



Loudon County Commission Workshop

Loudon, Tennessee

Monday, September 21, 2026

Courthouse Annex

6:00 pm

AGENDA

To provide public comment, prior to the start of the meeting please write your name on the sign-up sheet located on the podium for the Public Hearing or General Public Comments

1) General Public Comments

2) Loudon County Codes Enforcement Director – Jim Jenkins

A) A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE FROM A-1, AGRICULTURE FORESTRY DISTRICT TO A-3, DEVELOPING AGRICULTURE DISTRICT. LOUDON COUNTY TAX MAP 070, PARCEL 143.01, LOCATED MOUNTAIN CREST LANE, LOUDON COUNTY, TN, SITUATED IN THE 3RD LEGISLATIVE DISTRICT APPROXIMATELY (1) TWO ACRE LOT

Approved – 8 / Disapproved – 0 by Planning Commission

B) A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE FROM A-1, AGRICULTURE FORESTRY DISTRICT TO A-2, RURAL RESIDENTIAL DISTRICT. LOUDON COUNTY TAX MAP 035, PARCEL 003.00, LOCATED 10410 ANTIOCH CHURCH RD WEST, LOUDON COUNTY, TN, SITUATED IN THE 3RD LEGISLATIVE DISTRICT

Approved – 8 / Disapproved – 0 by Planning Commission

C) A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE FROM A-2, RURAL RESIDENTIAL DISTRICT TO A-3 DEVELOPING AGRICULTURE DISTRICT LOUDON COUNTY TAX MAP 019, PARCEL 137.00, LOCATED 1190 LOUDON RIDGE RD, LOUDON COUNTY, TN, SITUATED IN THE 5TH LEGISLATIVE DISTRICT APPROXIMATELY (1) ONE ACRE LOT ONLY

Approved – 8 / Disapproved – 0 by Planning Commission

3) Loudon County Economic Development Director – Jack Qualls

A) Tellico Retail Project

4) Commission Chairman – Bill Satterfield

A) Loudon County Commission Procedural Rules for Adoption

5) Commissioner – Bob Gross

A) Discussion on Joe Gray Proposal on Flock Cameras and other surveillance technology

6) Commissioner – Jason Tuttle

A) Discussion of a draft resolution establishing a public safety technology procurement standard and countywide fiscal, contractual, and right-of-way controls on mass surveillance technology

This follows up on the ALPR resolutions discussed at the September 8 meeting and on the resolution submitted by GTFOT Loudon County. The attached draft is a working revision built on the Commission's appropriation, contracting, and permitting authority, and includes a companion procedure inviting the Sheriff's Office to bring forward its own technology and budget requests for public consideration.

The draft has not yet been reviewed by the County Attorney (or designee), and I've flagged the open legal questions in a section at the end of the document for his review ahead of or during the workshop.

Attached:

- Draft resolution (Word, for markup)
- Draft resolution (PDF)

A public write-up with additional background is also available here for reference:
[Surveillance Controls for Loudon County | Jason Tuttle](#)

7) Commissioner – Van Shaver

A) Discussion of Bitcoin Mining Concerning to AI Data Centers

8) Commissioner – Rick Dramm

- A) The Preservation of Loudon County Farmland Act 2
- B) Consideration of re-instating the website committee to create a more citizen friendly platform

C) Consideration of Mr. Gray's Resolution to institute an ALPR ban in Loudon County

9) Commission Chairman – Bill Satterfield

A) Tellico Parkway Project

10) Director of Accounts and Budgets – Erin Rice

A) Budget Recommendations

RESOLUTION _____

**A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE,
PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE TENNESSEE CODE ANNOTATED,
TO REZONE FROM A-1, AGRICULTURE FORESTRY DISTRICT TO
A-3, DEVELOPING AGRICULTURE DISTRICT.
LOUDON COUNTY TAX MAP 070, PARCEL 143.01,
LOCATED MOUNTAIN CREST LANE, LOUDON COUNTY, TN,
SITUATED IN THE 3RD LEGISLATIVE DISTRICT
APPROXIMATELY (1) TWO ACRE LOT**

WHEREAS, the Loudon County Commission, in accordance with Chapter Seven, §13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Regional Planning Commission has forwarded a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in, The Daily Edition on September 11, 2026 consistent with the provisions of Tennessee Code Annotated, §13-7-105, and

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

Located Mountain Crest Lane, situated in the 3rd Legislative District, referenced by Tax Map 070, Parcel 143.01, to be rezoned from A-1 (Agriculture Forestry District) to A-3 (Developing Agriculture District). Approximately (1) two-acre lot.

BE IT FINALLY RESOLVED, that this Resolution shall take effect immediately, the public welfare requiring it.

ATTEST

LOUDON COUNTY CHAIRMAN

DATE: _____

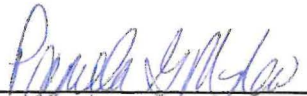
APPROVED: LOUDON COUNTY MAYOR

The votes on the question of approval of this Resolution by the Planning Commission are as follows:

APPROVED: 8

DISAPPROVED: 0

ABSTAINED: _____



ATTEST: SECRETARY LOUDON COUNTY
REGIONAL PLANNING COMMISSION

Dated: 9-10-26

RESOLUTION NO. _____

ILLUSTRATION ATTACHMENT

REZONE FROM A-1 (AGRICULTURE FORESTRY DISTRICT)
TO A-3 (DEVELOPING AGRICULTURE DISTRICT).
REFERENCED BY LOUDON COUNTY TAX MAP 070, PARCEL 143.01,
LOCATED AT MOUNTAIN CREST LANE, LOUDON COUNTY, TN,
SITUATED IN THE 3RD LEGISLATIVE DISTRICT
APPROXIMATELY (1) TWO ACRE LOT



RESOLUTION _____

**A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE,
PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE TENNESSEE CODE ANNOTATED,
TO REZONE FROM A-1, AGRICULTURE FORESTRY DISTRICT TO
A-2, RURAL RESIDENTIAL DISTRICT.
LOUDON COUNTY TAX MAP 035, PARCEL 003.00,
LOCATED 10410 ANTIOCH CHURCH RD WEST, LOUDON COUNTY, TN,
SITUATED IN THE 3RD LEGISLATIVE DISTRICT**

WHEREAS, the Loudon County Commission, in accordance with Chapter Seven, §13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Regional Planning Commission has forwarded a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in, The Daily Edition on September 11, 2026 consistent with the provisions of Tennessee Code Annotated, §13-7-105, and

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

Located 10410 Antioch Church Rd West, situated in the 3rd Legislative District, referenced by Tax Map 035, Parcel 003.00 to be rezoned from A-1 (Agriculture Forestry District) to A-2 (Rural Residential District).

BE IT FINALLY RESOLVED, that this Resolution shall take effect immediately, the public welfare requiring it.

ATTEST

LOUDON COUNTY CHAIRMAN

DATE: _____

APPROVED: LOUDON COUNTY MAYOR

The votes on the question of approval of this Resolution by the Planning Commission are as follows:

APPROVED: 8

DISAPPROVED: 0

ABSTAINED: _____

Pamela L. McNew
ATTEST: SECRETARY LOUDON COUNTY
REGIONAL PLANNING COMMISSION

Dated: 9-10-26

RESOLUTION NO. _____

ILLUSTRATION ATTACHMENT

REZONE FROM A-1 (AGRICULTURE FORESTRY DISTRICT)
TO A-2 (RURAL RESIDENTIAL DISTRICT).
REFERENCED BY LOUDON COUNTY TAX MAP 035, PARCEL 003.00
LOCATED AT 10410 ANTIOCH CHURCH RD WEST, LOUDON COUNTY, TN,
SITUATED IN THE 3RD LEGISLATIVE DISTRICT



RESOLUTION _____

**A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE,
PURSUANT TO CHAPTER SEVEN, §13-7-105 OF THE TENNESSEE CODE ANNOTATED,
TO REZONE FROM A-2, RURAL RESIDENTIAL DISTRICT TO
A-3 DEVELOPING AGRICULTURE DISTRICT
LOUDON COUNTY TAX MAP 019, PARCEL 137.00,
LOCATED 1190 LOUDON RIDGE RD, LOUDON COUNTY, TN,
SITUATED IN THE 5TH LEGISLATIVE DISTRICT
APPROXIMATELY (1) ONE ACRE LOT ONLY**

WHEREAS, the Loudon County Commission, in accordance with Chapter Seven, §13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Regional Planning Commission has forwarded a recommendation regarding the amendment to the Zoning Map of Loudon County, Tennessee,

WHEREAS, a notice of public hearing and a description of the resolution appeared in, The Daily Edition on September 11, 2026 consistent with the provisions of Tennessee Code Annotated, §13-7-105, and

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

Located 1190 Loudon Ridge Rd, situated in the 5th Legislative District, referenced by Tax Map 019, Parcel 137.00, to be rezoned from A-2 (Rural Residential District) to A-3 (Developing Agriculture District) Approximately (1) one acre lot.

BE IT FINALLY RESOLVED, that this Resolution shall take effect immediately, the public welfare requiring it.

ATTEST

LOUDON COUNTY CHAIRMAN

DATE: _____

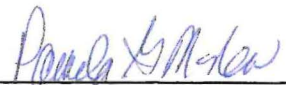
APPROVED: LOUDON COUNTY MAYOR

The votes on the question of approval of this Resolution by the Planning Commission are as follows:

APPROVED: 8

DISAPPROVED: 0

ABSTAINED: _____



ATTEST: SECRETARY LOUDON COUNTY
REGIONAL PLANNING COMMISSION

Dated: 9-10-26

RESOLUTION NO. _____

ILLUSTRATION ATTACHMENT

REZONE FROM A-2 (RURAL RESIDENTIAL DISTRICT) TO
A-3 (DEVELOPING AGRICULTURE DISTRICT)
REFERENCED BY LOUDON COUNTY TAX MAP 019, PARCEL 137.00,
LOCATED AT 1190 LOUDON RIDGE RD, LOUDON COUNTY, TN,
SITUATED IN THE 5TH LEGISLATIVE DISTRICT,
APPROXIMATELY (1) ONE ACRE LOT



LOUDON COUNTY PROCEDURAL RULES

GOVERNING THE CONDUCT OF MEETINGS OF THE LOUDON COUNTY BOARD OF COMMISSIONERS

Initially Adopted August 7, 1989

Revised and Adopted, November 7, 2022

Rollen “Buddy” Bradshaw, County Mayor
Riley Wampler, County Clerk

Commissioners

Chase Randolph (1st District)
Bob Gross (1st District)
Jason Tuttle (2nd District)
David Cook (2nd District)
Bill D. Satterfield (3rd District)

Gary R. Whitfield (4th District)
Joe Morrison (5th District)
Van Shaver (5th District)
Michael Adam Waller (6th District)
Rick Damm (7th District)

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**RULES REGULATING THE PROCEDURES OF THE
BOARD OF COMMISSIONERS OF LOUDON
COUNTY, TENNESSEE**

PREAMBLE: This manual is intended to be only a guide for the orderly transaction of business by the Board of Commissioners. The Tennessee Code Annotated and other controlling legal authority supersede the guidelines herein.

**RULE 1
CONVENING THE BOARD**

The Board shall meet at the County Courthouse Annex at 6:00 p.m. on the first Monday of each month. Should any prescribed meeting date fall on a legal holiday or if an emergency should arise, the Board shall meet on the following Monday unless another date has been set by the Board. Notification of the members for regular meetings shall be made by the Clerk at the request of the Chairperson.

The Board shall meet for Workshop sessions at the County Office Building at 6:00 pm on the third Monday of each month. Should any prescribed meeting date fall on a legal holiday or if an emergency should arise, the Board shall meet on the following Monday unless another date has been set by the Board. Notification of the members for regular meetings shall be made by the Clerk at the request of the Chairperson.

- Non-commission members shall be allotted time at the beginning of the Workshop for public comment. Non-commission members wishing to speak at the Workshop shall be limited to five (5) minutes per person per item. The Workshop Chairperson shall have the authority to extend this time limit when appropriate. The Workshop Chairperson shall also have the authority to set a total limit when, in his/her judgment, it is appropriate to do so to preserve efficiency and order of the meeting.
- After hearing public comment, a Commission member may add issues raised by the public to the Workshop Agenda for further discussion and debate.
- Only Commissioners and other County Officials may place items on the Workshop Agenda. Non-commission members must obtain a sponsorship of a Commissioner to place an item on the Agenda.
- Agenda items must be submitted to the Commission Clerk no later than noon of the Thursday before the Workshop. The Clerk shall email the Agenda to Commission members by the end of that same day.
- Agendas for meetings and workshops shall be available to the public 48 hours in advance of any meeting.

RULE 2 **QUORUM**

A quorum for the transaction of business shall be a majority of the duly qualified and acting members of the Board of Commissioners. Vacancies shall not be included in determining the membership of the Board. However, passage of any matter presented for voting must carry by a majority of the membership of the Board, including vacancies. **A majority vote is the vote of a majority of County Commissioners in office when the vote is taken unless a different manner of approval is provided by the Tennessee Code Annotated.**

RULE 3 **ORDER OF BUSINESS**

The following is a suggested order of business for Commission Meetings.

1. Call to order by Chairperson. (In his/her absence the Chairperson Pro Tempore shall preside).
2. Pledge of Allegiance and invocation.
3. Roll Call.
4. Reading and approval of the minutes of the previous meeting.
5. Adoption of Agenda.
6. Comments by Members of the General Public
7. Reading of Conflict of Interest Statements
8. Reports and new business — county officials, standing and special committees.
9. Elections, appointments, and confirmations.
10. Election of Notary Publics.
11. Adjournment.

RULE 4 **GENERAL**

- 4A WHO MAY ADDRESS THE BOARD: It is a Commissioner's right to address the Chairperson and the Board at any appropriate time after proper recognition by the Chairperson.

Non-commission members and members of the public wishing to speak on matters germane to the jurisdiction of the Board of Commissioners shall be limited to five (5) minutes per person up to a maximum of thirty (30) minutes total for all public comment. The Commission Chairperson may extend this time limit when appropriate. The Commission Chairperson shall enforce all time limitations outlined herein.

- 4B GAINING THE FLOOR: In all cases, the member who first addresses the Chairperson shall be entitled to speak first, but when two or more members address the Chairperson at the same time, the Chairperson shall name the member who shall speak first.

- 4C **SPEAKING:** A member desiring to speak in debate, discussion or deliver any address on any matter whatsoever to the Board, the member shall respectfully address the Chairperson and shall, after being recognized by the Chairperson proceed with the intended remarks, confining such remarks strictly to the question under debate and avoiding all personalities. Commission members shall try to limit their remarks to a maximum of 15 (fifteen) minutes on any one subject. All other members shall give attention to the member who has the floor.

It is provided, however, that when one person has the floor, and a general discussion among members ensues, the Chairperson may allow various members to speak and ask questions without the necessity of rising so long as the process remains orderly and the members are attentive.

- 4D **CONSENT TO YIELD:** While a member is speaking he/she is not to be interrupted, except for a question by another member. If the speaker declines to yield the floor for questions, then he/she shall not be interrupted, but shall yield to questions at the end of the presentation.
- 4E **POINTS OF ORDER:** If any member, speaking or otherwise, transgresses the Rules of the Board, the Chairperson shall, or any member may call to order, in which case the member so called to order shall stop speaking. When the point of order has been decided by the Chairperson, the member having the floor can proceed, subject to the decision made.
- 4F **APPEAL ON RULING:** Any member of the Board may appeal to the Board from the ruling of the Chairperson and a majority vote of the members present shall decide the appeal.
- 4G **EXECUTIVE SESSION:** The County Mayor may ask the County Attorney to prepare a brief, written summary of the points he/she intends to cover at the Executive Session. This summary will be passed out to all attendees in advance of the Executive Session. If the material is very sensitive, it will be passed out at the beginning of the Executive Session and returned to the County Attorney at the end of the Executive Session.

RULE 5

MOTIONS

- 5A **INTRODUCTION AND DEBATE:** Motions may only be made by members. No motions shall be debated until seconded and stated by the Chairperson. However, an initial presentation and limited discussion of a matter by a member may be allowed at the discretion of the Chairperson without the introduction of a motion.

- 5B MOTIONS: When a motion is made and seconded, it shall be read by the Chairperson prior to any debate or vote. Without objections from any member, the motion may be restated by the Chairperson prior to debate or vote.
- 5C REQUIRING ROLL CALL: Motions shall be put to the Board by the Chairperson for a voice vote except where these rules or applicable statutes require a roll call vote, provided, however, that any one member of the Board may require a roll call by so requesting.

RULE 6

ELECTIONS AND APPOINTMENTS

- 6A ELECTIONS AND NOMINATION FROM THE FLOOR: When the Chairperson is to receive nominations from the floor, a member may nominate only one person. The floor will be kept open until every member has had an opportunity to make nominations, or until a motion has been made and seconded that nominations cease and a majority of those present so vote.
- 6B NOMINATIONS BY THE PUBLIC: Before the County Commission votes or considers any motion or resolution regarding the office to be filled, the Chairperson shall allow registered voters of the county an opportunity to submit names to the Commission for consideration. The names may be submitted in writing to the Chairperson prior to the meeting or may be submitted at the meeting. In order for a name to be considered, a member of the Commission must subsequently nominate the person. If the person nominated is not present at the meeting, the person making the nomination shall submit a signed statement from the nominee that the nominee is willing to serve in the office if appointed.
- 6C APPOINTMENTS AND CONFIRMATIONS: When the Board is called upon to appoint someone from a list of nominees (such as a County Medical Examiner) or to confirm an appointee of the County Mayor (such as a department head) then the name or names of those being considered for the position shall be read to the membership and discussion of each such appointee shall follow.
- 6D ELECTION OR CONFIRMATION: All ballots for each election or confirmation shall be cast by voice vote as each member's name is called by the Clerk. If the vote is on confirmation of an appointee, each member will vote either "yes" or "no" on the confirmation. A majority of the membership of the Board is required for election or confirmation.
- 6E SECOND BALLOT: If no one is elected on a given ballot, the nominee receiving the smallest number of votes will be dropped and the ballot will be cast again until a nominee is elected by the required majority of the membership.

RULE 7
APPROPRIATIONS REQUESTS

REQUESTS FOR APPROPRIATION: Requests for appropriations in addition to those within the annual budget shall first be submitted to the County Budget Committee for consideration and recommendation to the Commission.

RULE 8
SUSPENDING THE RULES

Any rule or rules may be suspended by a two-thirds majority vote of the members present.

RULE 9
ROBERT'S RULES OF ORDER

All matters not covered herein or in statutory law shall be governed by Robert's Rules of Order Revised, as contained in the latest copyrighted edition. The County Technical Assistance Service publications may also be used as guidelines in the proceedings of the Loudon County Board of Commissioners.

RULE 10
THE CHAIRPERSON

- 10A ELECTION: Annually, at its September regular meeting the Board shall elect a Chairperson and a Chairperson Pro Tempore. The Chairperson may be one of the members of the Board or the County Mayor. If the Board elects as its Chairperson the County Mayor, and he/she accepts the position, then the County Mayor shall relinquish his/her veto power.
- 10B VOTING BY THE CHAIRPERSON: If the County Mayor is Chairperson, he/she may vote only in the case of a tie. If a member of the Board is the Chairperson, he/she may vote on all issues, just as any other member would vote.
- 10C CALL TO ORDER: The Board shall be called to order by the Chairperson. In the absence of the Chairperson, the Chairperson Pro Tempore shall preside. In the absence of the Chairperson Pro Tempore, the Board shall be called to order by the County Clerk, and shall elect one of its members to preside over the deliberations.
- 10D SPEAKING: Should the Chairperson make a motion relating to a Resolution or other business, he/she may do so, provided he/she vacates the chair. Whereupon the Chairperson Pro Tempore shall preside until the matter under consideration is disposed of by the Board. However, the Chairperson may answer questions, provide information, and give explanations from the Chair, the Board not objecting.

- 10E PRESERVE ORDER: The Chairperson shall preserve order and decorum. He/she may speak to points of order in preference to other members, rising from his/her seat for that purpose. He/she shall decide questions of order, subject to an appeal to the Board of any member.
- 10F ORDER OF RECOGNITION: Before a member is allowed to speak twice on the same subject, the Chairperson shall inquire if there is another member who has not spoken on that subject who wishes to speak.
- 10G MOTIONS: Once a motion has been duly made and seconded, the Chairperson shall state the motion so that debate on the motion may begin.
- 10H CLARIFICATION: The Chairperson shall clearly state the question before the Board before the vote on the question is taken. A member may ask for clarification of the question until the result of the vote is announced.
- 10I AGENDA: The Chairperson has the authority and responsibility for the content and form of the Agenda. All items to be placed on the Commission Meeting Agenda must go through the Commission Workshop first. The only exceptions to this are urgent items (emergencies or items that cannot be delayed for one (1) month). The majority of the Commission must specifically approve the placement of an urgent item on the Agenda.
- Time on the Agenda will not be routinely allotted for other County Officials (such as the Sheriff, Road Superintendent, Building Commissioner, Etc.) unless they specifically ask for it.
 - Informational presentations by outside advocacy groups will not be permitted. They should be referred to the Commission Workshop. Exceptions may be made by a majority vote of the Commission.
 - Agenda items must be submitted to the Commission Clerk no later than Thursday before the Workshop. The Clerk will distribute the Agenda and information packet to Commission members shortly thereafter.

The Workshop is the best venue for discussing and debating issues. The Commission should not rehash these issues at the Commission Meeting unless there is new information that was not discussed at the Workshop.

RULE 11 **THE CLERK**

- 11A NOTICE: The Clerk, or his or her designee, (hereinafter the "Clerk") shall notify each member of the Board of any regular, special, or called meetings not less than five (5) days in advance thereof. Notification of regular meetings shall be the responsibility of the Clerk at the request of the Chairperson.

- 11B AGENDA: The Clerk shall make his/her best effort to forward to each member of the Board the tentative Agenda of the next Board meeting, so as to be received not less than five (5) days prior to the scheduled meeting date. Any amendment shall be prepared and forwarded to the members at least 48 hours prior to the meeting.
- 11C MINUTES: The Clerk shall reduce the minutes of each Board meeting to writing and attach a copy of each resolution considered and the vote thereon. The minutes should be prepared within seven (7) days after said meeting and placed in a well bound book for public inspection. A copy of the minutes of the last meeting shall be forwarded to each board member within seven (7) days after they are prepared.
- 11D RESOLUTIONS: A copy of all resolutions approved by the Board should be submitted to the County Mayor, within five (5) days after such adoption, for his/her approval and signature.
- 11E ROLL CALL: *In all instances involving authorization to expend public funds, the Clerk shall call the roll for "Yes" and "No" votes. In all instances where the roll is called for any vote, regardless of whether or not the vote relates to expenditure of public funds, the Clerk shall make such roll call and the vote of each member shall become a part of the record of the meeting and included in the official minutes.*

RULE 12

SHERIFF

The Sheriff, or a deputy designated by him/her, shall, upon the request of the Chairperson or County Mayor, attend sessions of the Board. That officer shall preserve order and carry out orders of the presiding officer of the Board.

RULE 13

COUNTY ATTORNEY

The County Attorney shall, upon the request of the Chairperson or County Mayor, attend meetings of the Board. It shall be the duty of that official to voice his/her negative opinion when, in his/her opinion, the Board is in the process of taking action outside of its jurisdiction or in any manner proceeding illegally, and to give his/her legal opinion on any subject where such guidance is required or requested by the Chairperson, County Mayor, or Commission member.

RULE 14

COMMITTEES

- 14A The County Mayor shall appoint members of County Boards, Commissions, and department heads, except as otherwise provided by general law or special acts, and shall appoint standing committees, all subject to confirmation by the County legislative body. In so doing, the legislative body may express its views fully and freely and shall vote for or against confirmation.

- 14B Other committees may be appointed by the Chairperson, by the County Mayor, or by the County Commission, all as directed and approved by the County Commission. The person who will "chair" the committee shall be appointed by the same person who appoints the committee.
- 14C All committee chairmen shall contact the County Attorney on matters appearing to warrant legal evaluation prior to presentation to the Board.
- 14D The following procedure shall be followed pertinent to committee reports and related action:
1. The committee Chairperson or a member designated by him/her shall make the presentation in an open meeting of the Board.
 2. Upon completion of a report the speaker shall yield to questions.
 3. If action is necessary, there shall be a vote on the proposition when discussion is complete and when there is a call for the question by the Board.
- 14E If for any reason the Chairperson of a committee fails or refuses to call a meeting, the Chairperson of the Board, the County Mayor or a majority of the committee membership may do so.

RULE 15
CONFLICT WITH LAW:

In the event any of the foregoing rules are determined to conflict with the Tennessee Code Annotated or other controlling legal authority that part in conflict shall be null and void.

**LOUDON COUNTY, TENNESSEE
BOARD OF COMMISSIONERS
RESOLUTION _____**

RESOLUTION ADOPTING RULES OF PROCEDURE

WHEREAS, Public Chapter 599 requires “[w]ithin ninety (90) days of convening a newly elected county legislative body, the county legislative body shall adopt local rules of procedure by majority vote.”

WHEREAS, Public Chapter 599 states “[i]f changes to the local rules of procedure are proposed during that term after the adoption pursuant to subsection (c), the changes must be approved by two-thirds (2/3) majority vote of the county legislative body.”

WHEREAS, Public Chapter 599 states “[i]f question arises that is not addressed in the local rules of procedure, the question is governed by the latest edition of Robert’s Rules of Order.”

NOW THEREFORE, BE IT RESOLVED, by the Loudon County Board of Commissioners, in regular session assembled this ____ day of _____, 2026, that it hereby adopts the rules of procedure, in the form attached hereto as Exhibit A to this resolution.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately, the public welfare requiring it.

ATTEST:

Riley Wampler, County Clerk

APPROVED:

Rollen (Buddy) Bradshaw, Mayor

Chair, Loudon County, Tennessee
Board of Commissioners



KRAMER RAYSON LLP
ATTORNEYS AT LAW

JOHN T. JOHNSON, JR.
WARREN L. GOOCH
EDWARD G. PHILLIPS
THOMAS M. HALE
JACKSON G. KRAMER
BEECHER A. BARTLETT
JOHN C. BURGIN JR.
JOHN E. WINTERS
ROBERT L. BOWMAN
SHANNON COLEMAN EGLE
KATE E. TUCKER
BETSY J. BECK
WILLIAM J. CARVER
GEORGE R. ARRAÑTS, JR.
BRANDON L. MORROW
BRYCE E. FITZGERALD
NATHANIEL D. MOORE
JONATHAN S. TAYLOR
ERICA D. GREEN
ANDREW M. HALE
KATHERINE R. OVERTON
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May 27, 2026

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VIA EMAIL

OF COUNSEL
WAYNE R. KRAMER

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KNOXVILLE, TENNESSEE 37929
TELEPHONE 865 525 5134
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105 DONNER DRIVE, SUITE A
OAK RIDGE, TENNESSEE 37830
TELEPHONE 865 220 5134
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R.R. KRAMER (1888-1966)
L.H. RAYSON (1923-2017)

Henry J. Cullen, Chairman
Loudon County Board of Commissioners
206 Tansai Place
Loudon, TN 37774

Riley Wampler
Loudon County Clerk
101 Mulberry Street, Suite 200
Loudon, TN 37774

Re: Amendment to Tenn. Code Ann., Title 5, Chapter 1, relative to county legislative bodies and Amendment to Tenn. Code Ann., Title 8, Chapter 44, relative to public meetings

Dear Chairman Cullen and Mr. Wampler:

I hope each of you are well. I am writing to advise you of Public Chapter 599 which was signed into law by Governor Lee on March 18, 2026, and Public Chapter 620 which was signed into law by Governor Lee on March 26, 2026. Public Chapter 599 imposes new requirements for local rules of procedure for county legislative bodies, including the Loudon County Board of Commissioners ("Board of Commissioners"). Whereas Public Chapter 620 provides that public meetings will have a period reserved for public comment, whose topics may be both germane to the items on the agenda and to any other subject relevant to the jurisdiction of the local governing body.

Generally, Public Chapter 599 provides that newly elected county legislative bodies will temporarily and automatically adopt those local rules of procedure previously in place. Additionally, internally governing local rules of procedure must be adopted within 90 days of

convening any newly elected county legislative body. Any change to local rules of procedure after that time must be accomplished by a 2/3rd majority vote. Finally, any question of procedure not addressed by adopted local rules of procedure will follow the latest edition of Robert's Rules of Procedure.

Specifically, Public Chapter 599 states:

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "County" includes a county with a metropolitan or charter form of government; and

(2) "Local rules of procedure" means a set of formal, written regulations adopted by a legislative body to govern the conduct of its own internal business.

(b) The local rules of procedure adopted by a county legislative body become the temporary local rules of procedure for a newly elected county legislative body until acted upon pursuant to subsection (c).

(c) Within ninety (90) days of convening a newly elected county legislative body, the county legislative body shall adopt local rules of procedure by majority vote.

(d) If changes to the local rules of procedure are proposed during that term after the adoption pursuant to subsection (c), the changes must be approved by a two-thirds (2/3) majority vote of the county legislative body.

(e) If a question arises that is not addressed in the local rules of procedure, the question is governed by the latest edition of Robert's Rules of Order.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

It is my understanding that the Board of Commissioners is currently using the Loudon County Procedural Rules, last updated October of 2018. If you or the Board of Commissioners want to expand, update, or renew the Procedural Rules before adopting rules pursuant to Public Chapter 599, please let me know.

As to Public Chapter 620, it adds to existing Tenn. Code Ann., Section 8-44-112, and provides that there be a period of time dedicated for public comment during public meetings within a local governing body's jurisdiction. Additionally, the topics of any public comments can include not only any topic germane to the items listed on the meeting's agenda, but also any other topic relevant to the local governing body's jurisdiction, so Loudon County, generally.

Specifically, Public Chapter 620 states:

SECTION 1. Tennessee Code Annotated, Section 8-44-112, is amended by designating subsection (a) as subdivision (a)(1) and by adding the following as subdivision (a)(2):

(2)

(A) A local governing body shall, for each public meeting, reserve a period for public comment to provide the public with the opportunity to comment:

(i) On matters that are germane to the items on the agenda for the meeting; and

(ii) On any matter that is germane to the jurisdiction of the local governing body, regardless of whether such matter is an item on the agenda for the meeting.

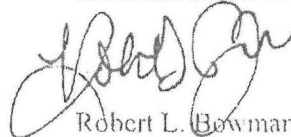
(B) As used in this subdivision (a)(2), "local governing body" means the governing body of an incorporated town, county, metropolitan government, school district, regional authority, or other political subdivision of this state other than a state governmental agency or entity.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Copies of Public Chapter 599 and Public Chapter 620 are enclosed for your review. If you have any questions, please do not hesitate to contact me.

Sincerely yours,

KRAMER RAYSON LLP



Robert L. Bowman

RLB/lpk

cc: Mayor Buddy Bradshaw (via email)
Tammie Wampler (via email)

Enclosures: Public Chapter No. 599
Public Chapter No. 620



State of Tennessee
PUBLIC CHAPTER NO. 599

HOUSE BILL NO. 1488

By Representatives Moon, Wright, Eldridge, Rudder, Stinnett, Davis, Todd

Substituted for: Senate Bill No. 1617

By Senator Jackson

AN ACT to amend Tennessee Code Annotated, Title 5, relative to county legislative bodies.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 5, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "County" includes a county with a metropolitan or charter form of government; and

(2) "Local rules of procedure" means a set of formal, written regulations adopted by a legislative body to govern the conduct of its own internal business.

(b) The local rules of procedure adopted by a county legislative body become the temporary local rules of procedure for a newly elected county legislative body until acted upon pursuant to subsection (c).

(c) Within ninety (90) days of convening a newly elected county legislative body, the county legislative body shall adopt local rules of procedure by majority vote.

(d) If changes to the local rules of procedure are proposed during that term after the adoption pursuant to subsection (c), the changes must be approved by a two-thirds (2/3) majority vote of the county legislative body.

(e) If a question arises that is not addressed in the local rules of procedure, the question is governed by the latest edition of Robert's Rules of Order.

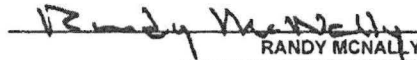
SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

HOUSE BILL NO. 1488

PASSED: February 26, 2026



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 18th day of March 2026



BILL LEE, GOVERNOR



State of Tennessee
PUBLIC CHAPTER NO. 620

HOUSE BILL NO. 22

By Representatives Davis, Sparks, Cepicky, Fritts, McCalmon, Rudd, Capley,
Greg Martin, Howell, Reneau, Hardaway, Todd

Substituted for: Senate Bill No. 178

By Senators Lowe, Bailey, Seal

AN ACT to amend Tennessee Code Annotated Title 8 Chapter 44 relative to public meetings

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE

SECTION 1 Tennessee Code Annotated Section 8-44-112 is amended by designating subsection (a) as subdivision (a)(1) and by adding the following as subdivision (a)(2)

(2)

(A) A local governing body shall for each public meeting reserve a period for public comment to provide the public with the opportunity to comment

(i) On matters that are germane to the items on the agenda for the meeting and

(ii) On any matter that is germane to the jurisdiction of the local governing body, regardless of whether such matter is an item on the agenda for the meeting

(B) As used in this subdivision (a)(2) "local governing body" means the governing body of an incorporated city or town, county, metropolitan government, school district, regional authority, or other political subdivision of this state other than a state governmental agency or entity

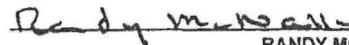
SECTION 2 This act takes effect upon becoming a law, the public welfare requiring it

HOUSE BILL NO. 22

PASSED: March 12, 2026



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES



RANDY MCNALLY
SPEAKER OF THE SENATE

APPROVED this 26th day of March 2026



BILL LEE, GOVERNOR

RESOLUTION NO. _____

LOUDON COUNTY COMMISSION

**A RESOLUTION ESTABLISHING A COUNTYWIDE PROHIBITION ON THE
PROOF-OF-CONCEPT TESTING, ACQUISITION, AND DEPLOYMENT OF
SURVEILLANCE TECHNOLOGY BY LOUDON COUNTY GOVERNMENT**

WHEREAS, Article I, Section 7 of the Constitution of the State of Tennessee and the Fourth Amendment to the United States Constitution protect the people of Loudon County against unreasonable searches and seizures, and guarantee a reasonable expectation of privacy in their persons, houses, papers, and effects; and

WHEREAS, advancing surveillance technologies, including but not limited to automated license plate reader (ALPR) camera networks, aerial and drone-based surveillance platforms, facial recognition software, cell-site simulators, and networked audio/video sensor systems, are capable of collecting, aggregating, and retaining large volumes of data on the movements, associations, and activities of law-abiding residents, often without individualized suspicion of wrongdoing; and

WHEREAS, the design of this technology, as described in Flock Safety's own granted United States Patent No. 11,416,545, is to photograph and classify every passing vehicle, and the persons in it, and to store that information in a searchable database that may then be queried, including by physical description alone with no license plate; such a system captures the general public first and searches afterward, and therefore cannot, by its own patented design, be limited to vehicles or persons suspected of wrongdoing; and

WHEREAS, the constitutional limits on government use of these technologies remain unsettled. The United States Supreme Court has reaffirmed that individuals retain a Fourth Amendment expectation of privacy in aggregated location data held by third parties, in *Carpenter v. United States* (2018) and again in *Chatrue v. United States* (2026). But the standards governing the third-party doctrine, the mosaic theory of Fourth Amendment protection, and warrantless access to aggregated movement data are still being decided, with cases pending before, or recently decided by, the Supreme Court and the federal circuit courts of appeal; and

WHEREAS, Loudon County should not commit public funds to, or deploy, technology capable of mass data collection on its residents while these constitutional standards remain unresolved, as doing so risks residents' rights, exposes the County to liability, and may require the costly unwinding of programs later found unconstitutional; and

WHEREAS, Flock Safety, the ALPR vendor whose equipment is deployed in this region, revised its standard terms as of February 16, 2026 in ways that independent analysts, including the ACLU and the security research service IPVM, documented as shifting control, liability, and data rights toward the vendor. The vendor deleted its prior promise that it does not own and will not sell customer data. It now grants the customer nominal ownership while keeping control over how and when the customer may access that data, reportedly providing only degraded, low-resolution copies stripped of metadata. It claims a perpetual license to keep using the data even after the customer terminates and loses its own access. And it has broadened its protection from liability for

gross negligence, forced disputes into arbitration under another state's law, and made contracts harder to exit even when a governing body refuses to fund them; and

WHEREAS, on August 17, 2026, the Loudon County Commission held a public fact-finding workshop on the proposed deployment of Flock Safety ALPR cameras, at which the overwhelming majority of residents in attendance expressed opposition to the program; and

WHEREAS, in August 2026, the neighboring Knox County Commission reviewed its Sheriff's Office deployment of Flock Safety ALPR cameras and found that the agency had, for years, purchased the cameras in increments of exactly \$24,990, ten dollars below the \$25,000 threshold that triggers mayoral and Commission approval, keeping a taxpayer-funded surveillance program outside public oversight; the review further found that the governing contract renewed automatically upon each purchase, and that a data system the Sheriff's Office represented as "closed" was in fact accessible to outside agencies; and

WHEREAS, on August 31, 2026, following that review and a public meeting at which more than thirty residents spoke and not one spoke in favor of retaining the cameras, the Knox County Commission voted unanimously to adopt an emergency ordinance ordering the removal of all Flock Safety ALPR cameras in the county within thirty days; and

WHEREAS, on that same date, August 31, 2026, the Florida Department of Transportation revoked all previously issued permits for automated license plate readers in state road rights-of-way and ordered their removal within thirty days, citing an exponential increase in deployments together with reports of misuse, data privacy concerns, and surveillance schemes, and declined to issue any further such permits; and

WHEREAS, these actions reflect a rapidly growing consensus among neighboring and other jurisdictions that such technology carries serious fiscal, legal, and constitutional risks and warrants, at minimum, robust controls established before deployment rather than after; and

WHEREAS, the Commission finds it necessary to establish clear, consistent, countywide policy governing the acquisition and use of surveillance capabilities by every county department, office, and agency, rather than allowing such decisions to be made piecemeal, without public visibility, or outside the Commission's procurement and appropriation authority; and

WHEREAS, the Commission finds that a countywide prohibition is a reasonable and prudent exercise of its legislative authority to protect the constitutional rights and tax dollars of Loudon County residents;

**NOW, THEREFORE, BE IT RESOLVED BY THE LOUDON COUNTY
COMMISSION:**

Section 1. Definitions.

For purposes of this Resolution, "Surveillance Technology" means any device, software, platform, or system acquired, deployed, or operated by or on behalf of Loudon County, including the Loudon County Sheriff's Office, that is capable of collecting, recording, retaining, analyzing, or sharing data regarding the location, movement, identity, biometric characteristics, or communications of members of the public. Surveillance Technology includes, without limitation: automated license

plate reader (ALPR) systems, including but not limited to Flock Safety camera networks; fixed-wing, rotary, or drone-based aerial surveillance platforms; facial recognition software; cell-site simulators; gunshot detection systems; and predictive policing software.

Surveillance Technology expressly excludes Crime Tracer and TITAN, as these are state-provided investigative case management and records databases rather than field-deployed data collection systems, and are not subject to this prohibition. Surveillance Technology further excludes officer-worn body cameras used to record interactions between officers and members of the public, provided that such cameras do not incorporate or enable any live or automated facial recognition, automated license plate reading, or real-time biometric identification capability; any body-worn device incorporating or enabling such a capability is not excluded and remains subject to this prohibition.

Section 2. Prohibition Established.

A countywide prohibition is hereby imposed on any proof-of-concept program, pilot, trial, procurement, acquisition, contract execution, contract renewal, grant application, or deployment of Surveillance Technology by any Loudon County department, office, or agency, including the Loudon County Sheriff's Office. No county department, office, or agency shall enter into, renew, or expand any agreement for Surveillance Technology, or newly deploy any Surveillance Technology, on or after the effective date of this Resolution. Existing Surveillance Technology is governed by Section 5.

Section 3. Prohibition on Access to Outside Surveillance Networks.

No Loudon County department, office, or agency, including the Loudon County Sheriff's Office, shall access, query, search, or receive data from any Surveillance Technology system owned or operated by another jurisdiction, agency, or private vendor. This includes any Flock Safety license plate reader network operated by a municipality. The sole exception is access made pursuant to a valid warrant or court order, issued on probable cause in connection with a specific criminal investigation.

This prohibition covers both new and existing access as of the effective date of this Resolution. No county funds, personnel, equipment, or other resources shall be used to acquire, maintain, or exercise any such access, except as permitted above.

The Commission finds that county agencies should not hold routine or standing access to outside surveillance networks without the judicial process, controls, and oversight that residents' constitutional rights require.

Section 4. Duration and Review.

This prohibition is permanent and shall remain in full force and effect unless and until repealed or amended by a resolution duly adopted by the Loudon County Commission. Should the United States Supreme Court or the Tennessee Supreme Court issue a controlling decision addressing the constitutional standards governing government acquisition, retention, or use of the categories of Surveillance Technology described in Section 1, the Commission may place the matter on its agenda and revisit this prohibition in light of that decision. Nothing in this Section causes the prohibition to lapse, expire, or weaken automatically; it remains in effect until the Commission affirmatively acts.

Section 5. Disclosure and Discontinuation of Existing Surveillance Technology.

Any Surveillance Technology contract or system owned, leased, or operated by or on behalf of Loudon County as of the effective date of this Resolution, other than the technologies expressly excluded under Section 1, shall be publicly disclosed and discontinued.

Within thirty (30) days of the effective date, each county department, office, and agency shall report any such contract or system to the Commission. Each shall take all reasonable steps to terminate it at the earliest date permitted, without incurring unnecessary penalty. The disclosure required by this Section shall be published on the official Loudon County website.

Section 6. Disclosure and Reporting.

Within thirty (30) days of the adoption of this Resolution, the Sheriff's Office and every other Loudon County department, office, or agency shall submit to the Commission a written inventory of all Surveillance Technology currently in use, under contract, or under active consideration, including vendor names, costs, data retention practices, and any existing data-sharing agreements with other agencies, including any arrangement under which the County or its agencies access, query, or receive data from a surveillance system operated by another jurisdiction or agency.

The County Clerk shall cause public notice of this Resolution, including its full text, to be published in a newspaper of general circulation within Loudon County, and shall further cause the inventory submitted under this Section to be published on the official Loudon County website, within thirty (30) days of its receipt by the Commission.

Section 7. Severability.

If any section, clause, or provision of this Resolution is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Resolution.

Section 8. Effective Date.

This Resolution shall take effect immediately upon its adoption by the Loudon County Commission.

ADOPTED this ____ day of _____, 2026.

Chairperson, Loudon County Commission

ATTEST:

County Clerk

GTFOH Loudon County

Facebook: <https://www.facebook.com/GTFOHLoudonCounty>

Instagram: <https://www.instagram.com/GTFOH.LoudonCounty>

TikTok: <https://www.tiktok.com/@GTFOH.LoCo.TN>
YouTube: <https://youtube.com/@GTFOH-Loudon-County>

Sent with [Proton Mail](#) secure email.

RESOLUTION NO. _____
LOUDON COUNTY COMMISSION

**A RESOLUTION ESTABLISHING A PUBLIC SAFETY TECHNOLOGY
PROCUREMENT STANDARD AND COUNTYWIDE FISCAL, CONTRACTUAL, AND
RIGHT-OF-WAY CONTROLS ON MASS SURVEILLANCE TECHNOLOGY**

*Working draft, version 2 — District 2, Seat A. Not yet reviewed by the County Attorney or designee. Bracketed citations
are marked for verification.*

Drafting note (remove before filing)

This draft rebuilds the resolution submitted by GTFOH Loudon County on a foundation the Commission can actually stand on.

The submitted version tried to prohibit conduct. This one governs **spending, contracting, approval, permitting, and the Commission's own procedure** — and it draws the line where Tennessee law actually draws it.

In this State a county commission does not command the Sheriff. It also does not command the County Mayor, the Road Superintendent, the Assessor of Property, the Trustee, the County Clerk, the Register of Deeds, the court clerks, or the Board of Education. Each is separately elected or separately governed. The Commission funds them; it does not direct them.

Part A is therefore binding on Loudon County as a corporate body — what the County appropriates, signs, permits, approves, and allows on its own property — and on offices under the Commission's direct budget control. Part B asks everyone else, and says plainly that it is asking.

The practical effect is close to identical. A program with no appropriation, no executed contract, no county right-of-way permit, and no local legislative approval does not exist. But this version survives the County Attorney, and it does not hand opponents the argument that the Commission is trying to run somebody else's office.

Section 14 is the affirmative half. This Resolution is not a position that Loudon County should have no public safety technology. It is a position that the County should buy it through a process, in public, with the numbers on the table. Section 14 builds that process and invites the Sheriff to use it.

PREAMBLE

WHEREAS, Article I, Section 7 of the Constitution of the State of Tennessee and the Fourth Amendment to the United States Constitution protect the people of Loudon County against unreasonable searches and seizures, and declare that general warrants are dangerous to liberty and ought not to be granted; and

WHEREAS, advancing surveillance technologies, including automated license plate reader (ALPR) networks, facial recognition software, aerial and drone-based platforms, cell-site simulators, student communications monitoring software, and networked audio and video sensor systems, are capable of

collecting, aggregating, and retaining large volumes of data on the movements, associations, communications, and activities of law-abiding residents without individualized suspicion of wrongdoing; and

WHEREAS, the design of ALPR technology, as described in Flock Safety's granted United States Patent No. 11,416,545, is to photograph and classify every passing vehicle and the persons in it and to store that information in a searchable database that may be queried by physical description alone with no license plate; such a system captures the general public first and searches afterward, and therefore cannot, by its own patented design, be limited to vehicles or persons suspected of wrongdoing; and

WHEREAS, on June 29, 2026, the Supreme Court of the United States held in *Chatrue v. United States* that an individual retains a legitimate expectation of privacy in records of his cell phone's location, that law enforcement conducts a Fourth Amendment search when it obtains that information from a third-party company, and that the third-party doctrine does not defeat that protection — extending *Carpenter v. United States* (2018) to data that users affirmatively elect to generate; and

WHEREAS, the question of how those holdings apply to aggregated vehicle movement data collected by ALPR networks has not been resolved by the United States Court of Appeals for the Sixth Circuit or by the Tennessee Supreme Court, and litigation on closely related questions remains pending; and

WHEREAS, Tenn. Code Ann. § 55-10-302 provides that captured plate data collected by a governmental entity may not be stored for more than ninety (90) days unless retained as part of an ongoing investigation, and that data so retained must be destroyed at the conclusion of an investigation resulting in no charges or of any criminal action involving that data — establishing a ceiling and a mandatory destruction duty, not a floor; and

WHEREAS, captured plate data from automated license plate reader systems is classified as confidential under Tennessee law and is not open to inspection by members of the public, with the consequence that no resident of this County will ever be able to audit such a system through a public records request — so that the only oversight that will ever exist is the oversight this Commission writes into a contract and requires to be reported in open session; and

WHEREAS, a governmental entity that accumulates and hosts sensitive movement, biometric, or communications data becomes a target for data breach and for civil claims arising from misuse, and the resulting liability and remediation cost falls on the County and its insurance pool rather than on the vendor; and

WHEREAS, Flock Safety revised its standard terms effective February 16, 2026 in ways that independent analysts, including the ACLU and the security research service IPVM, have documented as shifting control, liability, and data rights toward the vendor — deleting the prior commitment that the vendor does not own and will not sell customer data, granting the customer nominal ownership while retaining control over how and when the customer may access that data, claiming a perpetual license to continue using the data after the customer terminates and loses its own access, broadening the vendor's protection from liability for gross negligence, compelling arbitration under another state's law, and making contracts harder to exit when a governing body declines to fund them; and

WHEREAS, on August 17, 2026, the Loudon County Commission held a public fact-finding workshop on the proposed deployment of Flock Safety ALPR cameras, at which the overwhelming majority of residents in attendance expressed opposition to the program; and

WHEREAS, on August 31, 2026, the Knox County Commission voted unanimously to order the removal of all Flock Safety ALPR cameras in that county within thirty days, following a public meeting at which more than thirty residents spoke and none spoke in favor of retaining the cameras; and

WHEREAS, on August 31, 2026, in Engineering and Operations Memorandum No. 26-01, the Florida Department of Transportation revoked all previously issued approvals for automated license plate recognition systems within the rights-of-way of the State Highway System and directed their removal within thirty days, citing the exponential increase in deployments together with reports of misuse, data privacy concerns, and surveillance schemes, and exercising authority under Fla. Stat. § 316.0777 that is materially parallel to the authority the Tennessee Department of Transportation holds under Tenn. Code Ann. § 55-8-198(f); and

WHEREAS, under Tenn. Code Ann. § 55-8-198(f) the Tennessee Department of Transportation is authorized but not required to permit law enforcement surveillance cameras on State highway right-of-way, and TDOT's published application for an ALPR license requires an applicant local law enforcement agency, or a local government applying on its behalf, to first submit the proposal to the applicable local legislative body and to attach documentation of that body's approval before the application may be processed — placing the decision squarely before this Commission; and

WHEREAS, roadside hardware installed within the clear zone of a roadway presents a crash-safety risk independent of any privacy question, and roadside safety advocates have documented ALPR and related camera poles mounted directly in concrete, without breakaway or slip-base systems, and at distances from the travel lane that would not be permitted for a comparable sign support; and

WHEREAS, Sections 1307 and 1308 of H.R. 8870, the BUILD America 250 Act, would condition Federal-aid reimbursement eligibility for roadside safety hardware on compliance with the crash test criteria of the AASHTO Manual for Assessing Safety Hardware (MASH), Second Edition, and would direct the United States Department of Transportation Inspector General to audit Federal Highway Administration oversight of such hardware — reflecting a federal judgment that anything placed beside a public road must be demonstrably crashworthy; and

WHEREAS, the Commission does not question the good faith of any Loudon County official, and finds no evidence of improper conduct by any County office; the purpose of this Resolution is to establish the procedure by which decisions of this magnitude are made, before they are made, rather than to review any decision already taken; and

WHEREAS, the Sheriff of Loudon County, the County Mayor, the Road Superintendent, the Assessor of Property, the Trustee, the County Clerk, the Register of Deeds, the clerks of the courts, and the Board of Education are separately elected or separately governed, and this Resolution is drawn to exercise only the powers this Commission holds — appropriation, contracting, approval of applications submitted in the County's name, control of county property and county road rights-of-way, land use approval, and its own procedure; and

WHEREAS, the Commission finds that public safety technology should be evaluated on a written record, in public, against its cost and its evidence of effectiveness — and that a standing procurement standard serves the Sheriff's Office and the taxpayers better than case-by-case decisions made without either;

NOW, THEREFORE, BE IT RESOLVED BY THE LOUDON COUNTY COMMISSION:

PART A — BINDING ON LOUDON COUNTY

Section 1. Definitions and Scope

1.1 “Mass Surveillance Technology” means any device, system, platform, software, or service that, as a routine function of its ordinary operation, collects, records, or retains identifying data about members of the general public who are not the subject of individualized suspicion, and does so indiscriminately as to the persons or vehicles observed. The term includes, without limitation:

- (a) automated license plate reader (ALPR) systems, cameras, and networks, including Flock Safety camera networks, wherever sited — including at solid waste convenience centers, park entrances, school parking areas, and other county facilities;
- (b) facial recognition, gait recognition, voiceprint enrollment, and other biometric identification applied to images, recordings, or communications of the general public;
- (c) fixed-wing, rotary, or drone-based aerial platforms operated for general observation, and aerial inspection of private property for codes, zoning, or ordinance enforcement conducted without the owner’s consent or a warrant;
- (d) cell-site simulators;
- (e) gunshot detection systems;
- (f) predictive policing software;
- (g) networked audio or video sensor systems deployed on public roadways or in other public spaces for general observation of passing traffic or pedestrians, including sensors incorporating audio analytics, aggression detection, or keyword detection; and
- (h) software that monitors, scans, flags, or reports the communications, documents, browsing, or device activity of students or of members of the public, whether on district-issued or personal devices.

1.2 Exclusions. Mass Surveillance Technology does **not** include:

- (a) video surveillance and access control systems used for the physical security of county-owned or county-occupied buildings, grounds, parking areas, detention facilities, and school campuses, provided such systems do not incorporate or enable facial or other biometric recognition, automated license plate reading, audio analytics, or communications monitoring;
- (b) emergency communications, computer-aided dispatch, and E-911 systems;
- (c) officer-worn and in-vehicle cameras that record an officer’s own interactions with members of the public, provided they do not incorporate live facial recognition, automated license plate reading, or real-time biometric identification;
- (d) detention facility video, access control, and inmate communications recording applied to persons lawfully in custody — provided that voiceprint enrollment or biometric analysis of any party to a call who is not in custody is not excluded and remains subject to this Resolution;

- (e) booking and identification systems, including fingerprint and photographic identification, applied to persons lawfully arrested or in custody;
- (f) investigative case management and records databases that do not themselves collect field data, including Crime Tracer, TITAN, NCIC, NLETS, and TIES;
- (g) traffic counting, signal operation, and incident detection equipment that does not identify individual vehicles or persons and does not retain identifying imagery;
- (h) aerial or satellite imagery acquired for property assessment purposes, which is not prohibited by this Resolution but is reportable under Section 11; and
- (i) equipment operated by a private party solely on that party's own property for the protection of that property.

1.3 "County Funds" means any funds appropriated, held, administered, or disbursed by Loudon County, including general fund, capital projects, debt proceeds, grant, forfeiture, drug fund, donated, and pass-through funds, regardless of source.

1.4 Scope of Part A. Part A binds Loudon County as a corporate body and every office, department, and agency whose budget is under the direct control of this Commission. Where a provision of Part A would otherwise reach the internal operations of a separately elected official or of the Board of Education, it is to be read as limited to the County's own appropriation, contracting, permitting, and approval functions, and the corresponding request appears in Part B.

DRAFTING NOTE Section 1.2(a) is the most important change from the submitted draft. As that draft was written, its definition plus its discontinuation mandate would have required the County to shut off courthouse cameras, jail video, E-911 location, and livescan fingerprinting. The narrowing here keeps the hallway cameras on at the schools while leaving student communications monitoring, biometrics, and audio analytics squarely inside the Resolution, where they belong.

Section 2. Appropriation and Expenditure

2.1 No County Funds shall be appropriated, encumbered, transferred, or expended for the proof-of-concept testing, pilot, trial, lease, purchase, subscription, installation, maintenance, hosting, data storage, or operation of any Mass Surveillance Technology, whether directly or by reimbursement to another party.

2.2 No county capital projects funds, capital outlay notes, bonds, or other county-issued debt shall be authorized or applied to Mass Surveillance Technology, including such technology proposed for school facilities, absent a recorded vote of this Commission identifying the specific technology and its cost.

Section 3. Contracts

3.1 No county officer or employee shall execute, renew, extend, amend to expand, or exercise a renewal option under any contract, subscription, license, memorandum of understanding, or other agreement for Mass Surveillance Technology on behalf of Loudon County.

3.2 No County Funds are or will be available to satisfy any obligation arising under any such agreement entered on or after the effective date of this Resolution without prior approval of this Commission by recorded vote.

3.3 No county officer or employee shall submit any grant application, letter of intent, or expression of interest that would obligate the County to acquire, host, maintain, or operate Mass Surveillance Technology.

Section 4. Grants, Donations, No-Cost Trials, and In-Kind Placement

4.1 No county department, office, or agency shall accept on behalf of Loudon County any Mass Surveillance Technology, or any related installation, service, hosting, data storage, or software access, offered as a grant award, donation, gift, pilot, demonstration, evaluation, complimentary trial, or in-kind contribution from any source, whether or not County Funds are expended and whether or not a local match is required.

4.2 Acceptance of any such offer or award requires prior approval of this Commission by recorded vote. Acceptance of a grant award is itself an approval point under this Section, independent of any approval given at the application stage.

DRAFTING NOTE Free trial deployments, vendor-donated hardware, and fully grant-funded acquisitions are the three most common ways these programs enter a county without a vote. An appropriation-based prohibition alone does not reach any of them.

Section 5. Aggregation of Purchases

5.1 As a standing policy of this Commission governing which acquisitions are brought to the floor, all acquisitions of Mass Surveillance Technology from the same vendor, or from that vendor's affiliates, within any rolling twelve-month period shall be aggregated and treated as a single acquisition.

5.2 No acquisition shall be divided, phased, sequenced, or structured in separate transactions in a manner that causes any individual transaction to fall below a threshold that the aggregate acquisition would exceed.

5.3 Nothing in this Section purports to amend any threshold established by the purchasing or financial management statutes applicable to Loudon County [County Attorney to confirm the governing act and whether an aggregation policy stricter than the statute may be adopted by resolution].

Section 6. Approvals Under Tenn. Code Ann. § 55-8-198(f)

6.1 This Commission has not granted, and shall not be deemed to have granted, the local legislative body approval that the Tennessee Department of Transportation requires as a prerequisite to any application for a license to install or operate ALPR cameras on State highway right-of-way within Loudon County, except by a recorded vote taken on a specific application identifying the specific equipment and locations at issue.

6.2 No county officer or employee shall represent to the Tennessee Department of Transportation, or to any other state or federal agency, that this Commission has granted such approval absent that recorded vote.

6.3 Any approval granted under this Section applies only to the equipment, brand, model, and locations identified in the application approved, and expires if the application is withdrawn, denied, or materially amended.

DRAFTING NOTE The prior draft had this Commission prospectively declining all future applications. A body can only act on matters before it and cannot bind its successors, so that provision was advisory at best. Framed instead as "no approval exists unless this body voted on this application," it does the same work and is enforceable.

Section 7. County Property and County Road Rights-of-Way

7.1 No Mass Surveillance Technology shall be installed, mounted, or operated on any county-owned property, county building, county utility structure, or county road right-of-way without prior approval of this Commission by recorded vote.

7.2 As a condition of any approval under 7.1, and as a condition of any permit or authorization issued by the County for third-party hardware placed within the clear zone of a county road right-of-way, the applicant shall provide:

- (a) documentation that the mounting pole, base, and foundation system is crashworthy under the criteria of the AASHTO Manual for Assessing Safety Hardware (MASH), Second Edition, at the applicable test level, or that the installation lies outside the applicable clear zone as determined under the AASHTO Roadside Design Guide;
- (b) the exact location by latitude and longitude, road name, and measured distance from the edge of pavement;
- (c) proof of public liability insurance naming Loudon County as an additional insured; and
- (d) a written undertaking that the owner will remove the hardware at its own expense upon revocation.

7.3 Any authorization granted under this Section is revocable at the discretion of the Commission.

Section 8. County Resources and Outside Surveillance Networks

8.1 No County Funds, county personnel time funded by this Commission, county equipment, county network, or other county resource shall be used to purchase, subscribe to, maintain, or otherwise obtain routine or standing access to any Mass Surveillance Technology system owned or operated by another jurisdiction, agency, or private vendor.

8.2 No county officer or employee shall execute on behalf of Loudon County any agreement, memorandum of understanding, or data-sharing arrangement granting such routine or standing access.

8.3 Nothing in this Section restricts:

- (a) access obtained pursuant to a valid warrant or court order;
- (b) action taken under exigent circumstances involving an imminent threat of death or serious bodily injury;
- (c) an investigation into the whereabouts of a missing, endangered, or abducted person;
- (d) receipt of data or recordings voluntarily provided by the owner of the system that produced them; or
- (e) receipt of information lawfully transmitted to the County by another agency on that agency's own initiative.

DRAFTING NOTE *The submitted draft's only exception was a probable-cause warrant. A missing child generates no probable cause, because there is no crime — so as written, a deputy could not check a neighboring agency's system to find one. That is the first hypothetical an opponent raises and there was no answer to it.*

Section 9. Land Use and Development Approvals

9.1 No condition of approval attached by the County to any subdivision plat, planned unit development, rezoning, site plan, or development agreement shall require, and no such condition shall be accepted as an offered amenity, any Mass Surveillance Technology that transmits, shares, or makes available its data to a governmental entity.

9.2 This Section does not restrict a private property owner, homeowners association, or business from installing equipment on its own property for the protection of that property, and does not restrict the voluntary provision of recordings to law enforcement by their owner.

DRAFTING NOTE *Developer-installed cameras at neighborhood entrances, accepted as a condition of approval and feeding to law enforcement, are surveillance the County never buys, never owns, and never votes on. It simply arrives with the subdivision.*

Section 10. Public Hearing Required Before Approval

10.1 The Commission shall not vote to approve any Mass Surveillance Technology under Sections 2, 3, 4, 6, or 7 until it has held a public hearing on that specific proposal.

10.2 Notice of the hearing, together with the complete written submission required by Section 14, shall be published on the official Loudon County website and in a newspaper of general circulation not less than fourteen (14) days before the hearing.

Section 11. Annual Inventory and Disclosure

11.1 Within thirty (30) days of adoption, and annually thereafter in conjunction with the budget process, each office, department, and agency under the Commission's direct budget control shall submit a written inventory of all Mass Surveillance Technology in use, under contract, under active consideration, or accessed under any arrangement with another jurisdiction or vendor. The inventory shall additionally report any aerial or satellite imagery acquisition incorporating automated change detection, any solid waste facility camera system, and any inmate communications contract incorporating voice analysis.

11.2 Each inventory entry shall state: vendor name; equipment type and quantity; installed locations; total cost and funding source; contract term, renewal structure, and termination provisions; data retention period; data storage location; and every outside agency with access to the resulting data.

11.3 The Commission shall place each completed inventory on the agenda of its next regular meeting and shall determine, item by item and by recorded vote, what action if any to take. Nothing in this Section directs termination of any agreement in advance of that determination.

11.4 Each inventory and the Commission's determinations shall be published on the official Loudon County website within thirty (30) days of receipt.

DRAFTING NOTE *The submitted draft ordered discontinuation first and the inventory that identifies what exists second. This reverses that order, merges two overlapping reports into one, and makes it recur with the budget instead of expiring after a single snapshot.*

Section 14. Public Safety Technology Procurement Standard

14.1 The Commission affirms that public safety technology is a legitimate subject of County investment, that the Sheriff's Office and other agencies serving this County face real operational needs, and that the Commission's concern is with the manner in which such technology is acquired rather than with the existence of the category.

14.2 Any proposal to acquire public safety technology requiring County Funds shall be submitted to the Budget Committee of this Commission on a standard written form, which shall state:

- (a) the specific problem to be addressed and the local data establishing it;
- (b) what the technology does, what data it collects, from whom, and for how long;
- (c) total cost of ownership over five years, including subscription, hosting, installation, maintenance, training, and personnel;
- (d) the funding source, and the recurring obligation created in future budget years;
- (e) alternatives considered, including non-technological alternatives and additional personnel, with comparative cost;
- (f) published evidence of effectiveness, and any published evidence to the contrary;
- (g) who will have access to the data, under what authority, and how access is audited; and
- (h) the measure by which the Commission will judge whether the investment worked, and the date on which that measure will be reported.

14.3 The Budget Committee shall review each submission, take public comment, and report to the full Commission with a recommendation. The submission shall be published on the official Loudon County website upon filing.

14.4 The Commission invites the Sheriff of Loudon County to submit, at his discretion and on whatever schedule suits his office, an assessment of the technology and resources his office considers necessary. The Commission commits to receive any such submission in open session, to consider it in the next budget cycle on the same standing as any other departmental request, and to state its reasons publicly if it declines to fund any part of it.

DRAFTING NOTE *This is the affirmative half of the Resolution and the reason it can pass. Everything preceding it is a restriction. This section gives a colleague who ran on public safety something to vote for, and gives the Sheriff a route to a yes rather than only a no. The Commission may bind its own committees and set its own agenda procedure, so this section rests on unquestioned authority.*

Section 15. Transition

15.1 Nothing in this Resolution impairs an obligation of a contract validly executed before its effective date. Any such contract shall be reported under Section 11 and shall be governed by the Commission's determination under Section 11.3 at the next renewal, extension, or amendment point.

15.2 As used in this Resolution, "recorded vote" means a vote of this Commission taken in a duly noticed open meeting at which the vote of each member is recorded in the minutes.

Section 16. Duration and Review

This Resolution remains in full force and effect unless and until repealed or amended by a resolution duly adopted by this Commission. Nothing in it causes it to lapse, expire, or weaken automatically. Should the United States Supreme Court, the United States Court of Appeals for the Sixth Circuit, or the Tennessee Supreme Court issue a controlling decision addressing the constitutional standards governing government acquisition, retention, or use of the categories of technology described in Section 1, the Commission may place the matter on its agenda and revisit this Resolution in light of that decision.

Section 17. Severability

If any section, clause, or provision of this Resolution is held invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions. Part A shall remain in effect independent of Part B.

Section 18. Publication

The County Clerk is requested to cause public notice of this Resolution, including its full text, to be published in a newspaper of general circulation within Loudon County and posted on the official Loudon County website.

Section 19. Effective Date

This Resolution takes effect immediately upon adoption.

PART B — REQUESTS

The following are respectful requests to separately elected officials, to separately governed bodies, and to state and federal officers. They are not directives. Nothing in Part B is enforceable by this Commission, and nothing in it implies that any official to whom it is addressed has acted improperly.

- B.1 The Commission respectfully requests that the **Sheriff of Loudon County** provide the inventory described in Section 11 as to the operations of his office, adopt a written departmental policy limiting query of any outside ALPR or surveillance network to the circumstances described in Section 8.3, and consider the invitation extended in Section 14.4.
- B.2 The Commission respectfully requests that the **County Mayor** transmit a copy of this Resolution to the Manager of the TDOT Right-of-Way Division Excess Land Office, and request a written accounting of all applications, license agreements, Excess Land Committee recommendations, and supporting local-approval documentation on file relating to ALPR installations within Loudon County — the accounting, on receipt, to be placed on the Commission's agenda and published on the County website.
- B.3 The Commission respectfully requests that the **Road Superintendent** report to the Commission any third-party camera or sensor hardware presently installed within a county road right-of-way, together with its distance from the edge of pavement and its mounting type, and that future permits condition placement on the crashworthiness documentation described in Section 7.2.

- B.4 The Commission respectfully requests that the **Loudon County Board of Education** disclose annually any student communications monitoring, content scanning, device activity monitoring, biometric identification, audio analytics, or license plate reading software or equipment in use in the school system, together with its vendor, cost, funding source, retention period, and the circumstances under which alerts are referred to law enforcement; and that the Board adopt a policy requiring notice to parents of the categories of student activity subject to monitoring.
- B.5 The Commission respectfully requests that the **Assessor of Property** disclose any aerial or satellite imagery contract incorporating automated change detection, including flight frequency, imagery resolution, retention, and whether the imagery or its derived data is shared with or accessible to any law enforcement agency.
- B.6 The Commission respectfully requests that the **Tennessee Department of Transportation** exercise its authority under Tenn. Code Ann. § 55-8-198(f), including its authority to inspect approved cameras and the data they collect, to review all outstanding ALPR licenses on State highway right-of-way within Loudon County, and to condition any such license on documented MASH crashworthiness of the mounting system — as the Florida Department of Transportation has done under parallel authority.
- B.7 The Commission respectfully requests that the **Tennessee General Assembly** establish statewide standards governing the placement, crashworthiness, retention, audit, and data ownership terms applicable to automated license plate readers and related surveillance technology deployed by or for governmental entities in this State.
- B.8 The Commission respectfully requests that the **Tennessee congressional delegation**, and in particular the member serving on the House Committee on Transportation and Infrastructure, support enactment of Sections 1307 and 1308 of H.R. 8870, the BUILD America 250 Act, relating to MASH compliance for roadside safety hardware and to Inspector General audit of Federal Highway Administration oversight.
- B.9 The County Mayor is requested to transmit certified copies of this Resolution to each official and body named above; to the mayors and councils of Lenoir City, Loudon, Greenback, and Philadelphia; to the Loudon Utilities Board and the Lenoir City Utilities Board; to the members of the Loudon County legislative delegation; and to the United States Representative for the Second Congressional District.

ADOPTED this _____ day of _____, 2026.

Chairperson, Loudon County Commission

ATTEST:

County Clerk

ITEMS REQUIRING COUNTY ATTORNEY REVIEW BEFORE FILING

1. The governing purchasing and financial management act for Loudon County, and whether an aggregation policy stricter than the statutory threshold may be adopted by resolution (Section 5).
2. Whether Section 3.2's "no County Funds are or will be available" formulation is the correct and sufficient mechanism, and whether any void-ab-initio language should be added or must be avoided as adjudicative.
3. Whether the Road Superintendent of Loudon County is separately elected or appointed, which determines whether Section 7 permitting authority and the request at B.3 are correctly placed.
4. Whether the Commission may condition acceptance of donated and grant-funded property as broadly as Section 4 provides.
5. Whether Section 9 land use conditions are within this Commission's authority under the County's zoning and subdivision regulations, or must be adopted by the Planning Commission.
6. Whether Section 12 vendor disclosure is consistent with the County's adopted ethics policy, or requires amendment of that policy instead.
7. Confirmation that Tenn. Code Ann. § 55-8-198(f) or another provision identifies searches for missing or endangered persons as an authorized purpose — Section 8.3(c) is currently drafted to stand without that citation.
8. Whether anything remaining in Part A could be characterized as directing the internal operations of a separately elected official, and if so, whether it belongs in Part B.

RESOLUTION NO. _____

LOUDON COUNTY COMMISSION

A RESOLUTION ESTABLISHING A PUBLIC SAFETY TECHNOLOGY PROCUREMENT STANDARD AND COUNTYWIDE FISCAL, CONTRACTUAL, AND RIGHT-OF-WAY CONTROLS ON MASS SURVEILLANCE TECHNOLOGY

Working draft, version 2 — District 2, Seat A. Not yet reviewed by the County Attorney or designee. Bracketed citations are marked for verification.

Drafting note (remove before filing)

This draft rebuilds the resolution submitted by GTFOH Loudon County on a foundation the Commission can actually stand on.

The submitted version tried to prohibit conduct. This one governs **spending, contracting, approval, permitting, and the Commission's own procedure** — and it draws the line where Tennessee law actually draws it.

In this State a county commission does not command the Sheriff. It also does not command the County Mayor, the Road Superintendent, the Assessor of Property, the Trustee, the County Clerk, the Register of Deeds, the court clerks, or the Board of Education. Each is separately elected or separately governed. The Commission funds them; it does not direct them.

Part A is therefore binding on Loudon County as a corporate body — what the County appropriates, signs, permits, approves, and allows on its own property — and on offices under the Commission's direct budget control. Part B asks everyone else, and says plainly that it is asking.

The practical effect is close to identical. A program with no appropriation, no executed contract, no county right-of-way permit, and no local legislative approval does not exist. But this version survives the County Attorney, and it does not hand opponents the argument that the Commission is trying to run somebody else's office.

Section 14 is the affirmative half. This Resolution is not a position that Loudon County should have no public safety technology. It is a position that the County should buy it through a process, in public, with the numbers on the table. Section 14 builds that process and invites the Sheriff to use it.

PREAMBLE

WHEREAS, Article I, Section 7 of the Constitution of the State of Tennessee and the Fourth Amendment to the United States Constitution protect the people of Loudon County against unreasonable searches and seizures, and declare that general warrants are dangerous to liberty and ought not to be granted; and

WHEREAS, advancing surveillance technologies, including automated license plate reader (ALPR) networks, facial recognition software, aerial and drone-based platforms, cell-site simulators, student communications monitoring software, and networked audio and video sensor systems, are capable of collecting, aggregating, and retaining large volumes of data on the movements, associations, communications, and activities of law-abiding residents without individualized suspicion of wrongdoing; and

WHEREAS, the design of ALPR technology, as described in Flock Safety's granted United States Patent No. 11,416,545, is to photograph and classify every passing vehicle and the persons in it and to store that information in a searchable database that may be queried by physical description alone with no license plate; such a system captures the general public first and searches afterward, and therefore cannot, by its own patented design, be limited to vehicles or persons suspected of wrongdoing; and

WHEREAS, on June 29, 2026, the Supreme Court of the United States held in *Chatrue v. United States* that an individual retains a legitimate expectation of privacy in records of his cell phone's location, that law enforcement conducts a Fourth Amendment search when it obtains that information from a third-party company, and that the third-party doctrine does not defeat that protection — extending *Carpenter v. United States* (2018) to data that users affirmatively elect to generate; and

WHEREAS, the question of how those holdings apply to aggregated vehicle movement data collected by ALPR networks has not been resolved by the United States Court of Appeals for the Sixth Circuit or by the Tennessee Supreme Court, and litigation on closely related questions remains pending; and

WHEREAS, Tenn. Code Ann. § 55-10-302 provides that captured plate data collected by a governmental entity may not be stored for more than ninety (90) days unless retained as part of an ongoing investigation, and that data so retained must be destroyed at the conclusion of an investigation resulting in no charges or of any criminal action involving that data — establishing a ceiling and a mandatory destruction duty, not a floor; and

WHEREAS, captured plate data from automated license plate reader systems is classified as confidential under Tennessee law and is not open to inspection by members of the public, with the consequence that no resident of this County will ever be able to audit such a system through a public records request — so that the only oversight that will ever exist is the oversight this Commission writes into a contract and requires to be reported in open session; and

WHEREAS, a governmental entity that accumulates and hosts sensitive movement, biometric, or communications data becomes a target for data breach and for civil claims arising from misuse, and the resulting liability and remediation cost falls on the County and its insurance pool rather than on the vendor; and

WHEREAS, Flock Safety revised its standard terms effective February 16, 2026 in ways that independent analysts, including the ACLU and the security research service IPVM, have documented as shifting control, liability, and data rights toward the vendor — deleting the prior commitment that the vendor does not own and will not sell customer data, granting the customer nominal ownership while retaining control over how and when the customer may access that data, claiming a perpetual license to continue using the data after the customer terminates and loses its own access, broadening the vendor's protection from liability for gross

negligence, compelling arbitration under another state's law, and making contracts harder to exit when a governing body declines to fund them; and

WHEREAS, on August 17, 2026, the Loudon County Commission held a public fact-finding workshop on the proposed deployment of Flock Safety ALPR cameras, at which the overwhelming majority of residents in attendance expressed opposition to the program; and

WHEREAS, on August 31, 2026, the Knox County Commission voted unanimously to order the removal of all Flock Safety ALPR cameras in that county within thirty days, following a public meeting at which more than thirty residents spoke and none spoke in favor of retaining the cameras; and

WHEREAS, on August 31, 2026, in Engineering and Operations Memorandum No. 26-01, the Florida Department of Transportation revoked all previously issued approvals for automated license plate recognition systems within the rights-of-way of the State Highway System and directed their removal within thirty days, citing the exponential increase in deployments together with reports of misuse, data privacy concerns, and surveillance schemes, and exercising authority under Fla. Stat. § 316.0777 that is materially parallel to the authority the Tennessee Department of Transportation holds under Tenn. Code Ann. § 55-8-198(f); and

WHEREAS, under Tenn. Code Ann. § 55-8-198(f) the Tennessee Department of Transportation is authorized but not required to permit law enforcement surveillance cameras on State highway right-of-way, and TDOT's published application for an ALPR license requires an applicant local law enforcement agency, or a local government applying on its behalf, to first submit the proposal to the applicable local legislative body and to attach documentation of that body's approval before the application may be processed — placing the decision squarely before this Commission; and

WHEREAS, roadside hardware installed within the clear zone of a roadway presents a crash-safety risk independent of any privacy question, and roadside safety advocates have documented ALPR and related camera poles mounted directly in concrete, without breakaway or slip-base systems, and at distances from the travel lane that would not be permitted for a comparable sign support; and

WHEREAS, Sections 1307 and 1308 of H.R. 8870, the BUILD America 250 Act, would condition Federal-aid reimbursement eligibility for roadside safety hardware on compliance with the crash test criteria of the AASHTO Manual for Assessing Safety Hardware (MASH), Second Edition, and would direct the United States Department of Transportation Inspector General to audit Federal Highway Administration oversight of such hardware — reflecting a federal judgment that anything placed beside a public road must be demonstrably crashworthy; and

WHEREAS, the Commission does not question the good faith of any Loudon County official, and finds no evidence of improper conduct by any County office; the purpose of this Resolution is to establish the procedure by which decisions of this magnitude are made, before they are made, rather than to review any decision already taken; and

WHEREAS, the Sheriff of Loudon County, the County Mayor, the Road Superintendent, the Assessor of Property, the Trustee, the County Clerk, the Register of Deeds, the clerks of the courts, and the Board of Education are separately elected or separately governed, and this Resolution is drawn to exercise only the powers this Commission holds — appropriation, contracting, approval of applications submitted in the

County's name, control of county property and county road rights-of-way, land use approval, and its own procedure; and

WHEREAS, the Commission finds that public safety technology should be evaluated on a written record, in public, against its cost and its evidence of effectiveness — and that a standing procurement standard serves the Sheriff's Office and the taxpayers better than case-by-case decisions made without either;

NOW, THEREFORE, BE IT RESOLVED BY THE LOUDON COUNTY COMMISSION:

PART A — BINDING ON LOUDON COUNTY

Section 1. Definitions and Scope

1.1 “Mass Surveillance Technology” means any device, system, platform, software, or service that, as a routine function of its ordinary operation, collects, records, or retains identifying data about members of the general public who are not the subject of individualized suspicion, and does so indiscriminately as to the persons or vehicles observed. The term includes, without limitation:

- (a) automated license plate reader (ALPR) systems, cameras, and networks, including Flock Safety camera networks, wherever sited — including at solid waste convenience centers, park entrances, school parking areas, and other county facilities;
- (b) facial recognition, gait recognition, voiceprint enrollment, and other biometric identification applied to images, recordings, or communications of the general public;
- (c) fixed-wing, rotary, or drone-based aerial platforms operated for general observation, and aerial inspection of private property for codes, zoning, or ordinance enforcement conducted without the owner's consent or a warrant;
- (d) cell-site simulators;
- (e) gunshot detection systems;
- (f) predictive policing software;
- (g) networked audio or video sensor systems deployed on public roadways or in other public spaces for general observation of passing traffic or pedestrians, including sensors incorporating audio analytics, aggression detection, or keyword detection; and
- (h) software that monitors, scans, flags, or reports the communications, documents, browsing, or device activity of students or of members of the public, whether on district-issued or personal devices.

1.2 Exclusions. Mass Surveillance Technology does **not** include:

- (a) video surveillance and access control systems used for the physical security of county-owned or county-occupied buildings, grounds, parking areas, detention facilities, and school

campuses, provided such systems do not incorporate or enable facial or other biometric recognition, automated license plate reading, audio analytics, or communications monitoring;

- (b) emergency communications, computer-aided dispatch, and E-911 systems;
- (c) officer-worn and in-vehicle cameras that record an officer's own interactions with members of the public, provided they do not incorporate live facial recognition, automated license plate reading, or real-time biometric identification;
- (d) detention facility video, access control, and inmate communications recording applied to persons lawfully in custody — provided that voiceprint enrollment or biometric analysis of any party to a call who is not in custody is not excluded and remains subject to this Resolution;
- (e) booking and identification systems, including fingerprint and photographic identification, applied to persons lawfully arrested or in custody;
- (f) investigative case management and records databases that do not themselves collect field data, including Crime Tracer, TITAN, NCIC, NLETS, and TIES;
- (g) traffic counting, signal operation, and incident detection equipment that does not identify individual vehicles or persons and does not retain identifying imagery;
- (h) aerial or satellite imagery acquired for property assessment purposes, which is not prohibited by this Resolution but is reportable under Section 11; and
- (i) equipment operated by a private party solely on that party's own property for the protection of that property.

1.3 “County Funds” means any funds appropriated, held, administered, or disbursed by Loudon County, including general fund, capital projects, debt proceeds, grant, forfeiture, drug fund, donated, and pass-through funds, regardless of source.

1.4 Scope of Part A. Part A binds Loudon County as a corporate body and every office, department, and agency whose budget is under the direct control of this Commission. Where a provision of Part A would otherwise reach the internal operations of a separately elected official or of the Board of Education, it is to be read as limited to the County's own appropriation, contracting, permitting, and approval functions, and the corresponding request appears in Part B.

DRAFTING NOTE Section 1.2(a) is the most important change from the submitted draft. As that draft was written, its definition plus its discontinuation mandate would have required the County to shut off courthouse cameras, jail video, E-911 location, and livescan fingerprinting. The narrowing here keeps the hallway cameras on at the schools while leaving student communications monitoring, biometrics, and audio analytics squarely inside the Resolution, where they belong.

Section 2. Appropriation and Expenditure

2.1 No County Funds shall be appropriated, encumbered, transferred, or expended for the proof-of-concept testing, pilot, trial, lease, purchase, subscription, installation, maintenance, hosting, data storage, or operation of any Mass Surveillance Technology, whether directly or by reimbursement to another party.

2.2 No county capital projects funds, capital outlay notes, bonds, or other county-issued debt shall be authorized or applied to Mass Surveillance Technology, including such technology proposed for school facilities, absent a recorded vote of this Commission identifying the specific technology and its cost.

Section 3. Contracts

3.1 No county officer or employee shall execute, renew, extend, amend to expand, or exercise a renewal option under any contract, subscription, license, memorandum of understanding, or other agreement for Mass Surveillance Technology on behalf of Loudon County.

3.2 No County Funds are or will be available to satisfy any obligation arising under any such agreement entered on or after the effective date of this Resolution without prior approval of this Commission by recorded vote.

3.3 No county officer or employee shall submit any grant application, letter of intent, or expression of interest that would obligate the County to acquire, host, maintain, or operate Mass Surveillance Technology.

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4.2 Acceptance of any such offer or award requires prior approval of this Commission by recorded vote. Acceptance of a grant award is itself an approval point under this Section, independent of any approval given at the application stage.

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5.3 Nothing in this Section purports to amend any threshold established by the purchasing or financial management statutes applicable to Loudon County [County Attorney to confirm the governing act and whether an aggregation policy stricter than the statute may be adopted by resolution].

Section 6. Approvals Under Tenn. Code Ann. § 55-8-198(f)

6.1 This Commission has not granted, and shall not be deemed to have granted, the local legislative body approval that the Tennessee Department of Transportation requires as a prerequisite to any application for a license to install or operate ALPR cameras on State highway right-of-way within Loudon County, except by a recorded vote taken on a specific application identifying the specific equipment and locations at issue.

6.2 No county officer or employee shall represent to the Tennessee Department of Transportation, or to any other state or federal agency, that this Commission has granted such approval absent that recorded vote.

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7.1 No Mass Surveillance Technology shall be installed, mounted, or operated on any county-owned property, county building, county utility structure, or county road right-of-way without prior approval of this Commission by recorded vote.

7.2 As a condition of any approval under 7.1, and as a condition of any permit or authorization issued by the County for third-party hardware placed within the clear zone of a county road right-of-way, the applicant shall provide:

- (a) documentation that the mounting pole, base, and foundation system is crashworthy under the criteria of the AASHTO Manual for Assessing Safety Hardware (MASH), Second Edition, at the applicable test level, or that the installation lies outside the applicable clear zone as determined under the AASHTO Roadside Design Guide;
- (b) the exact location by latitude and longitude, road name, and measured distance from the edge of pavement;
- (c) proof of public liability insurance naming Loudon County as an additional insured; and
- (d) a written undertaking that the owner will remove the hardware at its own expense upon revocation.

7.3 Any authorization granted under this Section is revocable at the discretion of the Commission.

Section 8. County Resources and Outside Surveillance Networks

8.1 No County Funds, county personnel time funded by this Commission, county equipment, county network, or other county resource shall be used to purchase, subscribe to, maintain, or otherwise obtain

routine or standing access to any Mass Surveillance Technology system owned or operated by another jurisdiction, agency, or private vendor.

8.2 No county officer or employee shall execute on behalf of Loudon County any agreement, memorandum of understanding, or data-sharing arrangement granting such routine or standing access.

8.3 Nothing in this Section restricts:

- (a) access obtained pursuant to a valid warrant or court order;
- (b) action taken under exigent circumstances involving an imminent threat of death or serious bodily injury;
- (c) an investigation into the whereabouts of a missing, endangered, or abducted person;
- (d) receipt of data or recordings voluntarily provided by the owner of the system that produced them; or
- (e) receipt of information lawfully transmitted to the County by another agency on that agency's own initiative.

DRAFTING NOTE The submitted draft's only exception was a probable-cause warrant. A missing child generates no probable cause, because there is no crime — so as written, a deputy could not check a neighboring agency's system to find one. That is the first hypothetical an opponent raises and there was no answer to it.

Section 9. Land Use and Development Approvals

9.1 No condition of approval attached by the County to any subdivision plat, planned unit development, rezoning, site plan, or development agreement shall require, and no such condition shall be accepted as an offered amenity, any Mass Surveillance Technology that transmits, shares, or makes available its data to a governmental entity.

9.2 This Section does not restrict a private property owner, homeowners association, or business from installing equipment on its own property for the protection of that property, and does not restrict the voluntary provision of recordings to law enforcement by their owner.

DRAFTING NOTE Developer-installed cameras at neighborhood entrances, accepted as a condition of approval and feeding to law enforcement, are surveillance the County never buys, never owns, and never votes on. It simply arrives with the subdivision.

Section 10. Public Hearing Required Before Approval

10.1 The Commission shall not vote to approve any Mass Surveillance Technology under Sections 2, 3, 4, 6, or 7 until it has held a public hearing on that specific proposal.

10.2 Notice of the hearing, together with the complete written submission required by Section 14, shall be published on the official Loudon County website and in a newspaper of general circulation not less than fourteen (14) days before the hearing.

Section 11. Annual Inventory and Disclosure

11.1 Within thirty (30) days of adoption, and annually thereafter in conjunction with the budget process, each office, department, and agency under the Commission's direct budget control shall submit a written inventory of all Mass Surveillance Technology in use, under contract, under active consideration, or accessed under any arrangement with another jurisdiction or vendor. The inventory shall additionally report any aerial or satellite imagery acquisition incorporating automated change detection, any solid waste facility camera system, and any inmate communications contract incorporating voice analysis.

11.2 Each inventory entry shall state: vendor name; equipment type and quantity; installed locations; total cost and funding source; contract term, renewal structure, and termination provisions; data retention period; data storage location; and every outside agency with access to the resulting data.

11.3 The Commission shall place each completed inventory on the agenda of its next regular meeting and shall determine, item by item and by recorded vote, what action if any to take. Nothing in this Section directs termination of any agreement in advance of that determination.

11.4 Each inventory and the Commission's determinations shall be published on the official Loudon County website within thirty (30) days of receipt.

DRAFTING NOTE The submitted draft ordered discontinuation first and the inventory that identifies what exists second. This reverses that order, merges two overlapping reports into one, and makes it recur with the budget instead of expiring after a single snapshot.

Section 12. Vendor Conduct Disclosure

12.1 Any gift, meal, travel, lodging, conference registration, demonstration unit, equipment loan, or thing of value offered to a member of this Commission or to any county officer or employee by a vendor, reseller, or agent of Mass Surveillance Technology shall be disclosed in writing to the Commission within thirty (30) days of the offer, whether or not accepted.

12.2 Any written or oral communication from such a vendor, reseller, or agent seeking to influence a County acquisition shall be disclosed in the same manner. Disclosures under this Section shall be published on the official Loudon County website.

Section 13. Minimum Terms If the Commission Approves

Should this Commission approve any Mass Surveillance Technology agreement by recorded vote, that agreement shall at minimum:

1. contain no provision permitting third-party disclosure of County data on a vendor's good-faith belief, or on any standard short of legal process;
2. grant the vendor no perpetual or post-termination license to County data, and require certified deletion of all County data within thirty (30) days of termination, subject to paragraph 8;
3. require affirmative renewal by recorded vote, with automatic renewal expressly disclaimed;

4. log every query to a named user and an open case number, with the log available for County audit and summarized in the annual report required by paragraph 7;
5. cap routine data retention at fourteen (14) days, which is below the ninety-day ceiling of Tenn. Code Ann. § 55-10-302, except for data retained as part of an ongoing investigation, which shall be retained and destroyed as that statute directs;
6. provide mutual indemnification, and require the vendor to carry cyber liability coverage naming the County as an additional insured in an amount set by the Commission;
7. require an annual public report to the Commission in open session covering camera count and placement, query volume, case outcomes, audit findings, data breaches, and every outside agency holding access; and
8. preserve, notwithstanding any retention or deletion provision, all data subject to a subpoena, preservation demand, litigation hold, discovery obligation, or ongoing investigation, until that obligation is discharged.

These terms are a floor and not an endorsement. Nothing in this Section constitutes approval of any agreement.

DRAFTING NOTE Paragraphs 5 and 8 correct a defect in the prior draft. A flat fourteen-day cap with no investigative exception, and certified deletion thirty days after termination with no litigation hold, could each have ordered the destruction of evidence in a pending case. Because captured plate data is confidential under Tennessee law and cannot be obtained by a resident through a public records request, paragraphs 4 and 7 are not good-housekeeping items — they are the only oversight of such a system that will ever exist.

Section 14. Public Safety Technology Procurement Standard

14.1 The Commission affirms that public safety technology is a legitimate subject of County investment, that the Sheriff's Office and other agencies serving this County face real operational needs, and that the Commission's concern is with the manner in which such technology is acquired rather than with the existence of the category.

14.2 Any proposal to acquire public safety technology requiring County Funds shall be submitted to the Budget Committee of this Commission on a standard written form, which shall state:

- (a) the specific problem to be addressed and the local data establishing it;
- (b) what the technology does, what data it collects, from whom, and for how long;
- (c) total cost of ownership over five years, including subscription, hosting, installation, maintenance, training, and personnel;
- (d) the funding source, and the recurring obligation created in future budget years;
- (e) alternatives considered, including non-technological alternatives and additional personnel, with comparative cost;
- (f) published evidence of effectiveness, and any published evidence to the contrary;
- (g) who will have access to the data, under what authority, and how access is audited; and

- (h) the measure by which the Commission will judge whether the investment worked, and the date on which that measure will be reported.

14.3 The Budget Committee shall review each submission, take public comment, and report to the full Commission with a recommendation. The submission shall be published on the official Loudon County website upon filing.

14.4 The Commission invites the Sheriff of Loudon County to submit, at his discretion and on whatever schedule suits his office, an assessment of the technology and resources his office considers necessary. The Commission commits to receive any such submission in open session, to consider it in the next budget cycle on the same standing as any other departmental request, and to state its reasons publicly if it declines to fund any part of it.

DRAFTING NOTE This is the affirmative half of the Resolution and the reason it can pass. Everything preceding it is a restriction. This section gives a colleague who ran on public safety something to vote for, and gives the Sheriff a route to a yes rather than only a no. The Commission may bind its own committees and set its own agenda procedure, so this section rests on unquestioned authority.

Section 15. Transition

15.1 Nothing in this Resolution impairs an obligation of a contract validly executed before its effective date. Any such contract shall be reported under Section 11 and shall be governed by the Commission's determination under Section 11.3 at the next renewal, extension, or amendment point.

15.2 As used in this Resolution, "recorded vote" means a vote of this Commission taken in a duly noticed open meeting at which the vote of each member is recorded in the minutes.

Section 16. Duration and Review

This Resolution remains in full force and effect unless and until repealed or amended by a resolution duly adopted by this Commission. Nothing in it causes it to lapse, expire, or weaken automatically. Should the United States Supreme Court, the United States Court of Appeals for the Sixth Circuit, or the Tennessee Supreme Court issue a controlling decision addressing the constitutional standards governing government acquisition, retention, or use of the categories of technology described in Section 1, the Commission may place the matter on its agenda and revisit this Resolution in light of that decision.

Section 17. Severability

If any section, clause, or provision of this Resolution is held invalid by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions. Part A shall remain in effect independent of Part B.

Section 18. Publication

The County Clerk is requested to cause public notice of this Resolution, including its full text, to be published in a newspaper of general circulation within Loudon County and posted on the official Loudon County website.

Section 19. Effective Date

This Resolution takes effect immediately upon adoption.

PART B — REQUESTS

The following are respectful requests to separately elected officials, to separately governed bodies, and to state and federal officers. They are not directives. Nothing in Part B is enforceable by this Commission, and nothing in it implies that any official to whom it is addressed has acted improperly.

- B.1 The Commission respectfully requests that the **Sheriff of Loudon County** provide the inventory described in Section 11 as to the operations of his office, adopt a written departmental policy limiting query of any outside ALPR or surveillance network to the circumstances described in Section 8.3, and consider the invitation extended in Section 14.4.
- B.2 The Commission respectfully requests that the **County Mayor** transmit a copy of this Resolution to the Manager of the TDOT Right-of-Way Division Excess Land Office, and request a written accounting of all applications, license agreements, Excess Land Committee recommendations, and supporting local-approval documentation on file relating to ALPR installations within Loudon County — the accounting, on receipt, to be placed on the Commission's agenda and published on the County website.
- B.3 The Commission respectfully requests that the **Road Superintendent** report to the Commission any third-party camera or sensor hardware presently installed within a county road right-of-way, together with its distance from the edge of pavement and its mounting type, and that future permits condition placement on the crashworthiness documentation described in Section 7.2.
- B.4 The Commission respectfully requests that the **Loudon County Board of Education** disclose annually any student communications monitoring, content scanning, device activity monitoring, biometric identification, audio analytics, or license plate reading software or equipment in use in the school system, together with its vendor, cost, funding source, retention period, and the circumstances under which alerts are referred to law enforcement; and that the Board adopt a policy requiring notice to parents of the categories of student activity subject to monitoring.
- B.5 The Commission respectfully requests that the **Assessor of Property** disclose any aerial or satellite imagery contract incorporating automated change detection, including flight frequency, imagery resolution, retention, and whether the imagery or its derived data is shared with or accessible to any law enforcement agency.
- B.6 The Commission respectfully requests that the **Tennessee Department of Transportation** exercise its authority under Tenn. Code Ann. § 55-8-198(f), including its authority to inspect approved cameras and the data they collect, to review all outstanding ALPR licenses on State highway right-of-way within Loudon County, and to condition any such license on documented

MASH crashworthiness of the mounting system — as the Florida Department of Transportation has done under parallel authority.

B.7 The Commission respectfully requests that the **Tennessee General Assembly** establish statewide standards governing the placement, crashworthiness, retention, audit, and data ownership terms applicable to automated license plate readers and related surveillance technology deployed by or for governmental entities in this State.

B.8 The Commission respectfully requests that the **Tennessee congressional delegation**, and in particular the member serving on the House Committee on Transportation and Infrastructure, support enactment of Sections 1307 and 1308 of H.R. 8870, the BUILD America 250 Act, relating to MASH compliance for roadside safety hardware and to Inspector General audit of Federal Highway Administration oversight.

B.9 The County Mayor is requested to transmit certified copies of this Resolution to each official and body named above; to the mayors and councils of Lenoir City, Loudon, Greenback, and Philadelphia; to the Loudon Utilities Board and the Lenoir City Utilities Board; to the members of the Loudon County legislative delegation; and to the United States Representative for the Second Congressional District.

ADOPTED this _____ day of _____, 2026.

Chairperson, Loudon County Commission

ATTEST:

County Clerk

ITEMS REQUIRING COUNTY ATTORNEY REVIEW BEFORE FILING

1. The governing purchasing and financial management act for Loudon County, and whether an aggregation policy stricter than the statutory threshold may be adopted by resolution (Section 5).
2. Whether Section 3.2's "no County Funds are or will be available" formulation is the correct and sufficient mechanism, and whether any void-ab-initio language should be added or must be avoided as adjudicative.
3. Whether the Road Superintendent of Loudon County is separately elected or appointed, which determines whether Section 7 permitting authority and the request at B.3 are correctly placed.
4. Whether the Commission may condition acceptance of donated and grant-funded property as broadly as Section 4 provides.

5. Whether Section 9 land use conditions are within this Commission's authority under the County's zoning and subdivision regulations, or must be adopted by the Planning Commission.
6. Whether Section 12 vendor disclosure is consistent with the County's adopted ethics policy, or requires amendment of that policy instead.
7. Confirmation that Tenn. Code Ann. § 55-8-198(f) or another provision identifies searches for missing or endangered persons as an authorized purpose — Section 8.3(c) is currently drafted to stand without that citation.
8. Whether anything remaining in Part A could be characterized as directing the internal operations of a separately elected official, and if so, whether it belongs in Part B.

The pole and the paper

A father who got a guardrail banned in every state came to our meeting to talk about something nobody here had raised: the post the camera is bolted to. He was right. And it points at a license this Commission was supposed to approve and never did.

authority	Tenn. Code Ann. § 55-8-198(f)
administered by	TDOT Right-of-Way · Excess Land Office
equipment	fixed ALPR camera, brand/model specific
location required from pavement	route, mile marker, lat/long, distance
local approval required first	city council or county commission –
crashworthiness	not requested · no field on the form
revocable	yes – at the department's discretion

What the state asks before it lets a camera pole into the roadside. And the one thing it does not ask.

A guardrail, a daughter, and a post

Steve Eimers is from rural East Tennessee. In November 2016 his seventeen-year-old daughter Hannah was killed on Interstate 75 when an X-Lite guardrail end terminal failed to absorb her vehicle and speared it instead.

What he did after that is the reason his name carries weight. He taught himself roadside engineering, started filming, and kept filming. X-Lite terminals are now banned in every American state and every Canadian province. State and provincial transportation departments have spent on the order of a hundred million dollars pulling them out

of the ground. He built an audience of roughly a quarter million people across YouTube, TikTok and X doing it.

In April 2024 he turned that same lens on automated license plate readers. Not over privacy. Over the pole.

He came to our Commission meeting and made a point I had not made and had not thought to make. I have spent weeks on the contract. I had not looked at the hardware.

Why a sign post is built to fall down

Stand next to any speed limit sign on a state route and look at the base. It is designed to shear off, at a known force, and drop forward and away from a vehicle that hits it. That is not decoration. It is a crash-tested system, and the standard it is tested against is the *AASHTO Manual for Assessing Safety Hardware* — MASH, in the trade.

The zone beside a travel lane where a vehicle leaving the road is likely to end up is called the clear zone. The rule inside it is simple: anything a car might hit should either not be there, or should be engineered to give way.

Eimers has been documenting camera poles that do neither. Mounted directly in concrete. Set closer to the pavement than a comparable sign support would be permitted. Placed hard against guardrail. He has said publicly that he is finding improper installation at a rate approaching one hundred percent, and that nobody is doing third-party testing to verify these poles are crash-safe.

Being on the roadside is a privilege, not a right.

Steve Eimers, roadside safety advocate

Two things about his position matter, and both cut against the way this argument usually goes.

First, it is not a Flock problem. He names Axon, Motorola, Genetec, Blue Line Solutions and RedFlex in the same breath, and he has documented multiple vendors' hardware installed within a few hundred feet of each other in Knoxville, all of it on posts he considers non-crashworthy.

Second, **he is not against license plate readers**. He has handed public camera footage to law enforcement himself. Video he archived was used in a charging affidavit in a triple homicide case in Chattanooga. His objection is narrow, technical, and hard to argue with: do not make the road safer with a device that kills somebody when a car slides off it.

I am not going to dress that up into something it isn't. But I will say what follows from it for this county.

Tennessee already has the lever

Here is what I did not know a month ago, and what I suspect most of the Commission does not know either.

A license plate reader on state highway right-of-way in Tennessee is there under a **license**. Not a purchase. Not a permit in the ordinary sense. A revocable license, issued by the Excess Land Office of TDOT's Right-of-Way Division — the same office that handles surplus state property and airspace leases.

The authority is Tenn. Code Ann. § 55-8-198(f), which says TDOT *may* permit law enforcement surveillance cameras on state right-of-way.

May. Not shall. The department has written its own application form around that discretion, and three things in that form deserve this county's attention.

Application, Step 1

The local legislative body votes first

Where a local law enforcement agency applies, or a local government applies on its behalf, the proposal must go to the city council or county commission *before* the application is filed — and documentation of that body's approval must be attached. Not a courtesy briefing. A prerequisite.

Application, opening paragraphs

TDOT reserves the right to revoke

In the department's own words, on its own form. Approval is tied to a specific brand, make, model and location; move a camera or swap the equipment and a new application is required.

Application, Section 6

Nothing about crashworthiness

The form asks for latitude and longitude, distance from the edge of pavement, an installation plan, and how the thing gets power. It does not ask for MASH certification, a breakaway or slip base, or any third-party crash test result. That is the gap, and TDOT could close it by policy tomorrow.

So there is a question with a documentary answer, and I intend to get it: has any ALPR license been issued for state right-of-way in Loudon County, and if so, what local approval was attached to the application?

I am writing to the Manager of the TDOT Excess Land Office to request every application, license agreement, Excess Land Committee recommendation, and piece of local-approval documentation on file for this county — including anything submitted by or for the Sheriff's Office, Lenoir City, Loudon, Greenback or Philadelphia. When it comes back, it goes on the agenda and it goes

on the county website. If the answer is that everything was properly voted, that is a fine answer and I will publish it as readily as any other.

Florida already pulled theirs

On August 31, 2026, in Engineering and Operations Memorandum No. 26-01, the Florida Department of Transportation revoked every license plate reader approval it had issued to local law enforcement for placement within the rights-of-way of the State Highway System. Agencies got thirty days to take the equipment down; whatever remains after that, FDOT removes itself.

The stated reasons were the sharp increase in deployments along Florida roadways together with reports of misuse, data privacy concerns, and surveillance schemes. The department's chief operating officer grounded the action in Fla. Stat. § 316.0777, which gives FDOT broad authority to approve or deny placement in state right-of-way and to remove at the department's discretion.

Read that statute next to Tenn. Code Ann. § 55-8-198(f) and you are looking at materially the same grant of discretionary authority. A state DOT with permissive power to allow these installations has the same power to stop allowing them. Florida's transportation department exercised it. Tennessee's has not been asked.

I am asking.

The federal half of this is already drafted and sitting in Congress.

H.R. 8870, the BUILD America 250 Act, is the bipartisan five-year surface transportation reauthorization from House Transportation and Infrastructure — roughly \$580 billion across FY2027 through FY2031, written to replace the Infrastructure Investment and Jobs Act. The committee approved it in May.

Two sections in it go directly at this problem. **Section 1307** would bar the Secretary from issuing a Federal-aid reimbursement eligibility letter for roadside safety hardware that fails the crash test criteria in MASH, Second Edition, and would direct a rulemaking to update testing standards. **Section 1308** would put the Department of Transportation's Inspector General onto an audit of how the Federal Highway Administration oversees roadside safety hardware, including whether states are actually complying with current MASH standards.

That is a federal judgment, already written down, that hardware placed beside a public road has to be demonstrably crashworthy. It is the same principle Eimers is asking a state DOT to apply to camera poles.

Loudon County's congressman sits on the committee that wrote it. The existing highway authorization runs out September 30. That is a short letter with a real deadline on it, and it is the rare ask where the county is not taking a side in anything — it is backing a grieving father's engineering point.

The resolution in front of us

Separately, a group of residents — GTFOH Loudon County — submitted a draft resolution for a countywide prohibition on

surveillance technology. I want to be careful here, because I think they did the county a service by bringing it forward and I would rather improve it than pick at it.

The whereas clauses are largely sound. The patent point is real and well made. The instinct behind it — that this decision belongs to the public body and not to a procurement office — is correct.

But there are four things in it that would either sink it in committee or make it unenforceable if adopted, and I would rather say so now than watch it fail.

- ✗ **The definition sweeps in the county's own buildings.** As drafted it covers any system capable of recording data about the location, movement or identity of members of the public, including networked audio and video sensors — and then orders all existing systems disclosed and discontinued. Read literally, that turns off courthouse security cameras, jail video, the 911 dispatch location system and livescan fingerprinting. The carve-outs for body cameras and for Crime Tracer and TITAN do not reach any of those. This is the first thing an opponent finds.
-

- ✗ **There is no exception for a missing child.** The only exception to the ban on querying an outside network is a warrant issued on probable cause in a specific criminal investigation. A missing elderly resident or a missing child generates no probable cause of a crime, because there is no crime. As written, a deputy could not check a neighboring agency's system to find them. The state statute itself names searches for missing or endangered persons as a legitimate purpose. That hole needs closing before the first person asks about it in open session.
-

- × It commands an office this Commission does not command. The Sheriff of Loudon County is elected by the same voters who elected me, and he does not report to us. A resolution telling his deputies which databases they may query is on ground the county attorney is unlikely to defend. That is not a reason to do nothing. It is a reason to use the powers we actually hold.
-

- × The inventory comes after the order to shut things off. Section 5 orders existing systems discontinued. Section 6 orders the inventory that would tell us what exists. Those are in the wrong order, and they are two overlapping reports where one would do.
-

What I am proposing instead

I have redrafted it twice now. The first pass fixed the definition and the missing-child exception. Going back through it a second time turned up a defect in my own draft worth admitting to: Sections 6 and 7 directed the County Mayor and the Road Superintendent, and Section 9 called every fee office a "department" that answers to this Commission. Those officials are elected by the same voters who elected me. That is the identical overreach I flagged in the submitted resolution, just aimed at different offices. Fixed now — the line below is the corrected one.

This Commission cannot tell the Sheriff, the Mayor, the Road Superintendent, the Assessor, or the Board of Education how to run their offices. It can decide what the county buys, what the county signs, what the county accepts as a gift, what stands on county property and county roads, what applications go to Nashville with this body's approval stamped on them, and what its own committees

require before a vote. A surveillance program with no appropriation, no executed contract, no county right-of-way permit and no local legislative approval does not exist, whatever anyone's policy manual says.

PART A – BINDING ON LOUDON COUNTY

What the County itself appropriates, signs, permits, and approves.

§1 A narrowed definition, and schools stay narrowed too

Covers systems that indiscriminately collect identifying data on the general public — explicitly including student communications monitoring, biometrics, and audio analytics. Expressly excludes facility and jail security video, E-911, booking identification, records databases, traffic counters, and body cameras without live biometric capability. The school exclusion covers physical security cameras only — not the monitoring software running on student devices, which stays inside the resolution.

§2 No appropriation, no capital funds, no debt

No county money — general fund, capital, grant, forfeiture, donated, pass-through, or county-issued debt — for testing, piloting, leasing, buying, hosting, maintaining or operating it, in any county facility including schools.

§3 No contract, no renewal

No officer or employee executes, renews, extends or exercises a renewal option on the County's behalf. No county funds are available to satisfy anything signed anyway without a recorded vote.

§4 No free trials, no donations, no grants without a vote

Demonstration units, complimentary pilots, and grant awards all require a recorded vote before the county accepts them — accepting the award is itself the vote, not just applying for it. This is how these programs usually arrive without one.

§5 Purchases aggregate; they do not get split

Every buy from the same vendor in a rolling twelve months counts as one acquisition against the approval threshold. No phasing a program into pieces that each land just under the number that would have brought it to this floor.

§6 The state right-of-way approval doesn't exist until this body votes on it

No officer may represent to TDOT or any agency that this Commission has approved a specific ALPR application absent a recorded vote naming the equipment and the locations.

§7 County roads: crashworthy or nothing

Third-party hardware in a county road right-of-way requires MASH certification of the pole, base and foundation — or documentation it sits outside the clear zone — plus exact coordinates, insurance naming the county, and removal at the owner's expense on revocation.

§8 County resources buy no outside access

No county funds, staff time, equipment or network for standing subscriptions to somebody else's surveillance network. Carve-outs for a warrant, exigent danger, a missing or endangered person, footage handed over voluntarily, and information another agency sends on its own initiative.

§9 No surveillance as a subdivision condition

The County cannot require or accept, as a condition of rezoning or plat approval, developer-installed cameras that feed to a government agency. Private cameras on private property, run for the property's own protection, are untouched.

§10 A public hearing before this Commission ever says yes

Any future approval requires a noticed public hearing on that specific proposal, at least fourteen days out, with the full written submission posted first.

§11 Annual inventory, not a one-time snapshot

Every county office reports what it has — vendor, cost, locations, retention, who else can query it — every year with the budget, including solid waste center cameras and any assessor imagery contract with automated change detection. The Commission votes item by item on what to do with each, then it's published.

§12 Vendor conduct on the record

Any gift, meal, trip, or demo unit a vendor offers a commissioner or county employee gets disclosed in writing within thirty days, whether or not it's accepted. Same for any lobbying contact. Published.

§13 If this Commission ever says yes

The seven terms I published in September, corrected: no good-faith disclosure clause, no perpetual data license, affirmative renewal only, logged queries, fourteen-day retention *with an exception for data under an active investigation or a litigation hold*, mutual indemnification plus cyber liability coverage, and an annual public report. A floor, not an endorsement.

PART B – REQUESTS

Not directives, to the Sheriff, the Mayor, the Road Superintendent, the Assessor, and the Board of Education alike.

Part B asks the Sheriff for the same inventory and a written query policy. It asks the Board of Education to disclose what monitoring software runs in the schools, and to tell parents what categories of student activity it watches. It asks the Assessor to disclose any change-detection aerial imagery contract. It asks TDOT to review every outstanding ALPR license in this county and condition future ones on MASH crashworthiness, as Florida has done. It asks the General Assembly for statewide standards, and our congressional delegation to carry Sections 1307 and 1308.

I would rather ask a fellow elected official plainly and be told no than issue an order I cannot enforce and pretend it worked.

The part I'd ask you to read even if you skip the rest

Everything above this line is a restriction. That's a hard vote for anyone who ran on public safety, and it gives the Sheriff nothing. So the draft also includes a procurement standard — not a ban, a process. Any future request for public safety technology goes to the Budget Committee on a standard form: the problem it solves, what data it collects and from whom, five-year total cost, what was considered instead, published evidence it works, who gets access, and how the Commission will know later whether it was worth it. Then it gets a public hearing.

And the Sheriff gets a standing invitation, on his own schedule, to bring the Commission an assessment of what his office actually needs — heard in open session, weighed in the regular budget cycle like any other department's request, with the Commission required to say why in public if it says no to any part of it.

That's the section that turns this from a fight into a negotiation. The question stops being whether the Sheriff gets to have technology. It becomes how the county buys it — on a record, against a cost, with a way to check later whether it worked.

What this does not do

It does not touch the courthouse cameras, the jail's physical security systems, hallway cameras at the schools, or 911 dispatch. It does not stop a deputy from working a stolen vehicle, a missing child, or an Amber Alert. It does not stop anyone from handing law enforcement their own security footage. It does not ban a private business or a homeowner from running a camera on their own property.

It does not accuse the Sheriff's Office, the Mayor's office, or any other county official of anything. Nothing in this county has been shown to be improper, and I have said from the start that I am not hostile to the Sheriff's Office — I worked in it for thirteen years.

What it does is make sure that a decision this consequential arrives at this Commission, on a written record and in public, before it arrives at a pole or a classroom — and that when the county does say yes to something, everyone can see what it cost and whether it worked.

Status

The draft is now on its second pass. The first version fixed the definition and the missing-child exception. Going back through it caught something in my own drafting: two sections directed the County Mayor and the Road Superintendent, and the inventory section called every fee office a department that answers to this Commission. Same overreach I flagged in the submitted resolution, aimed at different offices. That's fixed, and the corrected version is what's linked below — thirteen pages, with eight open questions flagged for the County Attorney in the margin.

The records request to the TDOT Excess Land Office goes out this week. Whatever comes back gets posted here and placed on the agenda, whichever way it reads.

If you live in District 2 and you think I have this wrong, I would rather hear it before the roll call than after. Reach me through the contact page.

[Read the full draft resolution \(PDF\)](#)

[Word version, for markup](#)

[Earlier: the two resolutions and the contract grade →](#)

The Word file is there so anyone — commissioner, resident, or the county attorney — can redline it and send it back.

Jason Tuttle · Loudon County Commission, District 2 Seat A

Statements attributed to Steve Eimers are drawn from published broadcast and print interviews. TDOT and FDOT provisions are summarized from the agencies' own

published application materials and memoranda. Bill sections are cited to H.R. 8870 as approved in committee. Nothing on this page is legal advice.

A RESOLUTION DELEGATING TO THE INDUSTRIAL DEVELOPMENT BOARD OF LOUDON COUNTY THE AUTHORITY TO NEGOTIATE AND ACCEPT CERTAIN PAYMENTS UNDER A LEASE AND ECONOMIC DEVELOPMENT AGREEMENT IN SUPPORT OF AN ECONOMIC DEVELOPMENT PROJECT AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENN. CODE ANN. § 7-53-305

WHEREAS, the Board of Commissioners (the "Governing Body") of Loudon County, Tennessee (the "County") has met pursuant to proper notice; and

WHEREAS, the Industrial Development Board of Loudon County (the "Board") is as an industrial development board duly organized and existing under the provisions of Title 53 of Chapter 7, Tennessee Code Annotated; and

WHEREAS, the County has been informed that CHM Tellico, LLC or an affiliate thereof (the "Company") intends to cause the acquisition and construction of an approximately 58,000 square foot retail center to include a class A grocery anchor and retail shops (collectively, the "Project") to be generally located at the northeast corner of Tellico Parkway and Poplar Ridge Road in Loudon County, Tennessee (the "Property"); and

WHEREAS, the Company expects: (i) to incur approximately \$26,000,000 in capital expenditures in connection with the acquisition and construction of the Project, (ii) during construction, the Project will result in approximately 300 construction related jobs, (iii) following the completion and opening of the Project, the Project will result in (A) approximately 216 retail related jobs, (B) approximately \$560,000 in new local option sales tax revenues paid to the County each year; and (C) approximately \$60,000 in aggregate payments paid to the County each year equal to the property tax amount with respect to the Property (which represents an incremental growth of over \$58,000 over the current annual property tax amount for the Property); and

WHEREAS, the Company has requested the Board to hold ownership of the Property and to lease the Property to the Company pursuant to which lease the Company will pay an amount equal to the full property tax amount with respect to the Property and will also pay certain additional amounts to the Board that will be used by the Board to pay and/or reimburse certain Project and infrastructure related costs of the Project (collectively, the "Payments").

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Loudon County, Tennessee, as follows:

1. The Governing Body hereby finds that the negotiation and acceptance by the Board of the Payments consistent with this resolution are deemed to be in furtherance of the public purposes of the Board as defined in Tennessee Code Annotated Section 7-53-305, and the Governing Body hereby consents and delegates to the Board the right to negotiate and accept such Payments from the Company; provided, however, that THE PAYMENTS PAYABLE TO THE COUNTY SHALL BE EQUAL TO THE FULL PROPERTY TAX AMOUNT THAT WOULD OTHERWISE BE PAYABLE TO THE COUNTY WITH RESPECT TO THE PROPERTY, AND IN NO EVENT SHALL THIS RESOLUTION AUTHORIZE A REDUCTION IN SUCH AMOUNTS PAYABLE TO THE COUNTY.

2. The Board shall not and shall have no right or power to reduce the assessed value of the Property. This resolution and the transactions contemplated herein shall not result in any reduction in the

assessed value of the Property or any reduction in the amount of real property taxes, personal property taxes or sales and use taxes that would otherwise be payable to the County with respect to the Property.

3. The terms of the lease and economic development agreement between the Board and the Company shall require a payment to the County each year in an amount equal to the full property tax amount that would otherwise be payable to the County with respect to the Property and shall include such other terms and administrative provisions approved by the Board and consistent with the provisions of this resolution.

4. All other resolutions and orders, or parts thereof, in conflict with the provisions of this resolution are, to the extent of such conflict, hereby repealed, and this resolution shall be in immediate effect from and after its adoption.

Adopted this the ____ day of _____, 2026.

Mayor

ATTEST:

County Clerk

51962880.2

A RESOLUTION DELEGATING TO THE INDUSTRIAL DEVELOPMENT BOARD OF LOUDON COUNTY THE AUTHORITY TO NEGOTIATE AND ACCEPT CERTAIN PAYMENTS UNDER A LEASE AND ECONOMIC DEVELOPMENT AGREEMENT IN SUPPORT OF AN ECONOMIC DEVELOPMENT PROJECT AND FINDING THAT SUCH PAYMENTS ARE DEEMED TO BE IN FURTHERANCE OF THE PUBLIC PURPOSES OF THE BOARD AS DEFINED IN TENN. CODE ANN. § 7-53-305

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WHEREAS, the County has been informed that CHM Tellico, LLC or an affiliate thereof (the "Company") intends to cause the acquisition and construction of an approximately 58,000 square foot retail center to include a class A grocery anchor and retail shops (collectively, the "Project") to be generally located at the northeast corner of Tellico Parkway and Poplar Ridge Road in Loudon County, Tennessee (the "Property"); and

WHEREAS, the Company expects: (i) to incur approximately \$26,000,000 in capital expenditures in connection with the acquisition and construction of the Project, (ii) during construction, the Project will result in approximately 300 construction related jobs, (iii) following the completion and opening of the Project, the Project will result in (A) approximately 216 retail related jobs, (B) approximately \$560,000 in new local option sales tax revenues paid to the County each year; and (C) approximately \$60,000 in aggregate payments paid to the County each year equal to the property tax amount with respect to the Property (which represents an incremental growth of over \$58,000 over the current annual property tax amount for the Property); and

WHEREAS, the Company has requested the Board to hold ownership of the Property and to lease the Property to the Company pursuant to which lease the Company will pay an amount equal to the full property tax amount with respect to the Property and will also pay certain additional amounts to the Board that will be used by the Board to pay and/or reimburse certain Project and infrastructure related costs of the Project (collectively, the "Payments").

NOW, THEREFORE, BE IT RESOLVED by the ~~County-Commission~~Board of Commissioners of Loudon County, Tennessee, as follows:

1. The Governing Body hereby finds that the negotiation and acceptance by the Board of the Payments consistent with this resolution are deemed to be in furtherance of the public purposes of the Board as defined in Tennessee Code Annotated Section 7-53-305, and the Governing Body hereby consents and delegates to the Board the right to negotiate and accept such Payments from the Company; provided, however, that THE PAYMENTS PAYABLE TO THE COUNTY SHALL BE EQUAL TO THE FULL PROPERTY TAX AMOUNT THAT WOULD OTHERWISE BE PAYABLE TO THE COUNTY WITH RESPECT TO THE PROPERTY, AND IN NO EVENT SHALL THIS RESOLUTION AUTHORIZE A REDUCTION IN SUCH AMOUNTS PAYABLE TO THE COUNTY.

2. The Board shall not and shall have no right or power to reduce the assessed value of the Property. This resolution and the transactions contemplated herein shall not result in any reduction in the

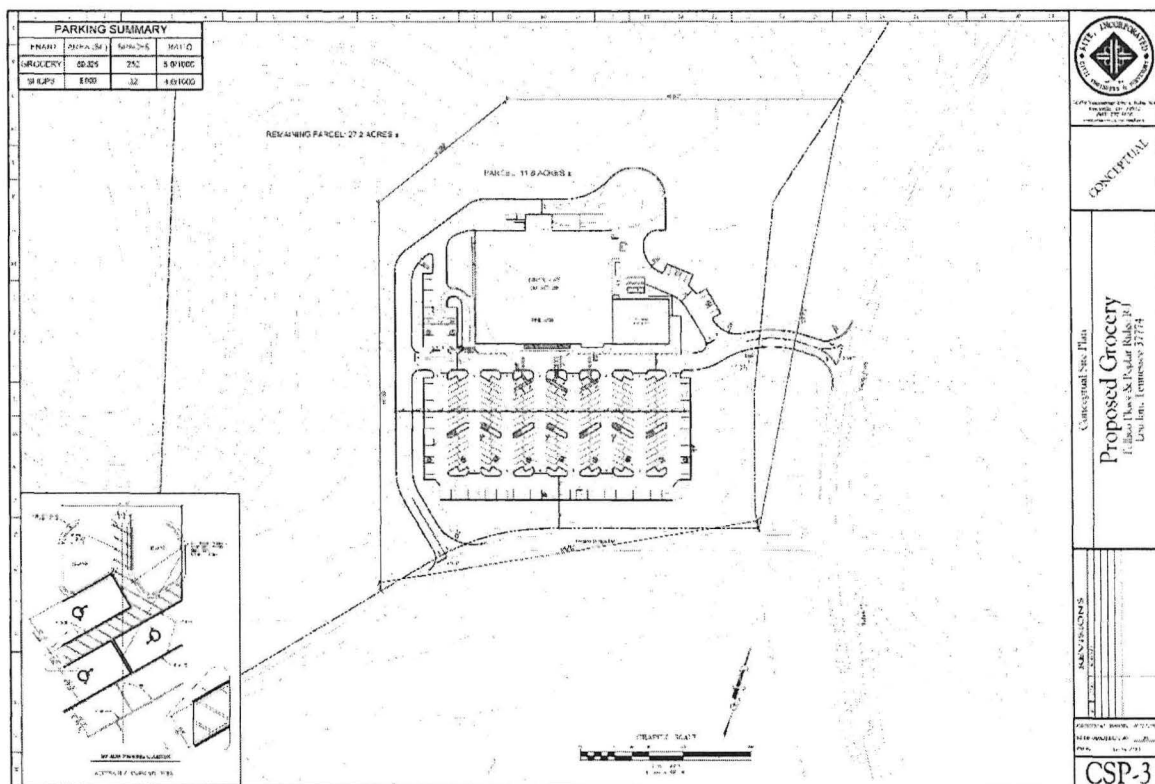
Summary report: Litera Compare for Word 11.13.0.54 Document comparison done on 9/11/2026 5:09:41 PM	
Style name: Default Style	
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Original DMS: iw://bassberry.cloudimanager.com/bbs/51962880/1 - Loudon County 2026 Delegation Resolution for Tellico Parkway Project.docx	
Modified DMS: iw://bassberry.cloudimanager.com/bbs/51962880/2 - Loudon County 2026 Delegation Resolution for Tellico Parkway Project.docx	
Changes:	
Add	7
Delete	5
Move From	0
Move To	0
Table Insert	0
Table Delete	0
Table moves to	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	12

Tellico Parkway Retail Development – Project Summary

The proposed project will be located at the intersection of Tellico Parkway and Poplar Ridge Road in Tellico Village, as shown in the preliminary site plan provided below (the “Property”). It will developed by CHM Tellico, LLC (the “Developer”) and will incorporate a Class A grocery anchor and small shops offering general retail services. The proposed grocery anchor will occupy approximately 50,239 square feet and will include a full-service pharmacy. The retail shops will be approximately 8,000 square feet, occupied by general retailers typically found in a Class A shopping center. This project will also include significant sitework, road improvements and the installation of a new traffic signal at the intersection of Tellico Parkway and Poplar Ridge Road.

Due to the elevated development and infrastructure costs for the project, the Developer has requested the Industrial Development Board of Loudon County (the "Board") to assist in the development of the project by leasing the Property to the Developer. Under the lease, the Developer will pay an amount equal to the full property tax amount with respect to the Property, and such amount will be remitted to the County. The Developer will also pay certain additional amounts to the Board derived from the retail tenants that will be used by the Board to pay and/or reimburse certain project and infrastructure related costs of the project. The retail tenants are willing to pay such amounts in order to make the development of the project feasible. The approval by the County of the enclosed resolution would authorize the Board to enter into the lease and the transactions described above.

Under Tennessee law, the Board does not have the right or power to reduce the assessed value of the Property. Furthermore, the approval by the County of the enclosed resolution and the consummation of the transactions described above will not result in any reduction in the assessed value of the Property or any reduction in the amount of real property taxes, personal property taxes or sales and use taxes that would otherwise be payable to the County with respect to the Property.



Project Estimates from Developer

The Developer expects: (i) to incur approximately \$26,000,000 in capital expenditures in connection with the acquisition and construction of the project, (ii) during construction, the project will result in approximately 300 construction related jobs, (iii) following the completion and opening of the project, the project will result in (A) approximately 216 retail related jobs, (B) approximately \$560,000 in new local option sales tax revenues paid to the County each year; and (C) approximately \$60,000 in aggregate payments paid to the County each year equal to the property tax amount with respect to the Property (which represents an incremental growth of over \$58,000 over the current annual property tax amount for the Property).

Summary of Project Costs

<i>Infrastructure Costs</i>	
<i>Site Grading</i>	\$2,000,000.00
<i>Storm Drainage</i>	\$550,000.00
<i>Domestic Water & Fire</i>	\$263,650.00
<i>Asphalt Paving</i>	\$1,272,500.00
<i>Sanitary Sewer</i>	\$208,200.00
<i>Tellico Parkway Improvements</i>	\$383,250.00
<i>Poplar Ridge Road Improvements</i>	\$255,500.00
<i>Traffic Signal Design</i>	\$50,000.00
<i>Traffic Signal installation</i>	\$350,000.00
<i>Total Infrastructure Costs</i>	\$5,173,500.00

<i>Total Project Cost</i>	
<i>Land Cost</i>	\$2,000,000.00
<i>Sitework (Includes Infrastructure)</i>	\$6,400,000.00
<i>Building Cost</i>	\$13,110,190.00
<i>Soft Cost</i>	\$4,624,444.00
<i>Total Project Cost</i>	\$26,134,634.00

Property Tax Analysis

	<i>Current</i>	<i>Anticipated</i>	<i>Incremental Growth</i>
<i>Appraised Value</i>	\$1,029,000	\$13,905,000.00	\$13,383,600.00
<i>Assessment Rate</i>	25%	40%	
<i>Assessed Value</i>	\$257,250.00	\$5,562,000.00	5,431,650.00
<i>County Tax Rate</i>	\$1.0944	\$1.0944	
<i>Total Revenue</i>	\$2,815.34	\$60,870.52	\$58,055.19

LOUDON COUNTY, TENNESSEE

BOARD OF COMMISSIONERS RESOLUTION _____ SPONSORED BY COMMISSIONER(S):
_____ LOUDON FAMILY FARM PRESERVATION ACT A

RESOLUTION ENCOURAGING THE TENNESSEE GENERAL ASSEMBLY TO ENACT A PRIVATE
ACT AUTHORIZING LOUDON COUNTY TO IMPLEMENT MEASURES TO PRESERVE FAMILY
FARMS, FARMLAND, AND RURAL PROPERTY

WHEREAS, the majority of citizens of Loudon County desire the preservation of the
County's rural character, natural beauty, open spaces, and agricultural heritage; and

WHEREAS, Loudon County seeks to explore mechanisms that would allow families who
inherit established agricultural property to retain such property without immediate
financial pressure to sell or develop; and

WHEREAS, the period immediately following the inheritance of a family farm or agricultural
property can be a particularly vulnerable time for the continued preservation of that
property, as heirs may face estate expenses, property taxes, and other financial pressures
while determining the long-term future of the land; and

WHEREAS, Loudon County believes that providing families with a temporary financial
incentive to maintain inherited farmland in agricultural use could help reduce the
immediate pressure to sell such property for residential, commercial, or other
development; and

WHEREAS, Loudon County desires that eligibility for such an incentive be limited to
established agricultural property consisting of fifteen (15) acres or more that is already
enrolled in and qualifying for agricultural classification under the Tennessee Greenbelt
Program at the time of the owner's death, thereby ensuring that the incentive is directed
toward the preservation of existing agricultural land rather than the creation of a general
property tax exemption; and

WHEREAS, one such mechanism would be the establishment of a three-year Farmland
Preservation Incentive Period for qualifying inherited property, during which applicable
Loudon County property taxes would be deferred, subject to the continued agricultural use
of the property; and

WHEREAS, the purpose of such an incentive would not be merely to provide a tax benefit to
an individual property owner, but rather to encourage the continued agricultural use and
preservation of qualifying farmland within Loudon County; and

WHEREAS, the incentive should therefore remain with the agricultural use of the land so
that, if qualifying property is transferred during the three-year period to another farmer or

agricultural owner who continues to maintain the property in qualifying agricultural use, the remaining portion of the preservation incentive may continue without interruption; and

WHEREAS, if the property is instead sold, transferred, or converted during the three-year period for residential subdivision, commercial, industrial, or other non-agricultural development, the deferred property taxes should become due and payable by the purchaser or developer, thereby ensuring that the preservation incentive does not become a financial benefit for the development of agricultural land; and

WHEREAS, if the property remains in continuous qualifying agricultural use throughout the entire three-year Farmland Preservation Incentive Period, the deferred Loudon County property taxes would be forgiven and normal property taxation would thereafter resume in accordance with applicable Tennessee law; and

WHEREAS, these measures would provide families with time to settle estates and make thoughtful long-term decisions while creating a meaningful financial incentive to preserve working farms, farmland, open spaces, and the scenic and rural character that Loudon County citizens highly value; and

WHEREAS, in order to implement these measures, Loudon County would require authorization from the Tennessee General Assembly through a private act or other appropriate legislation.

NOW, THEREFORE, BE IT RESOLVED BY THE LOUDON COUNTY BOARD OF COMMISSIONERS THAT:

1. The Loudon County Board of Commissioners hereby expresses its support for the "Loudon Family Farm Preservation Act" and the goal of preserving family farms, farmland, agricultural property, and rural landscapes within Loudon County.
2. Automatic Qualification. Any tract of fifteen (15) acres or more located within Loudon County that, at the time of the owner's death, is already enrolled in and qualifying for agricultural classification under the Tennessee Greenbelt Program shall, upon transfer by inheritance, automatically qualify for the three-year Farmland Preservation Incentive Period, provided the property continues in qualifying agricultural use.
3. The transfer of qualifying property by inheritance shall not, by itself, cause the property to lose the benefit of its existing Greenbelt agricultural classification. The private act should provide an appropriate mechanism for the inheriting owner or owners to continue the property's existing classification in accordance with applicable Tennessee law.

4. Farmland Preservation Incentive Period. Upon inheritance, qualifying property shall enter a three-year Farmland Preservation Incentive Period during which applicable Loudon County property taxes shall be deferred, provided the property remains in qualifying agricultural use.
5. The purpose of the Farmland Preservation Incentive Period is to provide inheriting families with sufficient time to settle an estate, continue agricultural operations, evaluate long-term plans for the property, and make thoughtful decisions regarding its future without immediate financial pressure to sell the property for development.
6. Transfer to Another Agricultural Owner. If, during the three-year Farmland Preservation Incentive Period, the property is sold or transferred to another farmer or agricultural owner who continues to maintain the property in qualifying agricultural use and maintains its eligibility for Greenbelt agricultural classification, the remaining portion of the three-year Incentive Period shall transfer with the property to the new agricultural owner.
7. A transfer to another qualifying agricultural owner who continues the agricultural use of the property shall not trigger repayment of the deferred taxes. It is the intent of the program that the preservation incentive follow the agricultural use of the land rather than being limited exclusively to a particular family or individual owner.
8. Sale or Conversion for Development. If, during the three-year Farmland Preservation Incentive Period, the property is sold, transferred, or converted for residential subdivision, commercial, industrial, or other non-agricultural development, all property taxes deferred pursuant to the program shall become due and payable by the purchaser or developer, together with any rollback taxes, penalties, or interest otherwise required under applicable Tennessee law.
9. The purpose of the preceding provision is to ensure that the financial benefits provided by the Loudon Family Farm Preservation Act encourage the preservation of agricultural land and do not subsidize the acquisition or development of farmland for non-agricultural purposes.
10. Successful Completion of the Incentive Period. If the property remains in continuous qualifying agricultural use throughout the entire three-year Farmland Preservation Incentive Period, whether owned by the inheriting family or another qualifying agricultural owner, the deferred Loudon County property taxes shall be forgiven.

11. Upon successful completion of the three-year Farmland Preservation Incentive Period, normal property taxation shall resume in accordance with the property's applicable Greenbelt agricultural classification and Tennessee law.
12. The intent of the Loudon Family Farm Preservation Act is to establish a targeted farmland preservation incentive—not a general property tax exemption—that provides families with time following an inheritance while creating a meaningful financial incentive to keep established agricultural property in agricultural use rather than converting it to development.
13. The Loudon County Board of Commissioners recognizes that the preservation of agricultural land provides benefits to the broader community by supporting agriculture, preserving open space and scenic landscapes, maintaining the County's rural character, and potentially reducing or delaying certain infrastructure and public-service demands associated with increased development.
14. The Loudon County Board of Commissioners formally requests that the Tennessee General Assembly enact a private act granting Loudon County the authority necessary to establish and administer the Loudon Family Farm Preservation Act substantially as described herein.
15. The Loudon County Board of Commissioners respectfully requests that the Tennessee General Assembly, in consultation with appropriate state and Loudon County officials, establish through the private act the procedures necessary to administer the program, including continuation of existing Greenbelt classification following inheritance, deferral and forgiveness of property taxes, transfers between qualifying agricultural owners, conversion to non-agricultural use, and collection of deferred taxes upon development.
16. The Loudon County Clerk and Commission Chair are authorized to transmit this resolution to the members of the Tennessee General Assembly representing Loudon County and other appropriate state officials.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon passage, the public welfare requiring it.

ATTEST:

Riley Wampler, County Clerk

Chairman, Loudon County Board of CommissionersDATE:

_____APPROVED: _____DISAPPROVED: _____

Loudon County Mayor

OCR typos from the Blount source (ftture, tæces, qualib'ing, suffcient, etc.) were corrected.
Sponsors were

What it is...

A proposed county request to the Tennessee General Assembly for a private act. It would not change taxes by itself. It asks the State for permission to create a 3-year farm-preservation incentive after a family farm is inherited.

The problem it targets

When a farm owner dies, heirs often face estate costs and property taxes right away. That pressure can force a sale to developers before the family can decide whether to keep farming.

Who would qualify?

Land in Loudon County

15 acres or more

Already in the Tennessee Greenbelt agricultural program when the owner dies

Transferred by inheritance

Kept in qualifying farm use

This is meant for existing working farms, not a new general tax break. The incentive

For 3 years after inheritance, Loudon County property taxes would be deferred if the land stays in agricultural use. If the farm stays a farm Sold or transferred to another farmer who keeps it in Greenbelt farm use: the remaining tax deferral moves with the land.

Stays in farm use for the full 3 years: the deferred county taxes are forgiven. After that, normal Greenbelt taxation resumes.

If it is developed

If the land is sold or converted during those 3 years for houses, commercial, industrial, or other non-farm use, the deferred taxes become due from the buyer/developer, plus any rollback taxes or penalties already required by state law. What it is not

Not a permanent tax exemption. Not automatic for every rural lot. Inheritance alone would not knock the land out of Greenbelt. Why the county wants it

Give heirs time to settle the estate and keep farmland in farm use, protect rural character and open space, and avoid using a tax break to subsidize development. What happens next

If the Commission passes the resolution, it is sent to Loudon County's legislators. The General Assembly would still have to pass a private act before the county could actually run the program.