending the Zoning Map of Loudon County, Tennessee pursuant to Chapter Seven, §13-7-105 of the Tennessee Code Annotated, to rezone approximately 5.45 acres from A-1 (Agricultural Forestry District) to C-2 (General Commercial District) Hotchkiss Valley Road, Tax Map 24, Parcels 037.00 and 038.00, situated in the 5th Legislative District.

Commissioner Shaver made a motion to approve the Resolution and Commissioner Duff seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted **AYE: Tinker, Satterfield, Whitfield, Cullen, Duff, Shaver, Waller, Brewster, Meers and Hurley (10)**

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

The motion **PASSED (10/0)**
RESOLUTION 050619-C

(12)
New TCRS
Employer
Contribution
Rate

Director of Accounts and Budgets, Tracy Blair requested consideration of a recommendation to acknowledge new TCRS employer contribution rate effective July 01, 2019. Commissioner Satterfield made a motion to approve acknowledgement of new TCRS employer contribution rate effective July 01, 2019. Commissioner Meers seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted **AYE: Satterfield, Whitfield, Cullen, Duff, Shaver, Waller, Brewster, Meers, Hurley and Tinker (10)**

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

The motion **PASSED (10/0)**

(13)
Litter &
Trash
Collection
Grant

Director of Accounts and Budgets, Tracy Blair requested consideration of a recommendation to approve a Resolution authorizing submission of an application for a Litter and Trash Collection Grant from the Tennessee Department of Transportation and authorizing acceptance of said grant. Commissioner Shaver made a motion to approve said Resolution and Commissioner Brewster seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted **AYE: Whitfield, Cullen, Duff, Shaver, Waller, Brewster, Meers, Hurley, Tinker, and Satterfield (10)**

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

The motion **PASSED (10/0)**
RESOLUTION 050619-D

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(14)
5 Year Contract
with Dept.
of Children's
Services

Director of Accounts and Budgets, Tracy Blair requested consideration of a recommendation to approve acceptance of a five-year contract with the Department of Children's Services to supplement the Loudon County Juvenile Center operations, \$9,000 per year, fiscal years 2020-2024, for a total of \$45,000; no matching funds required. Commissioner Duff made a motion to approve the five-year contract with the Department of Children's Services and Commissioner Whitfield seconded the motion.

Chairman Cullen called for a Roll Call Vote.

Upon Roll Call Vote, the following Commissioners voted AYE: Cullen, Duff, Shaver, Waller, Brewster, Meers, Hurley, Tinker, Satterfield and Whitfield (10)

The following Commissioners voted NAY: (0)

The motion PASSED (10/0)

(15)
Budget
Amendments
in Funds: 101,
115, 119, 122,
131, 141, 142,
156, 171, & 177

Director of Accounts and Budgets, Tracy Blair requested consideration of a recommendation to approve amendments in the following funds:

- A. County General Fund 101
- B. Public Library Fund 115
- C. Industrial/Economic Development Fund 119
- D. Drug Control Fund 122
- E. Highway Department Fund 131
- F. General Purpose School Fund 141
- G. School Federal Projects Fund 142
- H. Education Debt Service Fund 156
- I. General Capital Projects Fund 171
- J. Education Capital Projects Fund 177

Commissioner Shaver made a motion to approve amendments in all ten funds. Commissioner Satterfield seconded the motion.

Chairman Cullen called for a Roll Call Vote.

NOTE: Commissioner Brewster and Commissioner Tinker each made a Conflict of Interest Statement before casting their votes.

Upon Roll Call Vote, the following Commissioners voted AYE: Duff, Shaver, Waller, Brewster, Meers, Hurley, Tinker, Satterfield, Whitfield and Cullen (10)

The following Commissioners voted NAY: (0)

The motion PASSED (10/0)
EXHIBITS 050619-E - 050619-N

(16)
Monthly
Financial
Reports

Director of Accounts and Budgets, Tracy Blair requested that the record reflect the distribution of the following reports:

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- A. Budget Committee Meeting Minutes for March 18, 2019
EXHIBIT 050619-Q
- B. Summary Financial Statement April 2019
EXHIBIT 050619-P
- C. Monthly Cash Flow Analysis: General Purpose School Fund 141
EXHIBIT 050619-Q

(17)
Notaries

Commissioner Meers made a motion that was seconded by **Commissioner Waller** to approve the following bonds & notaries:

Charles A. Hale, Shelley Hendrix, John B. Morris, Julie Park, Clarence G. Savage, and Deborah Payne Watson

Upon Voice Vote, the motion **PASSED** unanimously.
EXHIBIT 050619-R

(18)
Adjournment

There being no further business, a motion being duly made by **Commissioner Shaver** and seconded by **Commissioner Satterfield**, the May 06, 2019 Loudon County Commission Meeting stood adjourned at 7:37 P.M.

ATTEST:

Loudon County Commission Chairman

Loudon County Clerk

Loudon County Mayor

LOUDON COUNTY COMMISSION
Resolution 060319- *

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 the authority to make certain committee and board appointments; and

WHEREAS, Appointments are necessary and/or desirable at this time with a three (3) year rotation term; and

WHEREAS, the County Mayor appoints the following members of the

TELLICO AREA SERVICE SYSTEM (TASS)
BOARD OF DIRECTORS – LOUDON COUNTY

<u>Appointee</u>	<u>Term Expiration</u>
Chip Miller	June 2022

NOW THEREFORE BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 3rd day of June, 2019 hereby approves or acknowledges (as appropriate) the said appointments.

Loudon County Commission Chairman

ATTEST:

Loudon County Clerk

Loudon County Mayor

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

<u>Appointee</u>	<u>Term Expiration</u>
Roy Goddard	June 2020
James Brooks	June 2021

LOUDON COUNTY COMMISSION
Resolution 060319- *

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 the authority to make certain committee and board appointments; and

WHEREAS, Appointments are necessary and/or desirable at this time with a one (1) year rotation term; and

WHEREAS, the County Mayor appoints the following members of the

TCCA LEGISLATIVE COMMITTEE

<u>Appointee</u>	<u>Term Expiration</u>
Harold Duff	June 2020

NOW THEREFORE BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 3rd day of June, 2019 hereby approves or acknowledges (as appropriate) the said appointments.

Loudon County Commission Chairman

ATTEST:

Loudon County Clerk

Loudon County Mayor

LOUDON COUNTY COMMISSION
Resolution 060319- *

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 the authority to make certain committee and board appointments; and

WHEREAS, Appointments are necessary and/or desirable at this time with a four (4) year rotation term; and

WHEREAS, the County Mayor appoints the following members of the

REGIONAL PLANNING COMMISSION (RPC)

<u>Appointee</u>		<u>Term Expiration</u>
Andy Hamilton	2 nd District / Slot B	June 2023
To Be Determined	6th District	June 2023

NOW THEREFORE BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 3rd day of June, 2019 hereby approves or acknowledges (as appropriate) the said appointments.

Loudon County Commission Chairman

ATTEST:

Loudon County Clerk

Loudon 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>
Pam McNew	1 st District / Slot A	June 2020
Ed Lee	5 th District / Slot A	June 2020
Jimmy Williams	5 th District / Slot B	June 2021
Jim Brooks	3 rd District	June 2021
Pat Couk	2 nd District / Slot A	June 2022
John Napier	1 st District / Slot B	June 2022
Ryan Bright	4 th District	June 2022
Carlie McEachern	(LORPC)	Co-Term
Leon Shields	(LERPC)	Co-Term

LOUDON COUNTY COMMISSION
Resolution 060319- *

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 the authority to make certain committee and board appointments; and

WHEREAS, Appointments are necessary and/or desirable at this time with a three (3) year rotation term; and

WHEREAS, the County Mayor appoints the following members of the

LOUDON COUNTY LIBRARY BOARD

<u>Appointee</u>		<u>Term Expiration</u>
Ed Donley	Philadelphia	June 2022
Nancy Martin	Greenback	June 2022
Phyllis Thompson	Tellico Village	June 2022
Jo Ann Hart		June 2022

NOW THEREFORE BE IT RESOLVED that the Loudon County Commission, meeting in regular session assembled this 3rd day of June, 2019 hereby approves or acknowledges (as appropriate) the said appointments.

Loudon County Commission Chairman

ATTEST:

Loudon County Clerk

Loudon 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>
Billie Whitney	Tellico Village	June 2020
Sarah Thomason	Loudon	June 2020
Barry Baker	Loudon	June 2021
Sandy Warren	Lenoir City	June 2021
Carolyn Page	At-Large	August 2021

LOUDON COUNTY COMMISSION
RESOLUTION # 060319- *

***RESOLUTION OF THE GOVERNING BODY OF LOUDON COUNTY, TENNESSEE
DECLARING LOUDON COUNTY, TENNESSEE A GUN SANCTUARY COUNTY***

On June 3, 2019 on behalf of the citizens of Loudon County, TN, the Loudon County Commission state and accept as true, the following:

1. The Declaration of Independence states that people are "endowed by their Creator with certain unalienable rights... to secure these rights, governments are instituted among men... deriving their just powers from the consent of the governed".
2. John Adams wrote in A Dissertation on the Canon and Feudal Law (1765): "I say Rights, for such they (the people) have, undoubtedly, antecedent to all earthly government, -Rights, that cannot be repealed or restrained by human laws, -Rights, derived from the great Legislator of the universe."
3. Natural Law Rights, given to each of us by our Creator are the basis of our Constitution by which they are protected and secured to each of us. Natural Law Rights, including that of self protection, are guaranteed by our laws, our history, and our traditions.
4. It is the natural tendency of civil government to expand beyond the limits of its rightful Constitutional authority and to usurp powers which have not been given to it through the delegated consent of the governed.
5. Whenever the uses of government are perverted, individual sovereignty is overly endangered or threatened, and all other means of redress are ineffective, the people may, and in fact ought to, enforce the re-establishment of the original constitutional limits of government.
6. Resistance against arbitrary power and oppression is the obligation of every patriot, as not to do so is destructive to the good and happiness of mankind. In fact, it is the duty of the people of Loudon County, Tennessee, through the actions of their lesser magistrates, namely local elected officials and sheriff, to challenge the civil government when and where it exceeds or threatens to exceed its bounds.
7. The Constitution of the United States is the supreme law of our Nation.
8. The Second Amendment to the Constitution of the United States of America states: "A well regulated militia being necessary to the security of a Free State, the Right of the people to keep and bear arms shall not be infringed."
9. The U.S. Supreme Court in *Miranda v. Arizona* (1966) stated that "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them."
10. The U.S. Supreme Court in the *District of Columbia v. Heller* (2008) decision affirmed that the Second Amendment right to keep and bear arms is not connected in any way to service in a militia.
11. The U.S. Supreme Court in the *United States v. Miller* (1939) stated that firearms that are part of the ordinary military equipment with use that could contribute to the common defense are protected by the Second Amendment.

12. The Fourteenth Amendment to the Constitution of the United States, Section 1 states: "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor deny to any person within its jurisdiction the equal protection of the laws."
13. The U.S. Supreme Court in the McDonald v. City of Chicago (2010) decision affirmed that a Person's Second Amendment right to keep and bear arms is further secured by the "due process" and the "privileges and immunities" clauses of the Fourteenth Amendment. The decision also protects rights closely related to the Second Amendment, namely the right to manufacture, transfer, accessories and ammunition.
14. The Tennessee State Constitution Article 1, Section 26 states that the citizens of this state have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.
15. The Tennessee State Constitution Article 1, Section 24 states "That the sure and certain defense of a free people, is a well regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the circumstances and safety of the community will admit; and that in all cases the military shall be kept in strict subordination to the civil authority".
16. The tenth amendment to the Constitution of America states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respectively, or to the people."
17. The U.S. Supreme Court found in *Prinz v. United States* (1997) that the Federal government cannot compel law enforcement officers of the states to enforce federal laws as it would increase the power of the Federal government far beyond that which the Constitution intends.
 1. The unalienable right to keep and bear arms, as specified in the Second Amendment to the U.S. Constitution, the Constitution of Tennessee, and further upheld by subsequent decisions of the U.S. Supreme Court.
 2. The Right, as originally written and understood, to keep and bear arms for self defense, personal safety, protection of one's family, and in defense of one's community and county.
 3. The right to manufacture, transfer, purchase and sell firearms and ammunition designed for those purposes outlined above, rights guaranteed by the U.S. Constitution and the Constitution of Tennessee.

Furthermore, any regulation of the right to keep and bear arms or affiliated firearm rights that violates the Second, Ninth, Tenth or Fourteenth Amendments of the U.S. Constitution, that violates Article 1, Sections 24 and 26 of the Tennessee Constitution, or that violates numerous related Supreme Court Decisions including those listed above shall be regarded by the people of, on, or in Loudon County to be unconstitutional, a transgression of the Supreme Law of the Land and its spirit of individual sovereignty, and, therefore by necessity, unenforceable and invalid from the outset.

Moreover, the criminal misuse of firearms is due to the fact that criminals do not obey laws and this is not a reason to abrogate or abridge the unalienable, constitutionally guaranteed rights of law abiding citizens. The last protectors of the Constitution of the United States are we the People of the United States and our ability to fulfill that role successfully rests on our Second Amendment rights.

THEREFORE BE IT RESOLVED, that the Loudon County, Tennessee government will not authorize or appropriate government funds, resources, employees, agencies, contractors, buildings, detention centers or offices for the purpose of enforcing or assisting in the enforcement of any element of such acts, laws, orders, mandates, rules or regulation that infringe on the right by the people to keep and bear arms as described and defined in detail above.

BE IT FURTHER RESOLVED by the Loudon County Commission meeting in regular session this 3rd day of June, 2019 at the Loudon County Courthouse Annex in Loudon, Tennessee that Loudon County Tennessee is officially declared a Gun Sanctuary county.

This Resolution shall become effective on the passage, the public welfare requiring it.

Loudon County Mayor

ATTEST:

Loudon County Clerk

Loudon County Commission Chairman

Exhibit B - Loudon County - Parcel: 040 105.08



Date: May 7, 2019
County: Loudon
Owner: LOUDON COUNTY
Address: CENTRE PARK DR 800
Parcel Number: 040 105.08
Deeded Acreage: 26.18
Calculated Acreage: 0
Date of Imagery: 2015

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TN Comptroller - OLG
TDOT
State of Tennessee, Comptroller of the Treasury, Office of Local Government
(OLG)

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership in any court of law.