

LOUDON COUNTY COMMISSION

REGULAR MEETING

April 2, 2001

1. Public Hearing
2. Opening Of Meeting
3. Roll Call
4. Motion **Passed** To Adopt Agenda
5. Motion **Passed** to Adopt Minutes of March 5, 2001 County Commission Meeting
6. Audience Comments On Agenda Items
7. Audience Comments On Non-Agenda Items
8. Motion Passed To Adopt Resolution – Loudon County Animal Shelter
9. Motion **Passed** To Adopt Resolution – Human Resource Agencies
10. Motion **Passed** To Adopt Resolution - Opposing Bills 1590, 1591, 1623, and 1624
11. Motion **Passed** To Contract with BWS&C For Jail/Judicial Center
12. Motion **Passed** To Have Surplus Property Sale
13. Motion **Passed** To Approve Highway Department Budget Amendments
14. Revenue and Expenditure Statement Presented
15. Motion **Passed** To Deny Request/Single Family Exclusive Overlay District From Rural Residential District
16. Loudon County Economic Development Agency Report
17. Building Commission Report
18. Request **Passed** To Change Account Name For Building Commission
19. Bonds Approved
20. Notaries Approved
21. Adjournment

**LOUDON COUNTY COMMISSION
STATE OF TENNESSEE
COUNTY OF LOUDON**

PUBLIC HEARING

**April 2, 2001
6:00 PM**

- 1) Request the removal of the R-E Single Family Exclusive Overlay District from property currently zoned A-2/R-E, Rural Residential District, with the Single Family Exclusive Overlay District, located off Fork Creek Rd., referenced by Tax Map 72, Parcels 2.00, 2.01, 2.02, 2.03 and 2.04, located in the First Legislative District – Sean Giles
Mr. Sean Giles came forward and stated that he wanted to withdraw this request.
Mr. Jim Bacon came forward and spoke in opposition of this request.
Mr. Ralph Bradshaw came forward and spoke in opposition of this request.

REGULAR MEETING

BE IT REMEMBERED that the Board of Commissioners of Loudon County convened in regular session in Loudon, Tennessee on the 2nd day of April 2001.

The **Honorable Roy Bledsoe** called the meeting to order.

Sheriff Tim Guider opened Court and led the Pledge of Allegiance to the Flag of the United States of America. Mr. Howard Luttrell gave the invocation.

Present were the following Commissioners: **Randolph, Thomas, Jenkins, Maples, Bledsoe, Masingo, Duff, Park and Harold.** (9)

Thereupon **Chairman Bledsoe** announced the presence of a quorum. Also present was the **Honorable George Miller, County Executive and County Attorney Harvey Sproul.**

Chairman Bledsoe requested the April 2, 2001 agenda be adopted.

Executive Miller requested that Item #D-1 regarding a resolution concerning the animal shelter be placed first on the agenda.

A motion was made by **Commissioner Park** with a second by **Commissioner Jenkins** to adopt the agenda with the change requested by Executive Miller.

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

Chairman Bledsoe requested the March 5, 2001 County Commission Meeting minutes be approved and accepted.

A motion was made by **Commissioner Harold** with a second by **Commissioner Maples** to approve the Minutes of the March 5, 2001 County Commission Meeting as presented.

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

Chairman Bledsoe asked for any visitor wishing to address the commission regarding items on the planned agenda to come forward.

No one came forward to speak.

Chairman Bledsoe asked for any visitor wishing to address the commission regarding items not on the agenda.

No one came forward to speak.

Thereupon no other visitors wished to address the commission, **Chairman Bledsoe** requested **County Executive George Miller** to continue with the agenda items.

Commissioner Jenkins presented a Resolution Approving Transfer Of Supervision Of Loudon County Animal Shelter Authority To Loudon County Animal Control Authority.

A **motion** was made by **Commissioner Jenkins** with a second by **Commissioner Duff** to adopt this resolution as presented.

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

Resolution # 040201, Exhibit A

Executive Miller requested consideration of adopting a Resolution Pertaining To Funding Of Human Resource Agencies.

A **motion** was made by **Commissioner Randolph** with a second by **Commissioner Masingo** to adopt this resolution as presented.

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

Resolution # 040201, Exhibit B

Executive Miller requested consideration of adopting a Resolution Requesting Legislators Representing Loudon County To Vigorously Oppose The Passage Of House Bill 1590, House Bill 1591, Senate Bill 1623 And Senate Bill 1624.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Maples** to adopt this resolution as presented.

After additional information was presented by Property Assessor Doyle Arp, a **motion** was made by **Commissioner Park** with a second by **Commissioner Thomas** to amend the prior motion to give the County Executive authority to convey to legislators that if the bill passes it would be acceptable to amend the bill to allow counties to negotiate an in-lieu-of tax.

Upon voice vote the amendment to the motion **passed** unanimously.

Resolution # 040201, Exhibit C

Commissioner Park, Chairman of the Jail/Judicial Study Committee presented the committee's recommendation to contract with BWS&C to proceed with the development of bid specs and final design/drawings of Phase I.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Jenkins** to accept the committee's recommendation.

Upon roll call vote the following commissioners voted **Aye: Randolph, Thomas, Jenkins Maples, Masingo, Bledsoe, Duff, Park and Harold: (9).**

Thereupon the chairman announced the motion **Passed. (9-0)**

Nancy Richesin, Loudon County Finance Director, requested approval to have a surplus real property sale of parcels the county has acquired through delinquent tax sales. The Budget Committee recommends approval of this request.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Duff** to approve this request and have Purchasing Agent Luttrell sell this property.

Upon roll call vote the following commissioners voted **Aye: Randolph, Thomas, Jenkins Maples, Masingo, Bledsoe, Duff, Park and Harold: (9).**

Thereupon the chairman announced the motion **Passed. (9-0)**

Mrs. Richesin requested approval of highway department budget amendments. The Budget Committee recommends approval of this request.

A **motion** was made by **Commissioner Park** with a second by **Commissioner Thomas** to approve this request.

Upon roll call vote the following commissioners voted **Aye: Randolph, Thomas, Jenkins Maples, Masingo, Bledsoe, Duff, Park and Harold: (9).**

Thereupon the chairman announced the motion **Passed. (9-0)**

Mrs. Richesin presented revenue and expenditure statements for all funds for month ending February 28, 2001.

Mr. Russ Newman, Office of Planning and Community Development, requested discussion and possible action on the following item in which the Loudon County Planning Commission did not recommend approval:

1. Request the removal of the R-E Single Family Exclusive Overlay District from property currently zoned A-2/R-E, Rural Residential District, with the Single Family Exclusive Overlay District, located off Fork Creek Rd., referenced by Tax Map 72, Parcels 2.00, 2.01, 2.02, 2.03 and 2.04, located in the First Legislative District

At this time Chairman Bledsoe stepped down and handed the Chair to Chair-Tempore Maples.

A motion was made by **Commissioner Bledsoe** with a second by **Commissioner Jenkins** to deny this request as recommended by the Planning Commission.

Upon roll call vote the following commissioners voted **Aye**: **Randolph, Thomas, Jenkins Maples, Masingo, Bledsoe, Duff, Park and Harold**: (8).

The following Commission voted **Nay**: **Randolph** (1).

Thereupon the chairman announced the motion **Passed**. (8-1)

After adjournment of the meeting, **Commission Randolph** requested his vote to be changed to **Aye**. He stated that he mis-spoke and had intended to vote **Aye**,

At this time the Chairman Bledsoe resumed as Chairman.

Pat Phillips, President of the Loudon County Economic Development Agency, made comments regarding the status of on-going projects and programs in process.

Chris West, Building Commissioner, reported the totals for March 2001.

Permits issued:	43	Est. Value:	\$2,480,500
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Amount collected:	\$3,683	Est. New taxes:	\$13,084
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Permits issued in the month of March 2000 were 50.

Building Commission West requested authorization to have his name be placed on the Building Commissioner's Office bank account removing Doug Lawrence's name.

A motion was made by **Commissioner Park** with a second by **Commissioner Maples** to approve this request. The County Executive will send written notice to the bank.

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

Commissioner Masingo requested consideration of approving the following Bond applications:

Paula J. Harrell

Barbara White

Katherine Turbyfill

Peggy A. Wilcox

Mike Frank

A Motion was made by **Commissioner Masingo** with a second by **Commissioner Park** to approve these bond applications.

The motion **Passed** unanimously upon voice vote.

Commissioner Masingo requested consideration of approving the following Notary applications:

Barbara White	Jennifer L. Downer
Jackie Sartin	Sandra G. Gentry
Charles T. Jones	John W. Evans
Paula J. Harrell	Peggy A. Wilcox
Charlotte R. Tinch	John Fausch
Kelly P. Simpson	Carla Collins
Willard D. Price	

A Motion was made by Commissioner Masingo with a second by Commissioner Park to approve these notary applications.

The motion Passed unanimously upon voice vote.

There being no further business, a Motion being duly made and seconded, the April 2, 2001 meeting stood adjourned at 7:25 p.m.

CHAIRMAN

ATTEST:



COUNTY COURT CLERK



COUNTY EXECUTIVE

LOUDON COUNTY COMMISSION

RESOLUTION NO. 040201-A

RESOLUTION APPROVING TRANSFER OF SUPERVISION OF
LOUDON COUNTY ANIMAL SHELTER TO
LOUDON COUNTY ANIMAL CONTROL AUTHORITY

WHEREAS, by resolution adopted March 6, 2000 (Resolution No. 030600-F), the Loudon County Commission established the Loudon County Animal Control Authority (LCACA); and

WHEREAS, by resolution adopted September 11, 2000 (Resolution No. 091100-P), the Loudon County Commission approved and ratified a Statement of Purpose and Powers, Delegation of Duties and Responsibilities, and Adoption of Bylaws for LCACA; and

WHEREAS, included in the Statement of Powers and Responsibilities, was the authority to oversee the operations of the animal shelter and the animal control program in general; and

WHEREAS, LCACA has been in the process of further developing its policies and procedures for the operation of the animal shelter and the animal control program in Loudon County, and its Board now has indicated that it is ready to assume complete responsibility for the operation of the animal shelter and the animal control program; and

WHEREAS, to this time the Loudon County Sheriff has continued to be responsible for the operation of the animal shelter, but has indicated his desire and consent that operation of the shelter be transferred to LCACA;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Loudon County, in regular session assembled this 2nd day of April, 2001, that the Loudon County Commission hereby approves and ratifies the transfer of the operation of the animal shelter and the animal control program to the Loudon County Animal Control Authority, it being specifically provided that the operation of the shelter shall remain as a governmental activity

and function shall remain subject to all laws, restrictions, policies and regulations of the Loudon County government.

This resolution shall take effect upon passage, the public welfare demanding it.


COUNTY CHAIRMAN

ACCEPTED:


COUNTY EXECUTIVE

ATTEST:


COUNTY CLERK

Resolution 040201-B



ETHRA

East Tennessee Human Resource Agency, Inc.

Administrative Office: 9111 Cross Park Drive, Suite D-100, Knoxville, Tennessee 37923
Fax (865) 531-7216 Hearing Impaired (865) 681-1990 Voice (865) 691-2551

January 23, 2001

Mr. George Miller
Loudon County Executive
Loudon County Courthouse
100 River Road, Box 106
Loudon, TN 37774

Dear Mr. Miller: *George*

Gary Holiway, Jefferson County Executive and President of the Tennessee Association of Human Resource Agencies, presented a resolution last week at ETHRA's Policy Council meeting. The resolution requesting full funding for the Human Resource Agencies is being presented to each HRA's Council and/or Board of Directors all across the State. In addition, the County Executives are being asked to present a similar resolution to their County Commissions for support and approval. Both are attached.

The State depends more and more on HRAs to deliver assistance to the people in our communities. Our ability to provide services is severely damaged when the State does not appropriate the \$90,000 authorized in the HRA legislation and used to match local government assessments. Additionally, our ability to leverage other programs using match funds becomes extremely impaired.

We need your support and we need your Commission's support. It is imperative that the HRAs appropriation be included in this year's State budget just as the Development Districts are included.

As Chairman of ETHRA I am asking you place the resolution on your next Commission agenda. Gordon Acuff, our Executive Director, has indicated he can provide staff support for your meeting if needed. Just let him know.

We want to join our County Executives across the state so officials will hear us loud and clear. Let us respectfully ask that the budget requests for matching funds on behalf of Human Resource Agencies be included in the proposed budget to be submitted by the state administration for fiscal year 2001-2002 and future budgets thereafter.

If you have questions, feel free to contact me, Gary Holiway or Gordon Acuff.

Sincerely,

David Purkey
Chairman

1288

**RESOLUTION BY THE POLICY COUNCIL
OF THE EAST TENNESSEE HUMAN RESOURCE AGENCY**

Pertaining to Funding of Human Resource Agencies

Whereas, the Human Resource Agency Act of 1973, TCA 13-26-101 et seq., created the delivery system for human services in the State of Tennessee, and

Whereas, each county in the East Tennessee district is a member of the East Tennessee Human Resource Agency with its County Executive serving by statute on the governing board of the agency, and

Whereas, TCA 13-26--107 and 13-26-111 provide that it is the intent of the State to assist financing with the delivery of human resources for its residents and authorizes the State to match local government contributions up to an amount of \$90,000,00 Dollars annually for each human resource agency, and further provides that such funds be included in the budget requests of the Department of Human Services submitted to the Commissioner of Finance and Administration, and

Whereas, the annual budget requests by the Department of Human Services to the Department of Finance and Administration requesting the aforesaid matching funds have not been included in the proposed annual budget requests by the state administration to the General Assembly which has resulted in a critical fiscal hardship to the human resource agencies, and

Whereas, the budget requests of the Tennessee Development Districts which serve the same coterminous boundaries as the human resource agencies have been included in the annual budget proposals of the state administration.

NOW THEREFORE, BE IT RESOLVED by the Policy Council and County Executives, in strong support of the worthy efforts and performance of the Human Resource Agencies of Tennessee, respectfully request that the budget requests for matching funds on behalf of the Human Resource Agencies be included in the proposed budget to be submitted by the state administration for fiscal year 2001-2002 and future budgets thereafter.

Adopted this 9th day of January, 2001.



David Purkey, Chairman

1289

LOUDON COUNTY COMMISSION

RESOLUTION NO. 040201 -C

**A RESOLUTION REQUESTING THE TENNESSEE GENERAL ASSEMBLY
TO OPPOSE PROPERTY TAX EXEMPTIONS FOR PRIVATE ACT
HOSPITALS OPERATING OUTSIDE THEIR HOME COUNTIES**

WHEREAS, hospitals operating under authority of a private act under present law are required to pay property tax on property they own in counties other than their home county; and

WHEREAS, such a hospital has protested the payment of property taxes to Loudon County on property they operate as a medical clinic and has appealed unsuccessfully to the State Board of Equalization; and

WHEREAS, proposed legislation now seeks to change the Tennessee code by an amendment to TCA Title 7 Chapter 57 Part 6 which would grant tax exempt status to "private act" created hospitals in any county they might have property in; and

WHEREAS, such clinics compete directly with similar businesses that are subject to property taxes thereby creating an unfair advantage; and

WHEREAS, property taxes are the primary source of revenue for funding local governments;

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission meeting in regular session assembled this 2nd day of April, 2001, hereby request the Tennessee General Assembly to defeat property tax exemptions for private act hospitals operating outside their own counties, and request the legislators representing our county to vigorously oppose the passage of House Bill 1590, House Bill 1591, Senate Bill 1623, and Senate Bill 1624.

This Resolution shall take effect from and after its passage.


COUNTY CHAIRMAN

ATTEST:

COUNTY CLERK


COUNTY EXECUTIVE

1290

**LOUDON COUNTY COMMISSION
RESOLUTION NO. 030501-C**

**RESOLUTION APPROVING OR ACKNOWLEDGING BOARD OR
COMMITTEE APPOINTMENT BY COUNTY EXECUTIVE**

WHEREAS, by statute, and/or intergovernmental agreement and/or County Procedural Regulations, the County Executive has authority to make certain committee and board appointments; and

WHEREAS, an appointment (or appointments) is necessary and/or desirable at this time; and

WHEREAS, the County Executive appoints the following as a member of

**LOUDON COUNTY
BEER BOARD**

Appointee

Panel C

Fifth District - Dana Zehner
Sixth District - David Sponsel

Term Expiration

August 31, 2003

NOW, THEREFORE, BE IT RESOLVED that the County Commission in regular session assembled this 2nd day of October, 2000 hereby approves and acknowledges (as appropriate), the said appointment(s).



COUNTY CHAIRMAN

ATTEST:



COUNTY CLERK



COUNTY EXECUTIVE

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

Appointee

Term Expiration

Panel A

August 31, 2001

First District - Nat Campbell
Second District - Jeff Laughlin

Panel B

August 31, 2002

Third District - Bobby Brown (term expired 8/31/99)
Fourth District - Bob Snodgrass

Panel C

August 31, 2003