

**NOTICE OF PUBLIC HEARING.** In accordance with Tennessee Code Annotated Sections 5-5-105 and 13-7-105, the Board of County Commissioners of Blount County, Tennessee, will hold public hearing on October 11, 2011 at 6:30 P.M., at the Blount County Courthouse Commission Meeting Room for the following proposed amendment to the Zoning Resolution of Blount County, Tennessee, being Resolution 00-06-010.

**A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 9.2.F ADDING MINIMUM LOT SIZE AND DENSITY IN THE R-1-RURAL DISTRICT 1 FOR LOTS ON PUBLIC SEWER.**

That Section 9.2.F for the R-1-Rural District 1 zone be amended to read as follows: F. Minimum Lot Size and Density: 1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 30,000 square feet. For other than one unit per lot, or for planned unit development, the density shall be no greater than 1.2 residential units per gross acre. 2. If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.

Copy of the Resolution may be obtained at the office of the Secretary to the County Commission at the Blount County Courthouse, Court Street, Maryville, Tennessee during regular office hours. Blount County does not discriminate based on race, color or national origin in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

APPROVED:

ATTEST:

Jerome Moon  
Commission Chairman

Roy  
County

Crawford, Jr.  
Clerk

Ed Mitchell  
County Mayor

**RESOLUTION No. 11-10-006**

**Sponsored by Commissioners Brad Harrison and Gordon Wright.**

**A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 9.2.F ADDING MINIMUM LOT SIZE AND DENSITY IN THE R-1-RURAL DISTRICT 1 FOR LOTS ON PUBLIC SEWER.**

**BE IT RESOLVED**, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 20<sup>th</sup> day of October, 2011:

**WHEREAS**, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101, *et seq.*, and

**WHEREAS**, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED**, and

**WHEREAS**, it is desired to amend such Resolution to address lot size and density in the R-1 zone for property on public sewer.

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE**, to adopt the following:

That Section 9.2.F for the R-1-Rural District 1 zone be amended to read as follows:

F. Minimum Lot Size and Density:

1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 30,000 square feet. For other than one unit per lot, or for planned unit development, the density shall be no greater than 1.2 residential units per gross acre.
  
2. If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.**

CERTIFICATION OF ACTION	ATT	EST
Commission Chairman	County	Clerk
Approved: _____		
County	Mayor	Date

# Think Quality - Think Future

---

---

## Blount County Planning Department

Blount County Courthouse - 327 Court Street  
Maryville, TN 37804-5906  
Tel (865) 273-5750 - FAX (865) 273-5759  
e-mail - [planning@blounttn.org](mailto:planning@blounttn.org)  
on-line - [www.blounttn.org/planning/](http://www.blounttn.org/planning/)

**TO:** Blount County Commission

**FROM:** John Lamb

**DATE:** September 1, 2011

**SUBJECT:** Proposed amendment to the Zoning Resolution concerning lot size on sewer in the R-1-Rural District 1 - recommended by the Planning Commission – for setting of public hearing.

The following proposed amendment to the Zoning Resolution comes as recommendation of the Planning Commission at their August 25 regular meeting. This item will need setting of public hearing with at least 15 days notice in the newspaper before adoption.

That Section 9.2.F for the R-1-Rural District 1 zone be amended to read as follows:

F. Minimum Lot Size and Density:

1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be *30,000 square feet*. For other than one unit per lot, or for planned unit development, the density shall be no greater than *1.2 residential units per gross acre*.

2. *If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.*

The following is staff analysis from the August 25 regular meeting for reference.

This item comes as an alternative analysis and proposal to address development on public sewer in the R-1 zone after rejection of a proposal to amend the 1101 Growth Plan to address the same issue.

At the time of discussions and approval for the 1101 Growth Plan mandated by the State, around 1998 to 2001, the minimum lot size specified in the Subdivision Regulations was 23,000 square feet, which translated to a gross density of 1.5 single family units per acre. The County also developed and adopted zoning during that time period (2000), consistent with the 1101 Growth Plan proposal of the county, and consistent with the Blount County Conceptual Land Use Plan. The following was wording of the zoning regulations in 2000 for the R-1-Rural District 1 zone Section 9.2.F consistent with 1101 Growth Plan and Conceptual Land Use Plan:

F. Minimum Lot Size and Density: unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For other than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.

This was the base density and associated minimum lot size for the R-1 zone generally covering the county outside the Urban Growth Boundary of Maryville and Alcoa and outside the more mountainous and steeply sloping land that was placed in the R-2 zone.

Over time, the Planning Commission considered problems with failing septic systems and chose to address the issue in part by increase in minimum lot size to 30,000 square feet if on septic systems. Both the Subdivision Regulations and the Zoning Regulations were amended to show this new minimum lot size, associated also with change to maximum density of 1.2 units per acre in the R-1 zone. Present wording of R-1-Rural District 1 Section 9.2.F on lot size and density:

F. Minimum Lot Size and Density: unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be *30,000 square feet*. For other than one unit per lot, or for planned unit development, the density shall be no greater than *1.2 residential units per gross acre*.

In the meantime, utility sewer became available in some areas of the R-1 zone, both city utility sewer and private utility sewer. With access to utility sewer, the concerns of failing septic systems are no longer in play, and a change to previous lot size and density standards can be considered, still consistent with previously approved 1101 Growth Plan and Conceptual Land Use Plan.

The following proposes amendment to address lots on public sewer in the R-1 zone, consistent with the 1101 Growth Plan and with the Conceptual Land Use Plan, while retaining present regulations addressing lots served by individual septic.

That Section 9.2.F for the R-1-Rural District 1 zone be amended to read as follows:

F. Minimum Lot Size and Density:

1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be *30,000 square feet*. For other than one unit per lot, or for planned unit development, the density shall be no greater than *1.2 residential units per gross acre*.

2. *If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.*

The proposed amendment would give a boost of about one extra unit for every four units presently allowed in the R-1 zone if on sewer. The present Subdivision Regulations would not need to be amended since there already exists a reference to required compatibility with the Zoning Regulations.

**AGENDA**  
**BOARD OF COMMISSIONERS AGENDA COMMITTEE MEETING**  
Tuesday, October 11, 2011, 6:30 p.m.  
Room 430, Blount County Courthouse

**A. ROLL CALL.**

**B. PUBLIC INPUT ON ITEMS ON THE AGENDA.**

**C. APPROVAL OF AGENDA COMMITTEE MINUTES:**

1. September 6, 2011 meeting.

**D. SETTING OF AGENDA.**

**E. ITEMS FOR CONSENT AGENDA.**

1. Resolutions for special recognitions.
2. Appointments:
  - a. Courthouse Allocation of Space Committee (Gary Farmer)
  - b. Planning Commission – Bruce McClellan, Mike Caylor. (County Mayor)
  - c. Tuckaleechee Utility Board. (Information Only) (County Mayor)
  - d. Blount County Community Action Agency – Dr. Robert Ramsey. (Commission)

**F. UNFINISHED BUSINESS:**

1. Resolution regarding the position of Director of Human Resources. (Commission)

**G. NEW BUSINESS:**

1. Election of Agenda Committee Vice-chairman. (Jerome Moon)
2. Election to fill the vacancy in the Office of District 4 School Board member. (Jerome Moon)
3. Budget Transfers.
4. Budget Increases.
5. Other Budget Items.
6. Filming of Blount County Commission meetings for Cable Television. (Monika Murrell)
7. Resolution to amend the Zoning Resolution of Blount County, Tennessee, Section 9.2F adding minimum lot size and density in the R-1 Rural District–1 for lots on public sewer. (Planning Commission)
8. Setting of Public Hearing regarding proposed amendment to the Zoning Resolution regarding proposed regulations regarding campgrounds and recreation vehicle parks. (Planning Commission)
9. Request from South Blount Utility District regarding franchise agreement concerning sewer services. (Holden Lail)
10. Request from Tennessee Department of Transportation for a resolution concerning Pel-lissippi Parkway Extension regarding Blount County's choice of one of the four alternatives outlined in the Draft Environmental Impact Statement. (County Mayor)
11. Possible restriction of access to tractor-trailer rigs to the use of Mt. Tabor Road. (Highway Department)
12. Resolution Regarding Redistricting of Districts for Blount County, Tennessee. (Gary Farmer)

**H. PUBLIC INPUT ON ITEMS NOT ON AGENDA.**

**I. ADJOURNMENT.**

**STATE OF TENNESSEE  
COUNTY OF BLOUNT**

**BE IT REMEMBERED**, that an Agenda Committee of the Blount County Board of County Commissioners meeting was held on Tuesday, September 6, 2011, at 6:30 pm at the courthouse in Maryville, Tennessee.

Roll call was taken by Roy Crawford, Jr., County Clerk:

Tonya Burchfield – absent	Roy Gamble – present	Peggy Lambert – present
Ted Burkhalter - present	Tom Greene – present	Mike Lewis– present
Richard Carver – present	Brad Harrison – present	Kenneth Melton – present
Mike Caylor – present	Mark Hasty– present	Jerome Moon – present
Gary Farmer – present	Scott Helton – present	Monika Murrell – absent
Jim Folts – absent	Gerald Kirby – present	Steve Samples – present
Ron French - present	Holden Lail – present	Gordon Wright, Sr. – present

There were 18 present and 3 absent. Chairman Pro Tem Farmer declared a quorum to exist. The following proceedings were held to-wit:

**IN RE: APPROVAL OF MINUTES OF AUGUST 9, 2011 AGENDA COMMITTEE MEETING.**

Commissioner Lambert made a motion to approve the minutes of the meeting. Commissioner Carver seconded the motion.

A roll call vote was taken:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: SETTING OF AGENDA.**

Commissioner Melton made a motion to defer discussion of filming of County Commission meetings for cable television to the October Agenda Committee meeting and to set the agenda. Commissioner Kirby seconded the motion.

A roll call vote was taken:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: APPOINTMENT OF STANDING COMMITTEES, ANIMAL CENTER ADVISORY BOARD, AND HUMAN RESOURCES COMMITTEE.**

Commissioner Lambert made a motion to send appointment of standing committees; appointment of Steve Samples, Peggy Lambert, Roy Gamble to the Animal Center Advisory Board; appointment of Phyllis Crisp to the Human Resources Committee; and add the appointment of Rick Carver to the Information Technology Committee to the agenda of the September County Commission meeting. Commissioner Helton seconded the motion.

A roll call vote was taken:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes

Caylor – yes                      Harrison – yes                      Lewis – yes  
Farmer – yes                      Hasty – yes                      Melton – yes  
Folts – absent                      Helton – yes                      Moon – yes

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: RESOLUTION REGARDING THE POSITION OF DIRECTOR OF HUMAN RESOURCES.**

Commissioner French made a motion to defer the item to the October Agenda Committee meeting. Commissioner Samples seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF AGENDA COMMITTEE CHAIR.**

Commissioner Helton made a motion to elect Gary Farmer as Chair of the Agenda Committee. Commissioner Kirby seconded the motion.

A roll call vote was taken:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF AGENDA COMMITTEE VICE-CHAIR.**

Commissioner Melton made a motion to elect Jerome Moon as vice-chair of the Agenda Committee. Commissioner Gamble seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – abstain	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 17 voting yes, 1 abstaining, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF COMMISSION CHAIRMAN.**

Commissioner Melton made a motion to send the election of Jerome Moon as Chair of the County Commission to the agenda of the September County Commission meeting. Commissioner French seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF COMMISSION CHAIRMAN PRO TEMPORE.**

Commissioner Lambert made a motion to send the election of Holden Lail as Vice-Chair of the County Commission to the agenda of the September County Commission meeting. Commissioner French seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – abstain	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 17 voting yes, 1 abstaining, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF COMMISSION PARLIAMENTARIAN.**

Commissioner Helton made a motion to send the election of Tab Burkhalter as Parliamentarian of the County Commission to the agenda of the September County Commission meeting. Commissioner Moon seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - abstain	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 17 voting yes, 1 abstaining, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: BUDGET TRANSFER – CLERK & MASTER/CIRCUIT COURT CLERK - \$38,303.00.**

Commissioner Moon made a motion to send the transfer to the agenda of the September County Commission meeting. Commissioner Lambert seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: BUDGET INCREASE – CIRCUIT COURT CLERK - \$44,408.02.**

Commissioner Melton made a motion to send the resolution to the agenda of the September County Commission meeting. Commissioner Samples seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: BUDGET INCREASE – EMERGENCY MANAGEMENT - \$53,500.00.**

Commissioner Caylor made a motion to send the resolution to the agenda of the September County Commission meeting. Commissioner Harrison seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: RESOLUTION AUTHORIZING THE LEASE UNDER TENNESSEE CODE ANNOTATED 7-51-904 OF AN OFFICE COPIER FOR THE HUMAN RESOURCES AND RISK MANAGEMENT OFFICES OF BLOUNT COUNTY.**

Commissioner Lambert made a motion to send the resolution to the agenda of the September County Commission meeting. Commissioner French seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: CHANGE OF CURRENT VENDOR FROM USABLE TO HUMANA REGARDING VOLUNTARY BENEFITS OF COUNTY EMPLOYEES.**

Commissioner French made a motion to send the change to the agenda of the September County Commission meeting. Commissioner Carver seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: RESOLUTION TO LEVY AN ADDITIONAL LITIGATION TAX IN BLOUNT COUNTY, TENNESSEE AND RESCINDING OF RESOLUTION NO. 11-08-003.**

Commissioner Lambert made a motion to send the resolution to the agenda of the September County Commission meeting. Commissioner Wright seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: CONTINUATION OF DELEGATION OF AUTHORITY TO COUNTY MAYOR TO ALLOCATE SPACE IN COUNTY BUILDINGS.**

Commissioner French made a motion to send the resolution to the agenda of the September County Commission meeting. Commissioner Wright seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – no	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – no	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 16 voting yes, 2 voting no, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: SETTING OF PUBLIC HEARING REGARDING PROPOSED AMENDMENT TO THE ZONING RESOLUTION REGARDING LOT SIZE ON SEWER IN THE R-1 RURAL DISTRICT-1.**

Commissioner Kirby made a motion to send setting of the public hearing to the agenda of the September County Commission meeting. Commissioner Wright seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ADJOURNMENT.**

Chairman Pro Tem Farmer declared the meeting to be adjourned.

## County Buildings

**Reference Number:** CTAS-576

The county legislative body is required provide funds to erect a courthouse, jail and other necessary county buildings, but the jail may be a joint facility operated with one or more other counties. T.C.A. §§ 5-7-104, 5-7-105. The courthouse and all county buildings for county officers except the jail and the county highway garage must be erected within the limits of the county town. T.C.A. § 5-7-105. Although not required to do so, the county legislative body may provide offices for the county clerk and other officials outside of the county town so long as an office is maintained in the county town for offices where a county town office is mandated. T.C.A. § 5-7-103.

Non-Smoker Protection Act. Effective October 1, 2007, Public Chapter 410 amended Title 39, Chapter 17, to prohibit smoking in any enclosed area of any place to which the public is invited or in which the public is permitted and in any enclosed area under the control of a public or private employer that employees normally frequent during the course of employment including private offices and vehicles. The act requires "No Smoking" signs or the international "No Smoking" symbol be clearly and conspicuously posted at every entrance to every public place and place of employment where smoking is prohibited by the act by the owner, operator, manager, or other person in control of that place. A person who smokes in an area where smoking is prohibited shall be subject to a fifty-dollar (\$50) fine.

Allocation of Courthouse Space. The county legislative body has no statutory authority to establish uniform courthouse hours and require other officials to remain open or closed during these scheduled hours. However, elected officials cannot neglect the business of the office without being subject to removal from office in an ouster suit. T.C.A. § 8-47-101. Therefore, each official is under a duty to maintain office hours that will allow the public reasonable access to the offices and allow the work of the office to be performed in a timely and efficient manner. Each official can decide whether to remain open on holidays. T.C.A. § 15-1-101. The county legislative body has the authority to assign office space within the courthouse. See *Anderson County Quarterly Court v. Judges of the 28th Judicial Circuit*, 579 S.W.2d 875 (Tenn. Ct. App. 1978).

*Tenn. Code Ann. § 5-5-121*

TENNESSEE CODE ANNOTATED  
© 2011 by The State of Tennessee  
All rights reserved

\*\*\* CURRENT THROUGH THE 2011 REGULAR SESSION \*\*\*

Title 5 Counties  
Chapter 5 County Legislative Bodies  
Part 1 Substantive Provisions

Tenn. Code Ann. § 5-5-121 (2011)

**5-5-121. Powers and duties -- Control of public buildings.**

The county legislative bodies have power to erect or control, and dispose of public county buildings, as provided in chapter 7 of this title.

**HISTORY:** Code 1858, § 4214; Shan., § 6044; Code 1932, § 10241; Acts 1978, ch. 934, § 15; T.C.A. (orig. ed.), § 5-523.

In

[About LexisNexis](#) | [Privacy Policy](#) | [Terms & Conditions](#) | [Contact Us](#)  
Copyright © 2011 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

County Technical Assistance Service | 226 Capitol Boulevard, Suite  
400 | Nashville, TN 37219 | 615-532-3555



---

**Source URL (retrieved on 10/05/2011 - 12:58):** <http://ctas-eli.ctas.tennessee.edu/reference/county-buildings>



# BLOUNT COUNTY MAYOR

Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org



TO: Blount County Board of Commissioners

FROM: Ed Mitchell, County Mayor

RE: Recommendation for the Planning Commission

DATE: October 4, 2011

For the consideration of the full commission, I am submitting my recommendation of the following name for appointment on the Blount County Planning Commission:

Bruce McClellan, Re-appointment, term to expire 10/15, see attached resume

Mike Caylor, Commissioner, to fill vacancy left by Gary Farmer's resignation

# RESUME

**BRUCE MCCLELLAN**  
**TROTTER-MCCLELLAN, INC.**  
**3329 W. GOV. JOHN SEVIER HWY.**  
**KNOXVILLE, TN. 37920**  
**PHONE: 865-577-1244**  
**FAX: 865-57-1245**

## WORK HISTORY

- 1962-1963 SURVEYOR-JOHN J. HARRIS SURVEYING, COLUMBIA, TN.  
BOUNDARY, TOPOGRAPHICS, UTILITY AND SURFACE MINING SURVEYS
- 1964-1972 KNOERLE, BENDER & STONE  
BEGAN IN SURVEYING ON INTERSTATE HIGHWAY PROJECTS.  
AFTER COMPLETION OF FIELD WORK MOVED TO OFFICE FOR  
RIGHT-OF-WAY COMPUTATIONS AND PROPERTY DESCRIPTIONS,  
THEN BEGAN DOING HIGHWAY DESIGN FOR INTERSTATE PROJECT  
AND FEASIBILITY REPORT FOR LOUISIANA TOLL ROADS.
- 1972-1983 BARGE, WAGGONER, SUMNER & CANNON  
HIGHWAY AND SITE DESIGN, RESPONSIBLE FOR SURVEY CREWS(2 YRS.)
- 1983-1991 JOINT PARTNERSHIP- TROTTER AND MCCLELLAN SURVEYING  
GENERAL BOUNDARY AND TOPOGRAPHIC SURVEYS
- 1991-PRESENT OWNER/PRESIDENT- TROTTER-MCCLELLAN, INC.  
BOUNDARY, ALTA, TOPOGRAPHIC, CONSTRUCTION, AS-BUILT SURVEYS  
AND LARGE TRACTS SUBDIVIDED FOR AUCTIONS

**EDUCATION** 66 CREDIT HOURS AT UNIVERSITY OF TENNESSEE EXTENSION IN  
NASHVILLE, TN.  
COMPLETED ALL SURVEYING AND MATH COURSES OFFERED

**LICENSE** STATE OF TENNESSEE RLS # 696

**ACTIVITIES** MEMBER TN. ASSOC. OF PROFESSIONAL SURVEYORS  
STATE PRESIDENT 1988, 1996 AND 2003  
CURRENTLY SERVE ON ASSOC. BOARD OF DIRECTORS

PRESIDENT, VICE PRESIDENT AND SECRETARY/TREASURER FOR  
MID-EAST CHAPTER OF TN. ASSOC. OF PROFESSIONAL SURVEYORS,  
SERVED THESE POSITIONS ON SEVERAL OCCASIONS, CURRENT  
VICE PRESIDENT

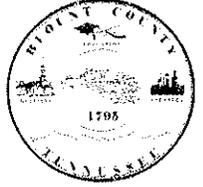
MEMBER AMERICAN CONGRESS ON SURVEYING AND MAPPING AND  
NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS

MEMBER BLOUNT COUNTY PLANNING COMMISSION

**PROJECTS** 28 YEARS OF  
GENERAL BOUNDARY SURVEYS  
TOPOGRAPHICAL SURVEYS  
PLATS FOR PLANNING COMMISSION APPROVAL  
RESIDENTIAL LOAN SURVEYS  
AS BUILT COMMERCIAL PROPERTIES



**GARY FARMER**  
**Blount County Commissioner**  
**District 4 - Seat A**  
111 Firefly Lane, Maryville, TN 37803  
Phone - 865-983-4778



September 29, 2011

Ed Mitchell  
Blount County Mayor  
341 Court Street  
Maryville, TN 37804

Dear Mayor Mitchell:

It has been a privilege to serve on the Blount County Planning Commission for many years. However, due to additional demands on my time, I feel it is best for me to resign from the Blount County Planning Commission effective November 1, 2011.

Thank you for this opportunity to serve Blount County.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Farmer".

Gary Farmer  
Blount County Commissioner  
District 4 - Seat A

GF/rp

c: Blount County Planning Commission  
John Lamb, Blount County Planning Director



# BLOUNT COUNTY MAYOR

Ed Mitchell

341 Court Street, Maryville, TN 37804-5906

Phone: (865) 273-5700

Fax: (865) 273-5705

Email: emitchell@blounttn.org



TO: Board of Commissioners

FROM: Ed Mitchell, County Mayor

RE: Recommendation for Tuckaleechee Utility Board

DATE: September 22, 2011

For your information, I have made the following appointments to the Tuckaleechee Utility District of Commissioners:

Kenny Myers, completing the seat of John P. Davis, Jr., term expires 5/31/12

Oliver Williams, Jr., reappointment, term expires 9/30/2015

# Blount County Community Action Agency



October 4, 2011

Blount County Board of Commissioners  
359 S. Court Street  
Maryville, TN 37804-5906

RE: Re-Appointment to Blount County Community Action Agency Board of Directors

Dear Blount County Commissioners:

As some of you may know, the purposes and functions of the Blount County Community Action Agency, Inc. Board of Directors are: To administer the anti-poverty and human development programs of federal and state governments and other appropriate agencies in Blount County; To work with the low-income, the public sector, and the private sector in order to seek out, identify, and eliminate the causes of poverty within this county; To encourage the entire community to be more responsive to the needs and interests of the low-income by mobilizing available resources and bringing about a greater institutional sensitivity; and To plan and develop a system of priorities among projects, activities, and areas as needed for the most effective and efficient use of resources.

There are 15 members on our Board of Directors and our Board is unique in its composition. The composition of Community Action Agency Boards is established by statute and states that the membership of the Board represents three groups: elected public officials or their representatives, private community organizations, and low-income individuals or their representatives. Our Board By-Laws explain the three sectors of our Board as follows:

**A. Public Sector** – At least 1/3 of the Board members shall be elected public officials, holding office on the date of selection, or their representatives, except that if the number of such elected officials reasonably available and willing to serve on the board is less than 1/3 of the membership on the board of appointive public officials or their representatives may be counted in the meeting such 1/3 requirement.

The Blount County Commission shall designate 3 members of the Commission, or their representatives, to serve on the board on their behalf. One official from the City of Maryville Commission and one official from the City of Alcoa Commission, or their representatives shall be appointed to the Board.

A public official who has been designated for Board membership may decide to appoint a permanent representative to serve on the Board in his behalf in which case he shall notify the Chairman of the Board in writing of the name of his representative.

**B. Representatives of the Low-Income** – At least 1/3 of the total Board membership must be democratically elected representatives of the low-income and reside in the neighborhood served.

Such representatives need not be low-income themselves, but must be chosen in a manner to insure that they truly represent the low-income.

**C. Representatives of Private Community Organizations** – The remainder of the Board will be comprised of representatives from private community groups and organizations.

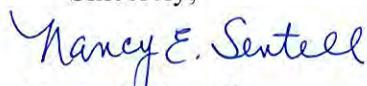
Private community groups are any private non-profit organization, whether incorporated or not, which is concerned with business, industrial, labor, religious, private, law enforcement, education, civic, professional, significant minority groups or other community interests. The Board will recruit private groups who are interested in alleviating poverty conditions. Significant minority group representation will be continually present on the Board, and such groups will not be rotated off the Board.

The term of office for our Board members is three years and members may serve two consecutive terms before a one year absence is required from the Board. These limited terms of office were approved by our Board in June 2010 whereas the terms were previously unlimited.

The Blount County Commission approved Dr. Bob Ramsey to our Board on 10/1/1998. Dr. Ramsey practices family dentistry in Maryville and is also a State Representative. His term is scheduled to expire 10/1/2011 and he has chosen to serve a final three year term (10/1/2011 – 10/1/2014) prior to having to rotate off for at least a year. The Blount County Commission approved Mike Lewis to our Board on 9/17/2009. Mr. Lewis is Senior Vice President at Green Bank and is a Blount County Commissioner. His first three year term is 10/1/10 – 10/1/13 and he will be eligible to be re-appointed for another three year term if he is so interested. The Blount County Commission approved Joan VanSickle Sloan to our Board on 9/17/09. Ms. Sloan is the Community Outreach Coordinator for Blount County Public Library. Her first three year term is 10/1/10 – 10/1/13 and she will be eligible to be re-appointed for another three year term if she is so interested.

My request of the Blount County Commission is to reappoint Dr. Bob Ramsey to represent the Blount County Commission as a member from the public sector for the term of 10/1/2011 – 10/1/2014. Your attention to this matter is greatly appreciated. If you have questions or concerns, feel free to contact me at 983-8411 ext. 22 or by email at [nsentell@blountcaa.org](mailto:nsentell@blountcaa.org).

Sincerely,



Nancy E. Sentell  
Executive Director

**BOARD MEMBER TERMS OF APPOINTMENT**  
**Updated information effective 10/14/11 pending BCCAA Board approval**

<b>Board Member</b>	<b>Date of Appointment</b>	<b>Term</b>	<b>Sector</b>
Robert Ramsey	10/1/98	3 yr.- 10/1/11-10/1/14	Public
Ed Mitchell	4/19/01	3 yr.- 10/1/10-10/1/14	Public
Ralph Miller, Jr.	10/14/11	3 yr.- 10/1/11-10/1/14	Low-Income
Helen Abbott	10/14/11	3 yr.- 10/1/11-10/1/14	Low-Income
Melanie Davis	10/14/11	3 yr.- 10/1/11-10/1/14	Private
Stone Carr	8/14/06	2 yrs.-10/1/10-10/1/12	Low-Income
Terry Elmore	4/19/06	2 yrs.-10/1/10-10/1/12	Low-Income
Gary Heath	4/18/08	2 yrs.-10/1/10-10/1/12	Private
Clara Peals	9/16/76	2 yrs.-10/1/10-10/1/12	Private
Bill Lyons	4/18/01	2 yrs.-10/1/10-10/1/12	Private
Joan VanSickle Sloan	9/17/09	3 yrs.-10/1/10-10/1/13	Public
Mike Lewis	9/17/09	3 yrs.-10/1/10-10/1/13	Public
*Ken White	*8/20/10	3 yrs.- 9/1/10-8/31/13	Public
Gloria Bickers	6/25/10	3 yrs.-10/1/10-10/1/13	Low-Income
Jason Emert	10/15/10	3 yrs.-10/1/10-10/1/13	Private

*\*Ken White was designated by the Alcoa Commission at their 7/13/10 meeting and approved at the 8/20/10 BCCAA Board Meeting. The Attorney for the Alcoa Commission requested a term limit before the Governance Committee met; therefore, his term was designated as 9/1/10-8/31/13.*

**RESOLUTION NO. 11-10-002**

**SPONSORED BY COMMISSIONERS GARY FARMER, MIKE LEWIS,  
HOLDEN LAIL, AND TONYA BURCHFIELD**

**DIRECTOR OF HUMAN RESOURCES**

**WHEREAS**, The position of Director of Human Resources was established by the Blount County Commission on June 20, 1996; and

**WHEREAS**, Blount County has a need for someone to coordinate human resources activities; and

**WHEREAS**, more State and Federal regulations are being passed each year; and

**WHEREAS**, Blount County wishes to ensure that employees are treated fairly and paid equal pay for equal work.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of Blount County, Tennessee meeting in session this 20<sup>th</sup> day of October, 2011, that the position Director of Human Resources will report and answer to the Blount County Human Resource and Insurance Committee.

**BE IT FURTHER RESOLVED:**

1. That a uniform personnel policy must be in effect.
2. When a vacancy for this position occurs, the position will be posted in compliance with Equal Employment Opportunity Laws.
3. Applications for this position will be interviewed by a three (3) member Ad Hoc Committee selected from the Human Resource and Insurance Committee.
4. The successful applicant will be appointed by the Human Resource and Insurance Committee.
5. This appointee must be approved by the Blount County Legislative Body.

**CERTIFICATION OF ACTION**

**ATT**

**EST**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
County

\_\_\_\_\_  
Clerk

Approved: \_\_\_\_\_

Vetoed: \_\_\_\_\_

\_\_\_\_\_  
County

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Caylor – yes                      Harrison – yes                      Lewis – yes  
Farmer – yes                      Hasty – yes                      Melton – yes  
Folts – absent                      Helton – yes                      Moon – yes

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: RESOLUTION REGARDING THE POSITION OF DIRECTOR OF HUMAN RESOURCES.**

Commissioner French made a motion to defer the item to the October Agenda Committee meeting. Commissioner Samples seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF AGENDA COMMITTEE CHAIR.**

Commissioner Helton made a motion to elect Gary Farmer as Chair of the Agenda Committee. Commissioner Kirby seconded the motion.

A roll call vote was taken:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF AGENDA COMMITTEE VICE-CHAIR.**

Commissioner Melton made a motion to elect Jerome Moon as vice-chair of the Agenda Committee. Commissioner Gamble seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – abstain	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

There were 17 voting yes, 1 abstaining, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: ELECTION OF COMMISSION CHAIRMAN.**

Commissioner Melton made a motion to send the election of Jerome Moon as Chair of the County Commission to the agenda of the September County Commission meeting. Commissioner French seconded the motion.

A roll call vote was taken on the motion:

Burchfield – absent	French – yes	Kirby – yes	Murrell – absent
Burkhalter - yes	Gamble – yes	Lail – yes	Samples – yes
Carver – yes	Greene – yes	Lambert – yes	Wright – yes
Caylor – yes	Harrison – yes	Lewis – yes	
Farmer – yes	Hasty – yes	Melton – yes	
Folts – absent	Helton – yes	Moon – yes	

# CRAIG L. GARRETT

## ATTORNEY AT LAW, PLLC

607 SMITHVIEW DRIVE  
MARYVILLE, TENNESSEE 37803

TELEPHONE: (865) 984-8200  
FACSIMILE: (865) 981-2833  
EMAIL: mail@cgarrettlaw.com

August 16, 2011

The Honorable Gary Farmer  
The Honorable Mike Caylor  
The Honorable Holden Lail  
The Honorable Tonya Burchfield

Re: Proposed Resolution No. 11-08-005

Dear Honorable Commissioners:

I am writing you as the sponsors of the above-styled Resolution. Enclosed please find a letter which I received by e-mail from Gary Hayes, with CTAS. As sponsors of this Resolution, I felt it was important that you be aware of CTAS's position on this Resolution.

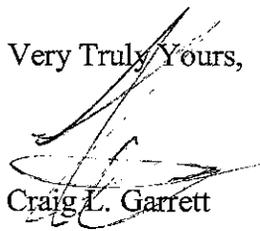
I have not had a chance to research this issue in depth, but it appears that Mr. Hayes is correct in his notation that the certain aspects of this Resolution conflict with State Law. I certainly feel that the Commission should not pass a Resolution that conflicts with State Law as this would undoubtedly create problems with enforceability of this Resolution and subject the same to legal challenge.

I would suggest that action on this Resolution be deferred to the September meeting and I will be glad to further research the ramifications of this Resolution and possible amendments that may correct the problems with it.

If you or any of the other Commissioners have additional questions, please feel free to contact me.

With kind regards, I am

Very Truly Yours,



Craig L. Garrett

CLG/jr  
Enclosure

August 16, 2011

Page Two

cc: Honorable Kenneth Melton, Chairman  
Honorable Tab Burkhalter  
Honorable Brad Harrison  
Honorable Mike Lewis  
Honorable Steve Samples  
Honorable Mark Hasty  
Honorable Jerome Moon  
Honorable Peggy Lambert  
Honorable Richard Carver  
Honorable Scott Helton  
Honorable Jim Folts  
Honorable Tom Greene  
Honorable Roy Gamble  
Honorable Gordon E. Wright, Sr.  
Honorable Ron French  
Honorable Monika Murrell  
Honorable Gerald L. Kirby  
Honorable Ed Mitchell, Mayor

## Craig Garrett

---

**From:** Hayes, Gary [gary.hayes@tennessee.edu]  
**Sent:** Monday, August 15, 2011 12:09 PM  
**To:** Craig Garrett  
**Subject:** Resolution 11-008-05

Hi Craig,

Hope all is well? I have received several emails from county commissioners and your budget director concerning the above resolution for Thursday night's meeting. The following is my response to the question:

I have reviewed the proposed resolution # 11-08-005 and the County Legislative Body has the authority to do the following: (1) The county can have a uniform personnel policy in place provided each of the fee officials agree to participate. The County Legislative Body has no authority to force the fee offices into a county wide policy, (2) we think the CLB can by resolution require that the position be advertised in accordance with the EEO law, (3) the CLB cannot require that all applicants be interviewed by the proposed AD Hoc committee, and (4) the successful applicant must be confirmed by the CLB.

The county cannot enforce #4 in the resolution by giving the appointment power to a Human Resource and Insurance Committee, furthermore the CLB cannot pass a resolution that is in direct conflict with T.C.A. § 5-6-106(c) which states the following:

***Except as otherwise provided by general law, or special or private act, the county mayor shall appoint members of county boards and commissions and county department heads. Such appointees shall be subject to confirmation by the county legislative body, and in so doing, the legislative body may express its views fully and freely and shall vote for or against confirmation. The legislative body shall not seek or interview such prospective employees prior to their appointment by the county mayor. Such appointment and confirmation are not applicable to employees appointed by other elected county officials.***

However, if the CLB wants to enact all of the provisions set forth in resolution 11-08-005 including #4, then the CLB will have to do it by private act.

If you have any questions, please feel free to contact me.

Human Resources/Insurance Committee Meeting  
Minutes  
Tuesday July 19, 2011 – 5:00 P.M.  
COUNTY COMMISSION ROOM

*Committee Members Present:*

Ed Mitchell	Holden Lail	James Berrong
Gary Farmer	Tonya Burchfield	Phyllis Crisp
Mike Lewis	Bill Dunlap	David Murrell

*Committee Members Absent:*

Ron French

*Others Present:*

Don Stallions	Jodie King	Steve Jennings
Drew Mann and Betsy Cunningham, Trinity Benefit Advisors		

Minutes

1.) Approval of April 5, 2011 minutes. David Murrell made the motion and second by Tonya Burchfield. All approved.

2.) Motion was made by Bill Dunlap establishing a new resolution regarding Director of Human Resources to Commission meeting on August 18, 2011. Holden Lail seconded the motion. Roll call vote is as follows:

Ed Mitchell-abstained	Mike Lewis-yes	Bill Dunlap-yes
Phyllis Crisp-yes	James Berrong-yes	Tonya Burchfield-yes
Gary Farmer-yes	David Murrell-yes	Holden Lail-yes
Ron French-absent		

3.) Jeff Hatcher presented a PowerPoint presentation regarding Blount County Insurance with other county comparisons.

4.) The Committee asked Drew Mann with Trinity Benefits to present at the next meeting an updated cost savings plan regarding the Blount County Insurance Plan. Drew also discussed upcoming open enrollment and will have more information at the next meeting.

5.) A special called meeting will be August 16, 2011 at 5:00 p.m. in the County Commission Room.

6.) Motion was made by Bill Dunlap asking Steve Jennings to look at doing a comprehensive salary study of all Blount County Employees. Steve will bring

back at the next meeting information regarding the study to include vendors and cost. Ed Mitchell seconded the motion. All in favor.

7.) Drew Mann explained how and why no new payroll slots are open.

8.) Adjourned 5:50 p.m.

**CRAIG L. GARRETT**

---

**ATTORNEY AT LAW, PLLC**

607 SMITHVIEW DRIVE  
MARYVILLE, TENNESSEE 37803

PHONE: 865-984-8200  
FAX: 865-981-2833

October 10, 2011

The Honorable Gary Farmer  
The Honorable Mike Caylor  
The Honorable Holden Lail  
The Honorable Tonya Burchfield

Re: Proposed Resolution No. 11-08-005

Dear Honorable Commissioners:

I am writing as a follow-up to my letter to you of August 16, 2011. I have further researched the law surrounding the above proposed Resolution. I concur with the conclusions of Gary Hayes from CTAS set forth in his e-mail to me of August 15, 2011.

As stated, the uniform personnel policy can be in place provided the elected officials agree to participate. We presently have a uniform personnel policy and there is no problem with Paragraph 1 of your Resolution.

Paragraph 2 provides for the vacancy in this position to be posted in compliance with the equal opportunity employment laws and this is proper.

The County legislative body cannot require that applicants for the position be interviewed by three (3) members of the Ad Hoc Committee of the Human Resource and Insurance Committee, or that the successful applicant be appointed by the Human Resource and Insurance Committee as this conflicts with State Law, particularly T.C.A. §5-6-106(c), which gives power of appointment of this position to the County Mayor. Further, it specifically provides that the legislative body shall not seek or interview such perspective employees prior to their appointment by the County Mayor.

The only way to implement the Resolution as proposed would be to modify State Law by a private act. To make this proposed Resolution legal and in compliance with applicable State Law, Sections 2 and 3 of the Resolution would need to be removed. If this is the true intent of the Resolution, it may be better to just withdraw the Resolution in its entirety and seek implementation of a private act if that is the desire of the Commission.

October 10, 2011

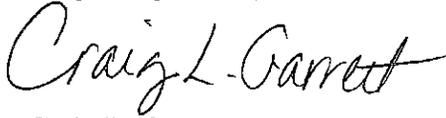
Page Two

I would suggest that prior to pursuing a private act that the Commission may want to confer with the Mayor regarding the filling of the vacant position of Director of Human Resources.

If you need further information, please feel free to contact me.

With kind regards, I am

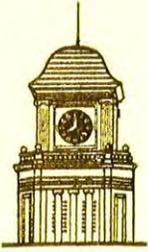
Very Truly Yours,



Craig L. Garrett

CLG/jr

cc: Honorable Kenneth Melton, Chairman  
Honorable Tab Burkhalter  
Honorable Brad Harrison  
Honorable Mike Lewis  
Honorable Steve Samples  
Honorable Mark Hasty  
Honorable Jerome Moon  
Honorable Peggy Lambert  
Honorable Richard Carver  
Honorable Scott Helton  
Honorable Jim Folts  
Honorable Tom Greene  
Honorable Roy Gamble  
Honorable Gordon E. Wright, Sr.  
Honorable Ron French  
Honorable Monika Murrell  
Honorable Gerald L. Kirby  
Honorable Ed Mitchell, Mayor



**Jerome Moon**  
**Blount County Commissioner**  
**District 4 - Seat C**  
1804 Murphy Myers Road, Maryville, TN 37803  
Phone – 865-984-3304



October 5, 2011

Gary Farmer  
Chairman  
Blount County Agenda Committee  
359 Court Street  
Maryville, TN 37804

Dear Chairman Farmer:

Due to additional demands on my time, I feel it is in the best interest to resign as Vice Chair of the Agenda Committee, effective October 10, 2011.

Thank you for this opportunity to serve Blount County.

Sincerely,

A handwritten signature in cursive script that reads "Jerome Moon".

Jerome Moon  
Blount County Commissioner  
District 4 - Seat C

JM/rp

c: Blount County Commission

## NOTICE OF ELECTION

Pursuant to and in accordance with the provisions of Tennessee Code Annotated § 5-5-111, notice is hereby given that the Blount County Board of Commissioners will hold an election at 7:00 pm at the Blount County Courthouse in Maryville, Tennessee, on October 20, 2011, to fill the vacancy in the office of District 4 School Board member. Registered voters of Blount County will have the opportunity to submit names to the county legislative body for consideration. The names may be submitted in writing to the County Commission chair prior to the meeting or may be submitted in person at the meeting. In order for a name to be considered, a member of the county legislative body must subsequently nominate the person. Members of the county legislative body may also nominate a candidate or candidates to fill the office or vacancy without the name being submitted by a voter. Nominations do not require a second. 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.

---

Jerome Moon, Chairman  
Blount County Board of Commissioners

Published on *e-Li* (<http://ctas-eli.ctas.tennessee.edu>)

[Home](#) > Procedure for Filling Vacancies

## Procedure for Filling Vacancies

**Reference Number:** CTAS-586

Vacancies in elected county offices are filled temporarily by the county legislative body. The appointee serves until a successor is elected at the next countywide general election for which the candidate has sufficient time to qualify. T.C.A. § 5-1-104. The county clerk, or if there is no county clerk the county clerk's deputy, or if there is no county clerk or deputy, the acting chair of the county legislative body, shall provide notice to every member of the county legislative body of the need to fill the office or vacancy. This notice may be waived by the members of the county legislative body if all members have constructive notice of the vacancy through other sources of information. Additionally, the presiding officer of the county legislative body shall cause public notice to be given in a newspaper of general circulation in the county at least seven (7) days prior to the meeting at which the office is to be filled, notifying the public of the vacancy or opening and specifying the office or offices to be filled at the meeting. T.C.A. § 5-5-111.

Except in Davidson and Shelby counties, the county commission must fill a vacancy within 120 days of receiving notice from the county clerk unless during that time there is a general election scheduled in the county and there is sufficient time for the vacancy to be placed on the ballot. T.C.A. § 5-5-104. Registered voters of the county may submit names to the commission for consideration; however, to be nominated, a member of the commission must subsequently nominate such person. Nominations do not require a second. If a person nominated is not present, the person making the nomination must submit a signed statement from the nominee that the nominee is willing to serve. The commission is required to adopt rules of procedure for eliminating nominees in cases where there are multiple nominees for an appointment and no nominee receives the majority of votes. No secret balloting is permitted and each member's vote regarding the appointment process must be recorded by the clerk and entered on the minutes. Any challenge to the legality of an appointment must be filed with the chancery court within 10 days of the appointment. T.C.A. § 5-5-111.

A commissioner who has accepted a nomination cannot vote on the appointment and for purposes of determining a majority the membership is reduced for each member accepting a nomination. County commissioners must resign their office only if they are actually appointed by the commission to fill the vacancy. T.C.A. § 5-5-111.

*Tenn. Code Ann. § 5-1-104*

TENNESSEE CODE ANNOTATED  
© 2011 by The State of Tennessee  
All rights reserved

\*\*\* CURRENT THROUGH THE 2011 REGULAR SESSION \*\*\*

Title 5 Counties  
Chapter 1 General Provisions  
Part 1 Counties Generally

Tenn. Code Ann. § 5-1-104 (2011)

**5-1-104. County officers -- Filling vacancies.**

(a) Each organized county shall have, in addition to the judicial officers elected by the qualified voters or by the county legislative body, such other officers as are authorized by law to manage county business.

(b) (1) Vacancies in county offices required by the Constitution of Tennessee or by any statutory provision to be filled by the people shall be filled by the county legislative body, and any person so appointed shall serve until a successor is elected at the next general election, as defined in § 2-1-104, in the county and is qualified; provided, that the candidates have sufficient time to qualify for the office, as provided for in § 2-14-106. The county legislative body shall be required to make an appointment to fill a vacancy within one hundred twenty (120) days of receiving notice of the vacancy unless during that time period there is a general election scheduled in the county and there is sufficient time for the vacancy to be placed on the ballot in accordance with this section. Any appointment to fill a vacancy by the county legislative body shall be made in accordance with chapter 5, part 1 of this title. This subdivision (b)(1) shall not apply to any county that has a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census. This subdivision (b)(1) shall not apply in any county having a population of not less than eight hundred ninety-seven thousand four hundred (897,400) nor more than eight hundred ninety-seven thousand five hundred (897,500), according to the 2000 federal census or any subsequent federal census.

(2) If the vacancy occurs after the time for filing nominating petitions for the party primary election and more than sixty (60) days before the party primary election, then nominees of political parties shall be selected in such primary election and a successor elected in the August general election. If the vacancy occurs less than sixty (60) days before the party primary election but sixty (60) days or more before the August election, then nominees of political parties shall be selected by party convention and a successor elected in the August election. If the vacancy occurs less than sixty (60) days before the August election but sixty (60) days or more before the November election, then nominees of political parties shall be selected by party convention and a successor elected in the November election.

(3) If a vacancy occurs more than ten (10) days prior to the regular qualifying deadline, then the regular qualifying deadline shall apply. If the vacancy occurs after the tenth day prior to the regular qualifying deadline, independent candidates and candidates nominated by any political party for the vacancies shall qualify by filing all nominating petitions no later than twelve o'clock (12:00) noon, prevailing time, on the fifty-fifth day before the election. If the qualifying deadline is the fifty-fifth day before the election, candidates must withdraw no later than twelve o'clock (12:00) noon, prevailing time, on the fifty-second day before the election.

(c) Notwithstanding any provision of law or any provision of any charter of a metropolitan government to the contrary, whenever an election is held to fill a vacancy in a county office that

is elected from districts, including, but not limited to, county school board members, county legislative body members, county highway commissions, and constables, the county legislative body may provide by resolution duly certified to the county election commission that persons qualifying as candidates shall be elected from the most recently adopted reapportionment plan in the county. If the county legislative body requires the election to be held using districts as adopted in the most recently adopted reapportionment plan in the county, the county legislative body shall specify to the county election commission which district shall be used to fill the vacancy by election. In the absence of a resolution requiring the latest reapportionment plan be used and specifying which district shall be used for the election, the election shall be held using the district as constituted for the election of the vacated incumbent.

**HISTORY:** Code 1858, § 406 (deriv. Const. 1834, art. 7, § 1); impl. am. Acts 1870, ch. 98, § 1; Shan., § 498; Code 1932, § 744; Acts 1975, ch. 354, § 1; 1978, ch. 934, §§ 2, 24; 1979, ch. 10, §§ 1, 2; T.C.A. (orig. ed.), § 5-104; Acts 1981, ch. 314, § 1; 1981, ch. 318, § 1; 1992, ch. 707, § 1; 1997, ch. 558, §§ 24, 25; 2007, ch. 125, § 8; 2008, ch. 871, § 1.

In

[About LexisNexis](#) | [Privacy Policy](#) | [Terms & Conditions](#) | [Contact Us](#)  
Copyright © 2011 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

*Tenn. Code Ann. § 5-5-111*

TENNESSEE CODE ANNOTATED  
© 2011 by The State of Tennessee  
All rights reserved

\*\*\* CURRENT THROUGH THE 2011 REGULAR SESSION \*\*\*

Title 5 Counties  
Chapter 5 County Legislative Bodies  
Part 1 Substantive Provisions

Tenn. Code Ann. § 5-5-111 (2011)

**5-5-111. Filling vacancies -- Notice to legislative body -- Notice to public -- Nominations -- Appointment by vote of legislative body -- Challenge of appointment -- Deadline -- Applicability of provisions.**

(a) (1) Whenever an office is required to be filled, or a vacancy occurs in any office required to be filled, by the county legislative body, the county clerk shall provide notice to every member of the county legislative body of the need to fill the office or vacancy. If the office of county clerk is vacant, the notice shall be provided by the county clerk's deputy. If, in addition, there is no deputy county clerk, notice shall be provided by the acting chair of the county legislative body. In accordance with § 8-48-108, the formal notice to members required by this subdivision (a)(1) is directory and may be waived by the members of the county legislative body if all members have constructive notice of the vacancy or opening through other sources of information.

(2) In addition to the notice provided for in subdivision (a)(1), the presiding officer of the county legislative body shall cause public notice to be given in a newspaper of general circulation in the county at least seven (7) days prior to the meeting of the body at which the office is to be filled, notifying the public of the vacancy or opening and specifying the office or offices to be filled at the meeting.

(b) Before the county legislative body votes or considers any motion or resolution regarding the office to be filled, the chair shall allow registered voters of the county an opportunity to submit names to the county legislative body for consideration. The names may be submitted in writing to the chair prior to the meeting or may be submitted in person at the meeting. In order for a name to be considered, a member of the county legislative body must subsequently nominate the person. Members of the county legislative body may also nominate a candidate or candidates to fill the office or vacancy without the name being submitted by a voter. Nominations do not require a second. 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.

(c) Should a member of the county legislative body accept a nomination for an office or vacancy that is required by the Tennessee constitution to be filled by the county legislative body, the member shall be prohibited from voting on the appointment or any motions or resolutions relative to making the appointment until the office or vacancy is filled. For the purposes of determining a majority, the membership of the county legislative body shall be reduced to reflect any member or members prohibited from voting on the appointment. If a member of the county legislative body is subsequently appointed to fill the office or vacancy, the member shall immediately resign from the county legislative body upon accepting the appointment. If the member does not receive the appointment, the member shall not be required to resign and may continue the member's duties on the county legislative body upon the conclusion of the vote on the appointment.

(d) After nominations cease, the county legislative body may discuss the nominations and may, at the discretion of the chair, interview nominees or allow nominees the opportunity to address the county legislative body. Upon motion passed by the majority of the members, the vote to make the appointment may be postponed to a subsequent meeting, provided that adequate public notice of the meeting is given in accordance with title 8, chapter 44.

(e) To receive an appointment, a nominee must receive the votes of a majority of the members of the county legislative body eligible to vote on the appointment. The county legislative body shall adopt rules of procedure for eliminating nominees in cases where there are multiple nominees for an appointment and no nominee receives a majority of the votes after the initial vote. No secret balloting shall be permitted. Each member's vote regarding the appointment process shall be recorded by the clerk and entered on the minutes of the county legislative body. A tie vote of the county legislative body regarding an appointment may be broken in the same manner that other tie votes of the body may be broken.

(f) Any complaint challenging the legality of an appointment made by the county legislative body shall be filed with the chancery court of the county within ten (10) days of the date of the appointment.

(g) When filling a vacancy in offices required to be filled by the county legislative body, the county legislative body shall fill the vacancy in accordance with the deadline provided in § 5-1-104.

(h) (1) This section shall not apply to any county that has a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census.

(2) This section shall not apply to any county having a population of not less than eight hundred ninety-seven thousand four hundred (897,400) nor more than eight hundred ninety-seven thousand five hundred (897,500), according to the 2000 federal census or any subsequent federal census.

**HISTORY:** Code 1858, § 817; Shan., § 1144; mod. Code 1932, § 1904; modified; Acts 1978, ch. 934, §§ 15, 24; 1979, ch. 16, § 1; T.C.A. (orig. ed.), § 5-512; Acts 2008, ch. 871, § 3; 2009, ch. 14, §§ 1, 2.

In

[About LexisNexis](#) | [Privacy Policy](#) | [Terms & Conditions](#) | [Contact Us](#)  
Copyright © 2011 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

*Tenn. Code Ann. § 49-2-202*

TENNESSEE CODE ANNOTATED  
© 2011 by The State of Tennessee  
All rights reserved

\*\*\* CURRENT THROUGH THE 2011 REGULAR SESSION \*\*\*

Title 49 Education  
Chapter 2 Local Administration  
Part 2 Boards of Education

Tenn. Code Ann. § 49-2-202 (2011)

**49-2-202. Members and meetings.**

(a) (1) Members of the board shall be residents and voters of the county in which they are elected and shall be citizens of recognized integrity, intelligence and ability to administer the duties of the office.

(2) No member of the county legislative body nor any other county official shall be eligible for election as a member of the county board of education.

(3) No person shall be eligible to serve on the board unless the person is a bona fide resident of the county and has a practical education; provided, that beginning on October 1, 1990, except in counties having a population of: [Click here to view image.](#)

according to the 1980 federal census or any subsequent federal census, no person shall qualify as a candidate for a position on a county board of education until the person has filed with the county election commission proof that the candidate graduated from high school or received a GED, evidenced by a diploma or other documentation satisfactory to the commission. Any person serving on a school board as of October 1, 1990, shall be allowed to continue to serve and to seek reelection or reappointment to one (1) additional term even though the person may not have graduated from high school or received a GED.

(4) If any member ceases to reside in the county, the office of the member shall become vacant.

(5) All board members shall be properly trained during their service on the board of education. The minimum requirements for this training shall be established by the state board of education and shall include an annual session for all board members. The commissioner of education may remove from office any local board member who fails to attend the annual training as prescribed by the state board of education.

(b) All members of the local board of education shall take oath to discharge faithfully the duties of the office.

(c) It is the duty of the board of education to:

(1) Hold regular meetings at least quarterly for the purpose of transacting public school business; provided, that the chair may call special meetings whenever in the chair's judgment the interest of the public schools requires it, or when requested to do so by a majority of the board. The chair or the chair's designee shall give reasonable notice of the time and location of all meetings to the president of the local education association or the president's designee; and

(2) Elect one (1) of its members as chair annually.

(d) The compensation of members of the county board shall be fixed by the county legislative body for their services when attending regular and special meetings and discharging the duties imposed by this title; provided, that the county trustee shall pay no voucher issued to members unless the voucher has been approved by the county mayor; and provided, further, that no member of any board shall receive less than four dollars (\$4.00) per day for the member's services.

(e) (1) When a vacancy occurs, the unexpired term shall be filled at the next regular meeting of the county legislative body or at a special meeting of the county legislative body.

(2) Vacancies shall be declared to exist, on account of death, resignation or removal from the county.

(3) A temporary absence of a county board member to serve in the military shall not constitute a vacancy in office and such absence shall not be subject to the requirements of § 8-48-205(5).

(f) Notwithstanding any law to the contrary, the board of education for each LEA that operates one (1) or more high schools may annually select, prior to commencement of the new school year, no less than four (4) high school students to serve as advisory, nonvoting members of the board. One half (1/2) of the students so selected shall be enrolled in the college preparatory track and one half (1/2) of the students so selected shall be enrolled in the technology track. The students shall serve without compensation but may, at the discretion of the board, be reimbursed for reasonable and necessary expenses incurred while engaged in board business.

(g) A majority of all of the members constituting the board, and not merely a majority of the quorum, shall be required to transact all business coming before the board in regular or special meetings.

**HISTORY:** Acts 1925, ch. 115, § 6; Shan. Supp., §§ 1487a27-1487a29, 1487a39; Code 1932, §§ 2318-2320, 2328; Acts 1961, ch. 60, § 1; 1965, ch. 96, § 1; 1974, ch. 654, §§ 11, 12; 1982, ch. 792, § 1; T.C.A. (orig. ed.), §§ 49-209 -- 49-211, 49-213; Acts 1988, ch. 638, § 1; 1989, ch. 362, §§ 1, 2; 1990, ch. 948, § 25; 1992, ch. 535, § 33; 1992, ch. 767, § 1; 1996, ch. 638, § 1; 1998, ch. 717, § 1; 2003, ch. 90, § 2; 2011, ch. 464, § 1.

In

[About LexisNexis](#) | [Privacy Policy](#) | [Terms & Conditions](#) | [Contact Us](#)  
Copyright © 2011 LexisNexis, a division of Reed Elsevier Inc. All rights reserved.

Trevis D. Gardner  
224 Memorial Drive  
Maryville, TN 37803  
[trevisgardner@gmail.com](mailto:trevisgardner@gmail.com)  
865-238-5410

Tuesday, October 4, 2011

Jerome Moon, Chairman  
Blount County Commission  
359 Court Street  
Maryville, TN 37804-5906  
865-273-5830

Dear Mr. Moon,

Please find accompanying this letter my current resume. I respectfully submit this notice and qualifications for consideration of nomination and hopefully appointment to the vacancy on the Blount County Board of Education. The fine folks of Blount County have invested an enormous amount of care, time and faith in developing me as leader for their community. I am ready to serve the community with pride and perseverance if afforded this opportunity.

I extend my kinds thanks for your thoughtful and careful consideration of my request.

Respectfully Yours,  
/s/ signed T.Gardner

Trevis D. Gardner

tdg

**Trevis D. Gardner**  
224 Memorial Drive ♦ Maryville, Tenn. 37803  
(865) 238-5410 ♦ trevisgardner@gmail.com

---

**The intent of this Resume' is to state my qualifications and experience applicable to the position of Interim Board of Education Member for the Blount County School System.**

**EXPERIENCE:**

July 1991-Present **Metropolitan Knoxville Airport Authority** Knoxville/Alcoa, TN

*Various Positions of Increasing Responsibility Including:*

- 2008-Present Vice President of Operations-Responsible for the Management and Direction of all operational functions for two airports including a certificated air carrier service airport (McGhee Tyson) with traffic that ranks in top 100 nationwide as well as general aviation reliever airport (Knoxville Downtown Island). Responsibilities include direct management and supervision of an operations and maintenance staff of more than 90, as leadership and oversight for other Airport Authority functions as a senior organization officer. Accountable Executive for FAA Safety Management and TN OSHA Compliance.
- 2009 Chief Operating Officer-Consolidated Airport Services, LLC-Responsible for the formation and implementation of a business plan to provide outsourced ground handling and other associated services for multiple airline operations.
- 2001-2008 Director of Airport Operations
- 1998-2001 Airport Operations Manager
- 1995-1998 Engineering Project Manager
- 1993-1995 Environmental Compliance Manager
- 1991-1993 Civil Engineering/Land Survey Technician

Aug. 1987-Oct 2011 **US Air Force / Tennessee Air National Guard** Louisville, TN/Worldwide

*Various Positions of Increasing Responsibility Including:*

- Commissioned Officer
  - Logistics Readiness Officer-Logistics Transportation Management and Planning
  - Deputy Commander/Executive Office-Mission Support Group-Direct and and Management Support Functions and Forces including: Security, Communications, Engineering, Logistics, Personnel, Training & Education, and Food Services
  - Airbase Operability Officer-Manage and Direct preparation, planning and training of forces for mitigation and response to Weapons of Mass Destruction attack as well as natural disasters and emergency management.
- Senior Non-Commissioned Officer (NCO)
  - First Sergeant-Responsible for the morale, welfare, and conduct of all the enlisted members in a military unit and is the chief adviser to the commander.
  - NCO In Charge-Site Development and Engineering-Provide engineering survey, design, construction and maintenance of DoD Installations and Missions.
  - Instructor-NCO Academy-Led junior NCOs through coursework including military history, profession of arms, public speaking and written communications.
- Non-Commissioned Officer & Airman
  - Engineering and Land Survey Technician/Electrical Power Production and Distribution Journeyman and Master Technician

## **COMMUNITY VOLUNTEER, BLOUNT CO. TENNESSEE**

- 2008-Present-Board Member, Committee Chair and currently President of the Adult Education Foundation of Blount County, a non-profit, United Way Agency that supports promotion , awareness and funding for GED and other adult education programs.
- 2007-2008 Tutor, GED Preparation Program, Blount Co. Justice Center/Jail
- 2011-Treasurer, Heritage Middle School Parent Support Organization
- 2010-Treasurer, Heritage Middle School Basketball Boosters Club
- 2006-2009 Chairman, Finance Committee Fairview United Methodist Church
- 2004-2006 Chairman, Long Range Planning Committee, Fairview United Methodist Church
- 1999-2000 Chairman, Finance Committee, Pecks Memorial United Methodist Church
- 1992-1994 Youth Program Director, Pecks Memorial United Methodist Church
- 1996-2000 Lay Speaker, Holston Conference of the United Methodist Church
- 2009-2011 Member of Resource Advisory Committee for the Cherokee National Forest.
- Appointed by the US Secretary of Agriculture for policy and oversight for the disbursement of funds for development projects in the Cherokee National Forest System
- 1994-1996 Secretary, Blount County Local Emergency Planning Committee/Blount County Emergency Management Agency
- 2002-2005 Member-Community Emergency Response Team-Blount County Chapter of The American Red Cross
- Volunteer Science Fair Judge for Carpenters Middle School for 5 years
- Volunteer Moderator and Host for Blount County Schools “Current Events Bowl” for 4 years

## **EDUCATION, TRAINING & CERTIFICATIONS**

- Graduate-Blount County School System-Heritage High, Walland Middle, Chilhowee View
- Bachelor of Science Organizational Management -Tusculum College, Greenville, TN
- AS in Civil Engineering (Cum Laude), Pellissippi State Technical Community College, Knoxville, TN
- AS in Electrical and Mechanical Technology, Community College of the US Air Force
- Certification-Land Surveyor Licensure Program, Pellissippi State Community College
- Commissioned Officer of the Armed Forces of the United States (with Highest Honors), Academy of Military Science, US Air Force/Tennessee Air National Guard
- Graduate (with Highest Honors) US Air Force First Sergeants Academy
- Graduate (with Honors)-US Air Force Non-Commissioned Officer Academy
- Graduate-US Air Force Academic Instructors Course
- Graduate (with Highest Honors) US Air Force Non-Commissioned Officer Preparatory Academy
- Suicide Prevention & Intervention Leadership and Counseling Certification
- Graduate-US Department of Defense Fiscal Law Course
- Graduate-US Special Operations Command Dynamics of International Terrorism Course
- Graduate-FEMA and DoD Defense Incident Command System, and National Incident Management System Training
- Graduate-Transportation Security Administration Airport Security Coordinator Course
- Graduate-Leadership Blount Class of 2006
- Graduate-Knoxville Field Office, Federal Bureau of Investigation Citizens Academy
- Accredited Member-American Association of Airport Executives

# **BUDGET INCREASES/DECREASES**

## **(COMMISSION ACTION NEEDED)**

<b><u>FUND</u></b>	<b><u>AMOUNT</u></b>	<b><u>BUDGET COMMITTEE</u></b>	<b><u>VOTE</u></b>
<b>101 – Gen. County Plan/Other Gen. Adm.</b>	<b>\$15,750.00</b>	<b>Recommended</b>	<b>3 - yes 2 - absent</b>
<b>143 – Food Service Food Service</b>	<b>\$31,000.00</b>	<b>Recommended (pending School Board approval)</b>	<b>3 - yes 2 - absent</b>

**RESOLUTION NO. 11-10-003**

**Sponsored by: Commissioners Steve Samples and Kenneth Melton**

**A RESOLUTION TO AMEND GENERAL COUNTY FUND BUDGET.**

**WHEREAS**, Blount County would like to amend the Planning/Other General Administrative Cost Center of the General County Fund Budget to appropriate funds for additional Planning services to Friendsville, Louisville, and Rockford.

**WHEREAS**, it is deemed to be in the best interest of Blount County to amend the General County Fund Budget as requested.

**NOW THEREFORE, BE IT RESOLVED** BY THE Board of Commissioners of Blount County, Tennessee assembled in regular session this 20<sup>th</sup> day of October, 2011 that the General County Fund Budget shall be amended as follows:

**Revenue:**

<b>101-0-431905-0</b>	<b>Planning Service Charges.....</b>	<b>\$15,750.00</b>
	<b>(Already Received)</b>	

**APPROPRIATION:**

<b>101-051720-500103-0</b>	<b>Assistants .....</b>	<b>\$ 4,172.04</b>
<b>101-051720-500161-0</b>	<b>Secretary .....</b>	<b>\$ 2,929.50</b>
<b>101-051720-500201-0</b>	<b>FICA.....</b>	<b>\$ 440.30</b>
<b>101-051720-500204-0</b>	<b>Retirement .....</b>	<b>\$ 823.07</b>
<b>101-051720-500206-0</b>	<b>Life.....</b>	<b>\$ 33.13</b>
<b>101-051720-500212-0</b>	<b>Medicare .....</b>	<b>\$ 102.97</b>
<b>101-051720-500308-0</b>	<b>Consultant.....</b>	<b>\$ 1,000.00</b>
<b>101-051720-500320-0</b>	<b>Dues .....</b>	<b>\$ 1,500.00</b>
<b>101-051720-500332-0</b>	<b>Legal Notices.....</b>	<b>\$ 650.00</b>
<b>101-051720-500338-0</b>	<b>Maint. &amp; Repairs – Vehicle.....</b>	<b>\$ 300.00</b>
<b>101-051720-500355-0</b>	<b>Travel .....</b>	<b>\$ 750.00</b>
<b>100-051720-500356-0</b>	<b>Tuition .....</b>	<b>\$ 200.00</b>
<b>101-051720-500422-0</b>	<b>Food Supplies .....</b>	<b>\$ 38.34</b>
<b>101-051720-500425-0</b>	<b>Gasoline.....</b>	<b>\$ 225.00</b>
<b>101-051720-500432-0</b>	<b>Library Books.....</b>	<b>\$ 75.00</b>
<b>101-051720-500435-0</b>	<b>Office Supplies.....</b>	<b>\$ 300.00</b>
<b>101-051720-500513-0</b>	<b>Workers’ Comp.....</b>	<b>\$ 10.65</b>
<b>101-051900-500399-0</b>	<b>Other Contracted Services .....</b>	<b>\$ 2,200.00</b>
	<b>Total .....</b>	<b>\$15,750.00</b>

**Duly authorized and approved this 20<sup>th</sup> day of October, 2011.**

**CERTIFICATION OF ACTION**

**ATTEST**

\_\_\_\_\_  
**Commission Chairman**

\_\_\_\_\_  
**County Clerk**

Approved: \_\_\_\_

Vetoed: \_\_\_\_\_

\_\_\_\_\_  
County Mayor

\_\_\_\_\_  
Date

**Blount County, Tennessee  
REQUEST FOR BUDGET INCREASE/DECREASE  
Fiscal Year 2011-2012**

Fund Number 101 Cost Center Number 51720/51900

Fund Name General County Cost Center Name Planning/Other Gen Adm

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Appropriation:	101-051720-500103-0	Assistants	\$ 4,172.04
	101-051720-500161-0	Secretary	2,929.50
	101-051720-500201-0	FICA	440.30
	101-051720-500204-0	Retirement	823.07
	101-051720-500206-0	Life	33.13
	101-051720-500212-0	Medicare	102.97
	101-051720-500308-0	Consultant	1,000.00
	101-051720-500320-0	Dues	1,500.00
	101-051720-500332-0	Legal Notices	650.00
	101-051720-500338-0	Maint & Repairs-Vehicle	300.00
	101-051720-500355-0	Travel	750.00
	101-051720-500356-0	Tuition	200.00
	101-051720-500422-0	Food Supplies	38.34
	101-051720-500425-0	Gasoline	225.00
	101-051720-500432-0	Library Books	75.00
	101-051720-500435-0	Office Supplies	300.00
	101-051720-500513-0	Workers' Comp	10.65
		101-051900-500399-0	Other Contracted Services
			\$ 15,750.00

Estimated Revenue:	101-0-431905-0	Planning Service Charges	\$ 15,750.00
			\$ 15,750.00

Reason for requested increase/decrease:

To increase for additional planning services to Friendsville, Louisville, & Rockford.

Note:  
Total appropriation  
must agree with total  
estimated revenue.

Signature of Department Head

Date

 9/29/11

**RESOLUTION NO. 11-10-004**

**Sponsored by: Commissioners Kenneth Melton and Steve Samples**

**A RESOLUTION TO AMEND FOOD SERVICE FUND BUDGET.**

**WHEREAS**, Blount County would like to amend the Food Service Fund Budget to increase equipment budget for possible replacement of cafeteria equipment, including immediate need of Combi-Oven at Heritage High School.

**WHEREAS**, it is deemed to be in the best interest of Blount County to amend the Food Service Fund Budget as requested.

**NOW THEREFORE, BE IT RESOLVED** BY THE Board of Commissioners of Blount County, Tennessee assembled in regular session this 20<sup>th</sup> day of October, 2011 that the Food Service Fund Budget shall be amended as follows:

**Revenue:**

**143-073100-500710                      Use of Fund Balance .....\$31,000.00**

**APPROPRIATION:**

**143-073100-500710                      Food Service Equipment .....\$31,000.00**

**Duly authorized and approved this 20<sup>th</sup> day of October, 2011.**

**CERTIFICATION OF ACTION**

**ATTEST**

\_\_\_\_\_  
**Commission Chairman**

\_\_\_\_\_  
**County Clerk**

Approved: \_\_\_\_

Vetoed: \_\_\_\_

\_\_\_\_\_  
**County Mayor**

\_\_\_\_\_  
**Date**

**Blount County, Tennessee**  
**REQUEST FOR BUDGET INCREASE/DECREASE**  
**Fiscal Year 2011-2012**

Fund Number 143 Cost Center Number 73100

Fund Name Food Service Cost Center Name Food Service

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Appropriation:	143-073100-500710	Food Service Equipment	80,000.00
	<b>Total Appropriation:</b>		<b>80,000.00</b>

	ACCOUNT NUMBER	ACCOUNT NAME	AMOUNT
Estimated Revenue:	143-000000-498001	Use of Fund Balance	80,000.00
	<b>Total Estimated Revenue:</b>		<b>80,000.00</b>

Reason for requested increase/decrease:

Increase equipment budget for possible replacement of cafeteria equipment, including immediate need of Combi-Oven at HHS.

Note:  
 Total appropriation  
 must agree with total  
 estimated revenue.

*Judy Logan*  
 \_\_\_\_\_  
 Signature of Department Head

*9-19-11*  
 \_\_\_\_\_  
 Date

**"Approved By The Board Of Education"** 10-13-11

**RESOLUTION No. 11-10-006**

**Sponsored by Commissioners Brad Harrison and Gordon Wright.**

**A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 9.2.F ADDING MINIMUM LOT SIZE AND DENSITY IN THE R-1-RURAL DISTRICT 1 FOR LOTS ON PUBLIC SEWER.**

**BE IT RESOLVED**, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 20<sup>th</sup> day of October, 2011:

**WHEREAS**, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101, *et seq.*, and

**WHEREAS**, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED**, and

**WHEREAS**, it is desired to amend such Resolution to address lot size and density in the R-1 zone for property on public sewer.

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE**, to adopt the following:

That Section 9.2.F for the R-1-Rural District 1 zone be amended to read as follows:

F. Minimum Lot Size and Density:

1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 30,000 square feet. For other than one unit per lot, or for planned unit development, the density shall be no greater than 1.2 residential units per gross acre.
2. If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.

**BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.**

CERTIFICATION OF ACTION	ATT	EST
Commission Chairman	County	Clerk
Approved: _____		
County	Mayor	Date
Vetoed: _____		

# Think Quality - Think Future

---

---

## Blount County Planning Department

Blount County Courthouse - 327 Court Street  
Maryville, TN 37804-5906  
Tel (865) 273-5750 - FAX (865) 273-5759  
e-mail - [planning@blounttn.org](mailto:planning@blounttn.org)  
on-line - [www.blounttn.org/planning/](http://www.blounttn.org/planning/)

**TO:** Blount County Commission

**FROM:** John Lamb

**DATE:** September 1, 2011

**SUBJECT:** Proposed amendment to the Zoning Resolution concerning lot size on sewer in the R-1-Rural District 1 - recommended by the Planning Commission – for setting of public hearing.

The following proposed amendment to the Zoning Resolution comes as recommendation of the Planning Commission at their August 25 regular meeting. This item will need setting of public hearing with at least 15 days notice in the newspaper before adoption.

That Section 9.2.F for the R-1-Rural District 1 zone be amended to read as follows:

F. Minimum Lot Size and Density:

1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be *30,000 square feet*. For other than one unit per lot, or for planned unit development, the density shall be no greater than *1.2 residential units per gross acre*.

2. *If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.*

The following is staff analysis from the August 25 regular meeting for reference.

This item comes as an alternative analysis and proposal to address development on public sewer in the R-1 zone after rejection of a proposal to amend the 1101 Growth Plan to address the same issue.

At the time of discussions and approval for the 1101 Growth Plan mandated by the State, around 1998 to 2001, the minimum lot size specified in the Subdivision Regulations was 23,000 square feet, which translated to a gross density of 1.5 single family units per acre. The County also developed and adopted zoning during that time period (2000), consistent with the 1101 Growth Plan proposal of the county, and consistent with the Blount County Conceptual Land Use Plan. The following was wording of the zoning regulations in 2000 for the R-1-Rural District 1 zone Section 9.2.F consistent with 1101 Growth Plan and Conceptual Land Use Plan:

F. Minimum Lot Size and Density: unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For other than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.

This was the base density and associated minimum lot size for the R-1 zone generally covering the county outside the Urban Growth Boundary of Maryville and Alcoa and outside the more mountainous and steeply sloping land that was placed in the R-2 zone.

Over time, the Planning Commission considered problems with failing septic systems and chose to address the issue in part by increase in minimum lot size to 30,000 square feet if on septic systems. Both the Subdivision Regulations and the Zoning Regulations were amended to show this new minimum lot size, associated also with change to maximum density of 1.2 units per acre in the R-1 zone. Present wording of R-1-Rural District 1 Section 9.2.F on lot size and density:

F. Minimum Lot Size and Density: unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be *30,000 square feet*. For other than one unit per lot, or for planned unit development, the density shall be no greater than *1.2 residential units per gross acre*.

In the meantime, utility sewer became available in some areas of the R-1 zone, both city utility sewer and private utility sewer. With access to utility sewer, the concerns of failing septic systems are no longer in play, and a change to previous lot size and density standards can be considered, still consistent with previously approved 1101 Growth Plan and Conceptual Land Use Plan.

The following proposes amendment to address lots on public sewer in the R-1 zone, consistent with the 1101 Growth Plan and with the Conceptual Land Use Plan, while retaining present regulations addressing lots served by individual septic.

That Section 9.2.F for the R-1-Rural District 1 zone be amended to read as follows:

F. Minimum Lot Size and Density:

1. If on individual septic system, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be *30,000 square feet*. For other than one unit per lot, or for planned unit development, the density shall be no greater than *1.2 residential units per gross acre*.

2. *If on public utility sewer, unless otherwise explicitly required in subsections above, the minimum lot size per unit for development shall be 23,000 square feet. For more than one unit per lot, or for planned unit development, the density shall be no greater than 1.5 residential units per gross acre.*

The proposed amendment would give a boost of about one extra unit for every four units presently allowed in the R-1 zone if on sewer. The present Subdivision Regulations would not need to be amended since there already exists a reference to required compatibility with the Zoning Regulations.

# Think Quality - Think Future

---

---

## Blount County Planning Department

Blount County Courthouse - 327 Court Street  
Maryville, TN 37804-5906  
Tel (865) 273-5750 - FAX (865) 273-5759  
e-mail - [planning@blounttn.org](mailto:planning@blounttn.org)  
on-line - [www.blounttn.org/planning/](http://www.blounttn.org/planning/)

**TO:** County Commission

**FROM:** John Lamb, Planning Commission Secretary

**DATE:** September 30, 2011

**SUBJECT:** Recommendation from the Planning Commission on proposed regulations of campgrounds and recreation vehicle parks.

The Planning Commission voted to recommend a set of regulations for campgrounds and recreation vehicle parks at their February 24, 2011 regular meeting. The County Commission held public hearing at their April 12, 2011 agenda meeting. The item died for lack of a second to a motion to send on the full County Commission. The Chair noted that the item would go back to the Planning Commission for any further consideration. The Planning Commission called a public hearing for the August 25, 2011 regular meeting to solicit comments from the public. Comments were reported along with the previously proposed regulations, and the Planning Commission voted to again recommend a set of regulations for campgrounds and recreation vehicle parks at their September 22, 2011 meeting. The only change from the previous recommendation was setting of 5000 feet along intersecting roads as a standard, previously shown only as an option. The recommended regulations follow.

**1. That the following definitions be added to Section 13 of the zoning regulations:**

**Camping Cabin;** small cabins located within a campground that are intended for temporary shelter, and includes sleeping quarters, in some cases a bathroom, but no kitchens.

**Campgrounds or Commercial Campground and Recreational Vehicle Parks:** the area or place (as a field or grove) used for a camp, for camping, or for a camp

meeting, and is conducted as a commercial business, or associated with private groups, clubs or churches.

**2. That sections 9.1B, 9.2B, and 9.3B be amended to add campgrounds and recreational vehicle parks as special exceptions as follows:**

**9.1 B.** Uses Permitted as Special Exceptions: multifamily dwellings including three or more of any dwelling units per lot (see also Section 7.6) and their associated sales or rental offices for the development, high density multifamily planned development (see also Subsections F and I below); family commercial enterprises (see Section 7.10), nursing homes, retirement homes, sanitariums, assisted care living facilities, and resident facilities with special services, treatment, or supervision; day care facilities commercial cemeteries not associated with a church or other place of worship; government and utility uses of a regional character necessary for providing service to the land and population within a broader region including the district; bed and breakfast accommodations; golf driving range; **commercial campgrounds and recreational vehicle parks (see also section 7.18)**; and accessory structures customarily associated with the above uses.

**9.2 B.** Uses Permitted as Special Exceptions: multifamily dwellings including three or more of any dwelling units per lot (see also Section 7.6) and their associated sales or rental offices for the development, family commercial enterprises (see Section 7.10), nursing homes, retirement homes, sanitariums, assisted care living facilities, and resident facilities with special services, treatment, or supervision; day care facilities; commercial cemeteries not associated with a church or other place of worship; government and utility uses of a regional character necessary for providing service to the land and population within a broader region including the district; sawmills and associated lumberyards; bed and breakfast accommodations; golf driving range; vacation cabin rental (see also section 7.11); **commercial campgrounds and recreational vehicle parks (see also section 7.18)**; and accessory structures customarily associated with the above uses.

**9.3 B.** Uses Permitted as Special Exceptions: multifamily dwellings including three or more of any dwelling units per lot, and their associated sales or rental offices for the development(see also Section 7.6), family commercial enterprises (see Section 7.10), nursing homes, retirement homes, sanitariums, assisted care living facilities, and resident facilities with special services, treatment, or supervision; vacation cabin rental (see also section 7.11), tourist accommodations, bed and breakfast accommodations, tourist oriented recreation facilities; day care facilities; commercial cemeteries not associated with a church or other place of worship; government and utility uses of a regional character necessary for providing service to the land and population within a broader region including the district; sawmills and associated lumber yards; **commercial campgrounds and recreational vehicle parks (see also section 7.18)**; and accessory structures customarily associated with the above uses.

**3. That the following new Section 7.18 be added to the Zoning Resolution:**

**Section 7.18 – Commercial Campground and Recreational Vehicle Parks**

The purpose of this section is to provide opportunities for quality designed commercial campgrounds and recreational vehicle parks that are properly located in the community where street access and capacity and other infrastructure are favorable for higher density development. In order to create a desirable recreational environment and protect the public health, safety, and welfare, site plans are required for all new commercial campgrounds and recreational vehicle parks. A commercial campground and recreational vehicle park shall meet the following regulations:

1. Minimum lot size requirement: The minimum development site for a commercial campground and recreational vehicle park shall be five (5) acres.
2. Permitted uses and activities: The following uses, vehicles and activities shall be permitted in all commercial campgrounds and recreational vehicle parks.
  - A. Recreational vehicles, travel trailers, pick-up coaches, motor homes, camping trailers, camping cabins (not to exceed 25% of the total camp sites), and tents suitable for temporary habitation and used for travel, vacation and recreation purposes provided:
    - 1) Underpinning or the removal of wheels, except for the temporary purpose of repair or stabilizing is prohibited.
    - 2) External structures permanently attached to the ground such as carports, or cabanas associated with individual campsites, shall not be permitted.
  - B. A recreational vehicle shall not remain in a recreational vehicle park for more than two hundred-seventy (270) days in any three-hundred-sixty-five (365) day period except:
    - 1) Vehicles owned and operated by seasonal camp workers shall be exempt from this requirement.
    - 2) Storage of unoccupied recreational vehicles may be allowed in a designated storage area, with number of stored vehicles not to exceed 40% of total number of campsites, and shall not encroach on primary subsurface sewage disposal system, and shall be visually buffered from and public road, and shall be set back from lot lines by the required principle structure setbacks for the zone.

- C. Camp Workers: Each commercial campground or recreational vehicle park may have campsites available for camp workers directly employed by the campground.
3. Accessory Uses: Management headquarters, toilets, dumping stations, showers, coin-operated laundry facilities, commercial uses exclusive to the park that cater to camp patrons only, and structures which are customarily incidental and subordinate to the operation of a commercial campground or recreational vehicle park are permitted as accessory uses to the park, subject to the following restrictions:
    - A. Such establishments and parking areas primarily related to their operations shall not occupy more than five (5) percent of the gross area of the park.
  4. Prohibited uses and structures:
    - A. Mobile homes and mobile home parks,
    - B. Permanent residences, excluding the accessory use of a resident management structure.
  5. Design standards for recreational vehicle parks and campgrounds. All commercial campgrounds and recreational vehicle parks shall meet the following requirements in addition to other requirements in specific zones.
    - A. Density. The maximum number of campsites shall be controlled through this section and environmental health department approval.
    - B. Access and location criteria:
      - 1) Commercial campgrounds and recreational vehicle parks (campgrounds) shall be limited to specific areas deemed significant to tourism, generally the Highway 411 North corridor leading to Maryville, Highway 321 corridor leading to Townsend, and the Highway 129 corridor leading to Tallassee. With exceptions specified below, campgrounds will be limited to direct access on the following arterial and collector status roads: Highway 411 North from the Maryville city limits to the Blount/Sevier county line, Lamar Alexander Parkway (Highway 321) from Maryville city limits to the city limits of Townsend, Highway 321 from the Townsend city limits to the Blount/Sevier county line, Old Tuckaleechee Road around the southern boundary of Townsend, Old Walland Highway from intersection with Ellejoy Road to intersection with Six Mile Road to intersection with Happy Valley Road. For roads directly intersecting the above listed arterial and collector status roads, commercial campgrounds and recreational vehicle parks (campgrounds) may be permitted if direct access on such roads is within 5000 feet of direct intersection with the arterial

and collector status roads, and such roads meet standards of subsection 2 below.

- 2) Location of campgrounds shall be limited to off site roads with at least 18 foot wide pavement with 2 foot shoulders.
- 3) Entrances and exits to the campgrounds shall be designed for safe and convenient movement of traffic into and out of the park and to minimize traffic conflict and facilitate free movement of traffic on adjacent streets. All traffic into and out of the park shall be thru such entrances and exits. No entrance or exit shall require a turn at an acute angle for vehicles moving in the direction intended. Curb radii, driveway cut and placement at intersections shall have a minimum of fifty (50) feet turning radius and exits shall be designed to allow ingress and egress simultaneously.
- 4) A deceleration lane may be required to entrance of the campground if recommended by the Blount County Highway Department or the Tennessee Department of Transportation (TDOT). When a deceleration lane is proposed to be located off a state right-of-way, the deceleration lane is subject to review and approval by the Tennessee Department of Transportation. When a deceleration land is proposed to be located off a county maintained right-of-way, the deceleration lane is subject to review and approval by the Blount County Highway Department.

C. Internal Roadways. All internal roadways shall meet the following requirements:

- 1) Internal roadways shall be maintained so emergency vehicles can safely access all areas of the site.
- 2) All interior roadways shall be constructed with an adequate, well-drained base and be surfaced with a minimum four (4) inches of gravel. Roadway grades shall not exceed ten (10) percent for gravel roads and thirteen (13) percent for paved roads.
- 3) An erosion control plan shall also be required.
- 4) All internal roadways shall have a minimum width of no less than fourteen (14) feet for one-way traffic and no less than eighteen (18) feet for two-way traffic.

D. Check-in Facility. Designate on the site plan a central vehicle check-in facility with the queuing capacity for a minimum of three (3) recreational vehicles, to insure check-in does not become congested.

- E. Parking for workers and guests. Parking spaces shall be provided for the manager and camp workers. A minimum of one (1) guest parking space shall be provided for every five (5) campsites.
  - F. Sewage Disposal. All campgrounds will be required to be connected to a public sewer system or have a subsurface sewage disposal system approved by the Blount County Environmental Health Department.
  - G. Any site plan shall address provision for fire service with fire hydrants and adequate access for emergency vehicles within the development.
  - H. Any site plan shall address garbage service, particularly if common receptacles are used in which case screening of receptacles shall be required.
  - I. Fire Pits. Campfires shall only be permitted in designated fire pits.
  - J. Lighting and Noise. All campgrounds shall be designed to meet the current outdoor lighting standards found in section 7.15-D. All campgrounds should conduct business in accordance to any existing noise laws within the county.
6. Design Requirements for Recreational Vehicle Campsites and Tent Campsites.
- A. Recreational Vehicle Campsite.
    - 1) All recreational vehicle campsites shall have a minimum of 1,400 square feet.
    - 2) A recreational vehicle campsite shall be designed so there is a minimum of ten (10) feet between recreational vehicles.
    - 3) Each campsite shall contain a stabilized vehicular parking pad.
    - 4) No building or storage sheds are permitted on individual recreational vehicle campsites.
    - 5) Recreational vehicle campsites shall include a minimum of one (1) automobile vehicle parking space with minimum dimensions of ten (10) feet by twenty (20) feet.
    - 6) Each campsite shall abut at least one internal roadway within the boundaries of the Recreational Vehicle Park and campground. Ingress and egress to the campsite shall be limited to an internal roadway.
    - 7) Recreational vehicle campsites shall be set back at least fifteen (15) feet from any river bank or stream bank.

B. Tent Campsite.

- 1) All tent campsites shall have a minimum area of 1,400 square feet.
- 2) Tent campsites shall include a minimum of one (1) automobile parking space with minimum dimensions of ten (10) feet by twenty (20) feet.
- 3) Each campsite shall abut at least one internal roadway within the boundaries of the Recreational Vehicle Park and campground. Ingress and egress to the campsite shall be limited to an internal roadway.
- 4) Tent campsites shall be set back at least fifteen (15) feet from any river bank or stream bank.

C. Camping Cabin sites.

- 1) All camping cabin sites shall have a minimum area of 1,400 square feet.
- 2) A camping cabin site must be designed so there is a minimum of twenty (20) feet between camping cabins.
- 3) No storage sheds are permitted on an individual camping cabin site.
- 4) Camping cabin sites shall include a minimum of one (1) automobile vehicle parking space with minimum dimensions of ten (10) feet by twenty (20) feet.
- 5) Each campsite shall abut at least one internal roadway within the boundaries of the Recreational Vehicle Park and Campground. Ingress and egress to the campsite shall be limited to an internal roadway.
- 6) Camping cabin sites shall be set back at least twenty-five (25) feet from any stream bank, and at least fifty (50) feet from the bank of the Little River.

D. All campsites shall be designed in conformity with the Floodplain Regulations if within a flood zone.

Phone: 865-982-3560  
Fax: 865-984-8330

## South Blount County Utility District

808 W. Lamar Alexander Parkway  
Maryville, TN 37801



October 3, 2011

Commissioners  
Blount County, TN

Re: Franchise Agreement

Commissioners:

In 2007 South Blount's District was authorized to provide sanitary sewer service within the District's boundaries. At present there are 5 (onsite/decentralized) sanitary sewer systems in our District that are in operation today. We feel that these onsite/decentralized sanitary sewer systems are a viable method for growth and the protection of our environment in Blount County.

The Commissioners and Management of the District would like to obtain permission from the Blount County Commissioners to franchise the unincorporated areas outside of the District boundaries of Blount County for sanitary sewer service.

Sincerely

A handwritten signature in blue ink, appearing to read "Henry Durant".

Henry Durant  
District Manager

South Blount County Utility District  
865-982-3560

## RESOLUTION

WHEREAS, South Blount County Utility District of Blount County, Tennessee (the District) has been authorized to provide sanitary sewer and sewer disposal service (sewer service) by an Order of the County Mayor of Blount County, Tennessee entered on September 26, 2007;

WHEREAS, pursuant to this Order, the District has the exclusive right to provide sewer service within its geographic boundaries in Blount County pursuant to T.C.A. ĩ 7-82-301(a);

WHEREAS, the District has the power to provide sewer service outside of its boundaries including within the unincorporated areas of Blount County outside of its geographic boundaries pursuant to T.C.A. ĩ 7-82-302(a)(1);

WHEREAS, the District desires to obtain a franchise from the County to provide sewer service within the unincorporated areas of the County outside of its boundaries pursuant to T.C.A. ĩ 5-1-118(c)(1) and T.C.A. ĩ 6-2-201(12); and

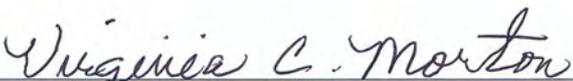
WHEREAS, legal counsel for the District has prepared a franchise agreement between the District and the County granting this franchise upon execution by both parties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS that South Blount County Utility District of Blount County, Tennessee seek to obtain a franchise from Blount County, Tennessee to obtain the exclusive right, authority and franchise for a period of twenty-five (25) years to provide sewer service within the unincorporated areas of Blount County, Tennessee, located

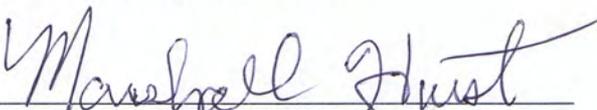
outside the District s boundaries and outside of the urban growth boundaries of the City of Alcoa and the City of Maryville as they exist on the date of the Franchise Agreement.

BE IT FURTHER RESOLVED that the Franchise Agreement attached to this Resolution is hereby approved and that the President of the District s Board of Commissioners is authorized to sign the Franchise Agreement on behalf of the District.

Dated this 6th day of September, 2011.

  
\_\_\_\_\_  
Commissioner Virginia Morton

  
\_\_\_\_\_  
Commissioner Tom Abbott

  
\_\_\_\_\_  
Commissioner Marshall Hurst

## FRANCHISE AGREEMENT

This FRANCHISE AGREEMENT is made and entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, by and between Blount County, Tennessee and South Blount County Utility District of Blount County, Tennessee.

### WITNESSETH:

WHEREAS, South Blount County Utility District of Blount County, Tennessee (the District) has been authorized to provide sanitary sewer and sewer disposal service (sewer service) by an Order of the County Mayor of Blount County entered on September 26, 2007;

WHEREAS, pursuant to this Order, the District has the exclusive right to provide sewer service within its geographic boundaries in Blount County pursuant to T.C.A. § 7-82-301(a);

WHEREAS, the District has the power to provide sewer service outside of its geographic boundaries pursuant to T.C.A. § 7-82-302(a)(1);

WHEREAS, Blount County, Tennessee (the County) has the power to require a public utility to obtain a franchise from the County to provide a public utility service within the unincorporated areas of the County pursuant to T.C.A. § 5-1-118(c)(1) and T.C.A. § 6-2-201(12);

WHEREAS, it is in the manifest best interest of the community that future residential and business development across the unincorporated areas of Blount County should have sewer service available where needed to, as well as service for existing neighborhoods with failing individual sewage disposal systems as economic feasibility permits.

NOW, THEREFORE, in consideration of the foregoing and the mutual agreements hereinafter set forth, the parties do hereby agree as follows.

1. Grant and Term of Franchise. South Blount County Utility District of Blount County, Tennessee, its successors and assigns, is hereby granted the exclusive right, authority and franchise to provide sewer service within the unincorporated areas of Blount County, Tennessee, located outside of the urban growth boundaries of Alcoa, Maryville, Louisville, Friendsville, Rockford, Townsend and Tuckaleechee Utility District as they exist on the date of this Franchise Agreement for a period of twenty-five (25) years from the date of this Franchise Agreement in accordance with § 5-1-118 (c)(1). The District shall have the right to lay, construct, extend, operate, maintain, repair and replace sewer mains, lines, treatment systems and all necessary facilities in, upon, across, along and under the highways, streets, roads, alleys, public ways, utility easements and other public grounds located within the unincorporated areas of Blount County, Tennessee, to provide sewer service within and throughout the franchise area. This right and franchise shall be exclusive, and no other individual corporation, association, partnership, or governmental body shall be granted the rights and privileges described in this Franchise Agreement. The terms and conditions for the provision of sewer service within the franchised area shall be established by the District.

2. Construction of Facilities. All sewer mains, lines, treatment systems and all necessary facilities for the purpose of providing sewer service (the sewer facilities) shall be constructed, maintained and replaced in accordance with the applicable rules and regulations of the Tennessee Department of Environment and Conservation or its successor agency, with all applicable laws of the State of Tennessee and with all applicable resolutions, rules and regulations of the County. The District shall be responsible for acquiring any permits necessary to construct and operate the sewer facilities.

3. Restoration of Public Ways. Upon making an opening upon any of the streets, alleys or public ways of the County for the purpose of laying, maintaining or replacing sewer pipes and mains or other sewer facilities or for any other reasonably necessary reason to provide sewer service, the District shall replace and restore all public ways to their former condition as nearly as practicable and within a reasonable time and shall not unnecessarily obstruct or impede traffic on the highways, streets and public ways of the County.

4. Franchise Fee. The County shall not charge the District a franchise fee or any other fee for the privilege of providing sewer service within the unincorporated areas of Blount County during the term of this Franchise Agreement.

5. Force Majeure. Notwithstanding anything expressly or impliedly to the contrary contained herein, in the event the District is prevented, wholly or partially, from complying with any obligation or undertaking contained herein by reason of any event of force majeure, then, while so prevented, compliance with such obligations or undertakings shall be suspended. The term *force majeure*, as used herein, shall mean any cause not reasonably within the District's control and includes, but is not limited to, acts of God, strikes, lock-outs, wars, riots, orders or decrees of any lawfully constituted federal, state or local court or agency, contagions or contaminations hazardous to human life or health, fires, storms, floods, wash-outs, explosions, breakages or accidents to machinery, pipelines or sewer facilities and inability to obtain or the delay in obtaining rights-of-way, materials, supplies or labor permits.

6. Sale or Transfer of Sewer Facilities. Any sale, transfer or conveyance by the District of any portion of its sewer system to a municipal corporation, utility district or other governmental utility during the term of this Franchise Agreement shall occur only by the mutual agreement of the parties.

7. Modification of Agreement. The provisions of this Franchise Agreement shall be modified or altered only in writing by the mutual agreement of the parties.

8. Severability. If any provision of this Franchise Agreement or the application thereof is determined to be invalid, such invalidity shall not affect other provisions or applications of this Franchise Agreement which can be given effect without the invalid provisions or application, and to that end the provisions of the Franchise Agreement are declared to be severable.

9. Governing Law. This Franchise Agreement shall be governed by the laws of the State of Tennessee.

IN WITNESS WHEREOF the parties have entered in to this Franchise Agreement as of the day and date first above written.

**BLOUNT COUNTY, TENNESSEE**

By:

Ed

\_\_\_\_\_  
Mitchell, Bounty County Mayor

**SOUTH BLOUNT COUNTY UTILITY  
DISTRICT OF BLOUNT COUNTY,  
TENNESSEE**

By:

\_\_\_\_\_  
Virginia Morton, President of the Board of  
Commissioners



**STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION**

SUITE 700, JAMES K. POLK BUILDING  
505 DEADERICK STREET  
NASHVILLE, TN 37243-0349  
(615) 741-2848

**JOHN C. SCHROER**  
COMMISSIONER

**BILL HASLAM**  
GOVERNOR

**September 6, 2011**

**Mr. Ed Mitchell  
Mayor of Blount County  
341 Court Street  
Maryville, TN 37804**

**RE: Pellissippi Parkway Extension (SR 162)  
Blount County, PIN 101423.00**

**Dear Mayor Mitchell:**

The Tennessee Department of Transportation has applied the Tennessee Environmental Streamlining Agreement (TESA) for the environmental and regulatory coordination of major transportation projects to the Pellissippi Parkway Extension project. This process is intended to achieve timely and efficient identification, evaluation, and resolution of environmental and regulatory issues associated with the project.

Federal, state, and local agencies have been offered opportunities to provide input on the development of the purpose and need statement and alternatives considered in the Draft Environmental Impact Statement (DEIS) under the National Environmental Policy Act (NEPA).

In an effort to meet the project's purpose and need, the Department has actively engaged with all stakeholders through public meetings, informational meetings, correspondence, etc. The Department has coordinated and collaborated with the Knoxville Transportation Planning Organization, local officials representing Blount County, and the cities of Alcoa and Maryville.

The DEIS considered four alternatives, No-build, build Alternative "A", build Alternative "C", and build Alternative "D" (see attached Summary of Findings of the Draft EIS and Public and Agency Comments).

Mayor Ed Mitchell  
September 6, 2011  
Page 2

At this point in the environmental process, the Department is considering build Alternative "A" as the preferred alternative from a direct result of agency and public comment to achieve the project's purpose and need.

Prior to making a final preferred alignment decision, the Department would like to request from the local officials representing Blount County and the cities of Maryville and Alcoa, opinions regarding the preferred alternative in the form of a resolution for one of the four alternatives under consideration in the DEIS. If additional information is necessary to assist you in your recommendation, the Department will be glad to provide assistance.

Thank you for your active participation demonstrating local government commitment and encouraging public support toward achieving the proposed transportation solution supporting community goals and values while minimizing the impacts to the natural and cultural environment.

If you should need additional information or have any questions, please contact the project manager, Mr. Mike Russell at (865)594-2334 or by email at [Mike.Russell@tn.gov](mailto:Mike.Russell@tn.gov).

Sincerely,



John C. Schroer  
Commissioner

Attachments

JCS/PDD/jc

Cc: Mr. Paul Degges  
Mr. Mike Russell



**STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION  
ENVIRONMENTAL DIVISION**

**Pellissippi Parkway Extension (SR 162) Environmental  
Impact Statement (EIS)**

**PIN #101423.00, PE-N# 05097-0229-14**

**Summary  
Findings of the Draft EIS and Public and Agency Comments**

**Prepared for:  
Commissioner John Schroer**

**Prepared by:  
Environmental Division  
Environmental Documentation Office**

**July 2011**

## 1.0 Introduction

The purpose of this report is to provide a summary of the project background, the purpose and need for the project, the alternatives considered in the Draft Environmental Impact Statement (DEIS), and the project impacts by alternative. This report also summarizes public and agency comments on the DEIS. This information is intended to inform the Tennessee Department of Transportation (TDOT) Senior Management in determining the Preferred Alternative to be carried forward into the Final Environmental Impact Statement (FEIS).

## 2.0 Project Background

The proposed project is the extension of Pellissippi Parkway (SR 162) from its current eastern terminus at SR 33 to SR 73/US 321 (Lamar Alexander Highway) in Blount County, a distance of about 4.5 miles. A brief history of the project is provided below:

- **1977** – Local officials asked the General Assembly for funding to extend Pellissippi Parkway from I-40/I-75 southeast to US 321/SR 73.
- **1986** – Pellissippi Parkway Extension included in the Urgent Highway Needs Plan adopted by the General Assembly
- **1987-2005** – Sections of Pellissippi Parkway (I-140) between I-40/I-75 and SR 33 were designed and constructed
- **2000-2002** – Final section of Pellissippi Parkway (from SR 33 to US 321/SR 73) was studied in an Environmental Assessment; in June 2002 FHWA issued a Finding of No Significant Impact (FONSI).
- **June 2002** - The Citizens against Pellissippi Parkway Extension (CAPPE) filed a lawsuit against FHWA, and TDOT in the US District Court, alleging that the FHWA should have prepared an EIS in compliance with NEPA. The District Court imposed a preliminary injunction on the project.
- **August 2004** - District Court modified the injunction to permit FHWA and TDOT to reconsider the environmental review.
- **April 2006** – TDOT initiated the Environmental Impact Statement (EIS).
- **2010** – Draft EIS approved for circulation and public comment in May; public hearing held in July and the comment period closed on August 30, 2010.

## 3.0 Purpose and Need

The proposed action is intended to address identified transportation needs in the study area. These needs were identified during the public and agency coordination activities conducted for the project between April 2006 and February 2008, as well as through prior planning efforts and review of current transportation plans and community plans. The transportation needs outlined in the DEIS are:

- Limited mobility options in Blount County and Maryville due to the primarily radial roadway network that now exists;
- Poor local road network with substandard cross sections;
- Lack of a northwest/east connection east of Alcoa and Maryville to help serve:
  - Expanding residential development occurring in eastern Alcoa and Maryville and northern Blount County; and

- Demand for trips between Maryville and Alcoa and the Knoxville area to the north as shown by high traffic volumes between the areas on US 129 (approximately 50,000 vehicles-per-day) and SR 33 (approximately 6,000 vehicles-per-day).
- Safety issues on roadways in the area, including roads in the Maryville core that through travelers between north and western portions of the county and the eastern portions of the county must pass. Numerous rear-end crashes and angle crashes have been reported due to high volumes of traffic and lack of access management along the roadways; and
- Traffic congestion and poor levels of service on the major arterial roads in the study area (US 129/Alcoa Highway, SR 33, US 411/SR 35 and US 321/SR 73).

The purpose of the proposed action is to develop and implement a transportation solution in the northern portion of Blount County east of Alcoa and Maryville that would:

- Enhance regional transportation system linkages;
- Improve circumferential mobility by providing travel options to the existing radial roadway network in Blount County, Maryville, and Alcoa;
- Enhance roadway safety on the roadway network, including the Maryville core; and
- Assist in achieving acceptable traffic flows on the transportation network or not adversely affect traffic flows on existing transportation network.

In addition, the proposed transportation solution should support community goals and plans and minimize adverse impacts to neighborhoods and businesses, to farmlands, and to the natural and cultural environment.

#### **4.0 Alternatives Evaluated in the Draft EIS**

The Draft EIS considered four alternatives, including the No-Build Alternative and Build Alternatives A, C, and D. Each alternative is explained briefly below.

##### **No-Build Alternative**

Under this scenario, Pellissippi Parkway would not be extended beyond its existing terminus at SR 33 to US 321, as envisioned in local and regional plans. Traffic would continue to enter and exit the eastern terminus of Pellissippi Parkway (I-140) at the existing half interchange with SR 33. The No-Build Alternative assumes that several other capacity-enhancing and safety-related projects in the study area would be separately constructed or implemented, as identified in the 2034 Knoxville Regional Mobility Plan.

##### **Build Alternative A**

Build Alternative A would extend Pellissippi Parkway as a new four-lane divided highway on new right-of-way, for approximately 4.38 miles, to SR 73/US 321 (Lamar Alexander Parkway). The southern terminus for Build Alternative A is US 321 just east of Buchanan Road's western intersection with US 321. The new highway would be limited access with interchanges at SR 33 (Old Knoxville Highway), SR 35/US 411 (Sevierville Road), and SR 73/US 321 (Lamar Alexander Parkway). The proposed right-of-way would be a minimum width of 300 feet. The design speed would be 60 miles per hour (mph).

### Build Alternative C

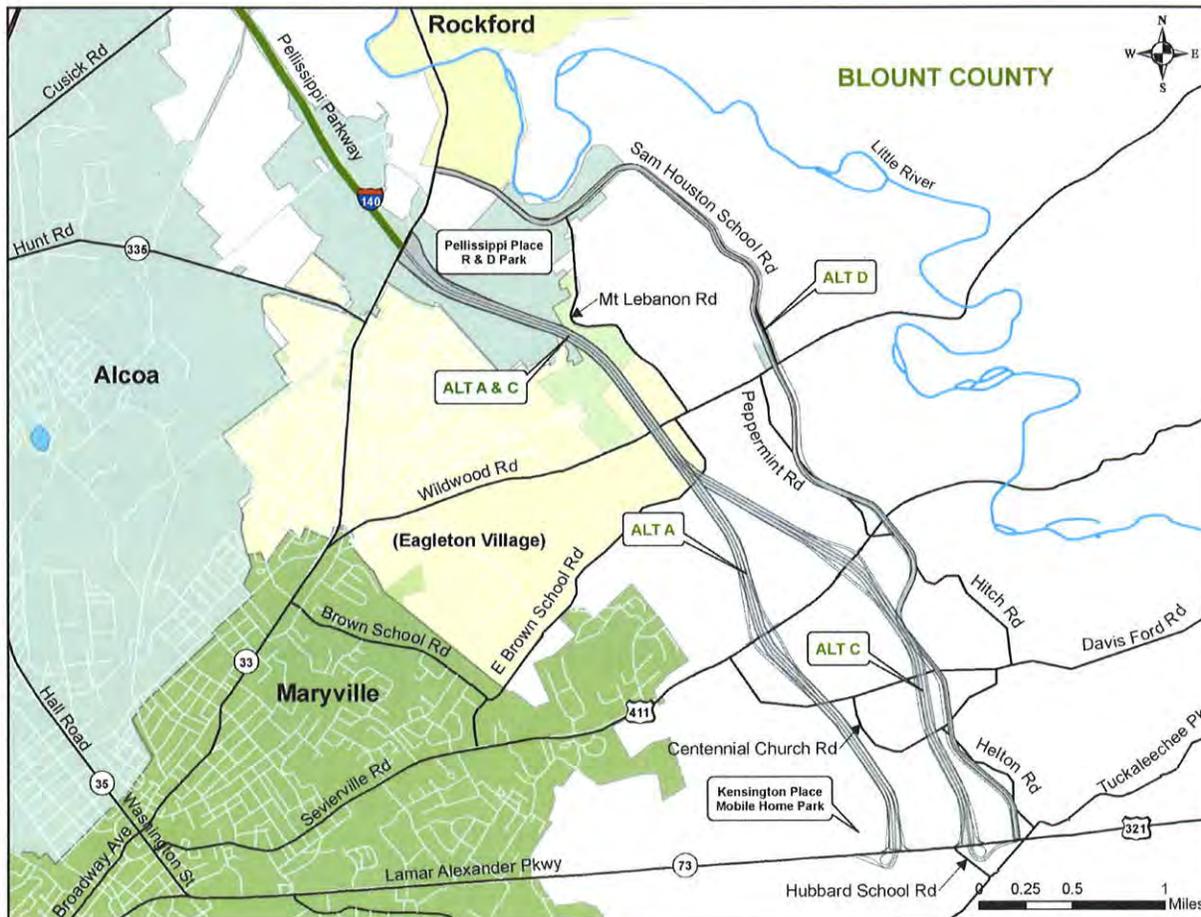
Build Alternative C is similar to Alternative A, with a 300-foot right-of-way and a 60 mph design speed, Alternatives A and C share a common alignment from the SR 33 interchange to the vicinity of Brown School Road; at that point Alternative C diverges east, and terminates at US 321 west of Hubbard Road, about 0.67 mile east of the Alternative A terminus. Alternative C would be about 4.68 miles in length. Access to the new roadway would be limited access with interchanges at SR 33, US 411, and US 321.

### Build Alternative D

Alternative D is an improved two-lane roadway using the existing roadway alignment where possible while straightening curves and realigning intersections and using new locations to provide a continuous route with a 50 mph design speed. Alternative D would use portions of existing Sam Houston School Road, Peppermint Road, Hitch Road, and Helton Road. The southern terminus of the route is US 321 just west of the US 321/Helton Road intersection. The length of this corridor would be approximately 5.77 miles. The proposed typical section for the upgraded two-lane network would consist of one travel lane in each direction with wide outside shoulders, and turn lanes at major intersections. The proposed right-of-way width is a minimum width of 150 feet.

Build Alternatives A, C and D are illustrated in Figure 1.

Figure 1: Project Alternatives



Cross sections for the four-lane divided alternatives and the enhanced two-lane alternatives are shown in Figures 2 and 3.

Figure 2: Cross Section for Alternatives A and C

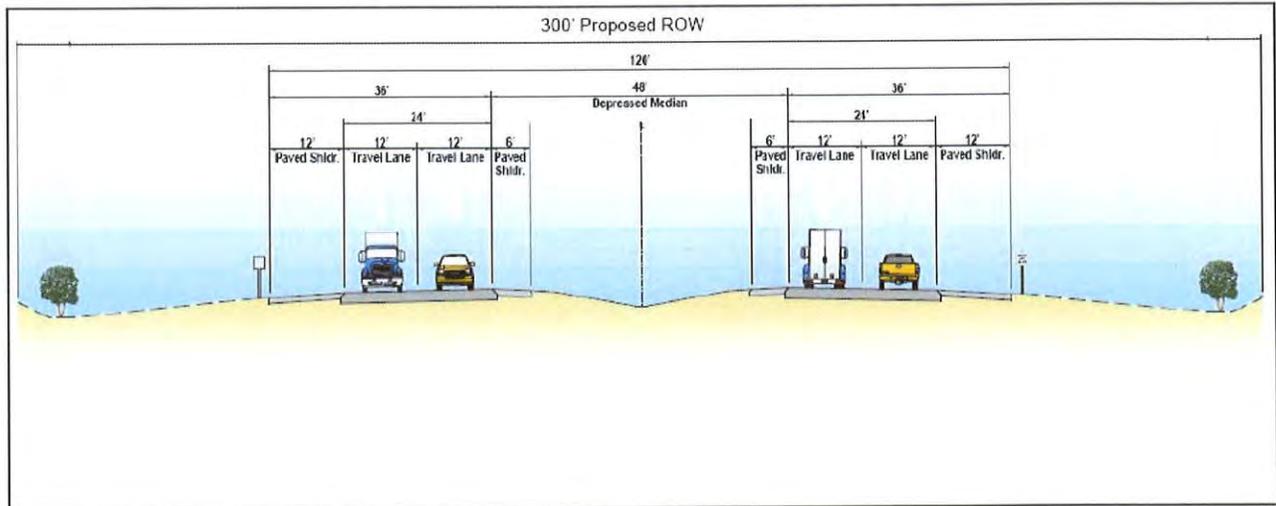


Figure 3: Cross Section for Alternative D

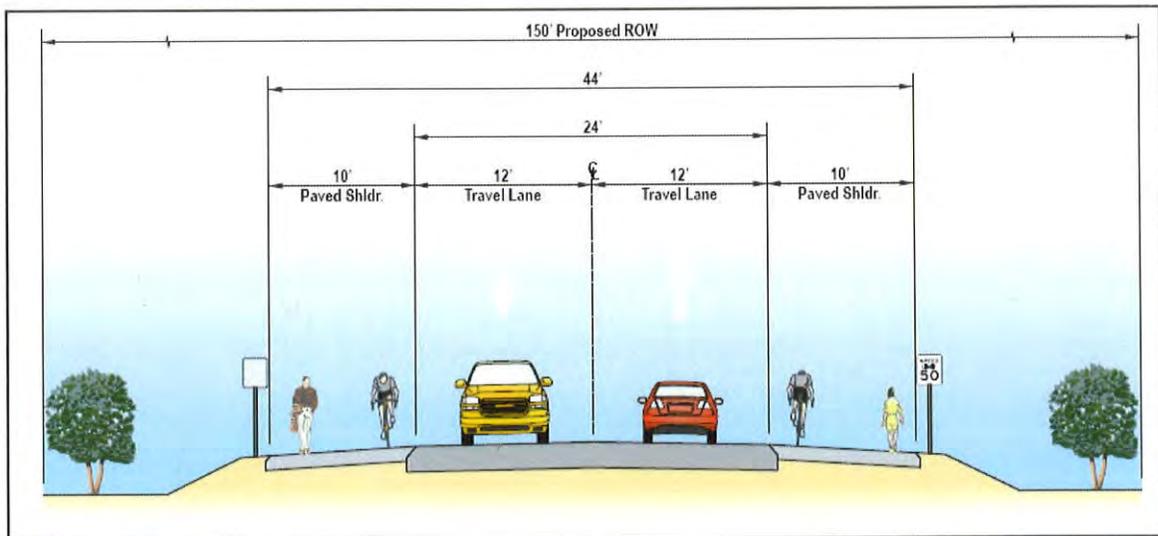


Table 1 presents the characteristics and estimated costs of the three build alternatives.

**Table 1: Characteristics and Costs of Build Alternatives**

	<b>Alternative A</b>	<b>Alternative C</b>	<b>Alternative D</b>
Functional Classification	Rural Interstate	Rural Interstate	Minor collector
Length (miles)	4.38	4.68	5.77
Estimated ROW (acres)	172	187	120
Minimum ROW width	300	300	150
Cross Section	120 feet/4 lanes 48 foot depressed median	120 feet/4 lanes 48 foot depressed median	44 feet/2 lanes 10 foot paved shoulders
<b>Estimated Costs</b>			
Right-of-Way	\$5,384,000	\$8,318,000	\$5,474,000
Construction and Engineering	\$91,536,000	\$69,232,000	\$54,026,000
Total Estimated Cost	\$96,920,000	\$104,550,000	\$59,500,000

## 5.0 Summary of Impacts by Alternative

The impacts of the proposed alternatives are more fully summarized in the DEIS, but Table 2 provides a side-by-side comparison of impacts for all of the alternatives, and Table 3 presents the pros and cons of each alternative. The DEIS contains the detailed explanation of the impacts and methodology of impact determination. Table 4 illustrates how the four alternatives do or do not achieve the project's purpose and need.

Table 2: Summary of Project Data and Impacts to Resources

Impact Category	No-Build Alternative	Build Alternative A	Build Alternative C	Build Alternative D
2035 Level-of-Service (LOS)	Decline in LOS	No substantial improvement of corridor LOS on existing network; sections of new roadway operate at LOS F in 2035		No improvement of corridor LOS on existing roads; local roads operated at LOS E or F in 2035
Intersection Delay	N/A	Substantial improvement in delay in most of the intersections in the Alcoa / Maryville core		Most of the intersections in the Maryville core experience increased delay
Average travel time savings – minutes / % over existing	0	11 / 56%	11 / 56%	8 / 44%
Residential Relocations	0	5	26	24
Business Displacements	0	1	2	0
Farmland Converted / Prime Farmland (acres)	0	128 / 33	74 / 44	45 / 23
Farmland as % of total ROW	0	74%	40%	38%
Archaeology Sites Impacted	0	5	5	1
Noise Receptors Affected	33	83	110	64
Floodplains (acres)	0	6.9	9.0	8.1
Streams (linear feet)				
Perennial	0	1,760	1,520	506
Intermittent	0	1,458	1,074	377
Wet Weather Conveyances	0	841	415	1,424
Wetlands (acres)	0	1.0	0.9	0

**Table 3: Comparison of the Pros and Cons for No-Build and Build Alternatives**

No-Build Alternative	Build Alternative A	Build Alternative C	Build Alternative D
<p><b>Pros:</b></p> <ul style="list-style-type: none"> <li>• No direct impacts to:               <ul style="list-style-type: none"> <li>○ Residences (by noise or displacements)</li> <li>○ Businesses</li> <li>○ Farmlands</li> <li>○ Waters and wetlands</li> <li>○ Floodplains</li> <li>○ Rural character and scenery of area</li> </ul> </li> <li>• Does not create a bypass to east of Maryville's downtown</li> </ul>	<p><b>Pros:</b></p> <ul style="list-style-type: none"> <li>• Completes Pellissippi Parkway as envisioned by local and regional plans</li> <li>• Enhances circumferential mobility</li> <li>• Improves delay at most key intersections in Maryville/Alcoa core</li> <li>• Improves travel times by 11 minutes</li> <li>• Displaces fewest residences (5) and businesses (1)</li> <li>• Greatest physical distance/separation from Little River (designated Exceptional TN Water)</li> <li>• Least amount of perpendicular floodplain impacts (6.9 acres)</li> <li>• Supported by local officials</li> </ul>	<p><b>Pros:</b></p> <ul style="list-style-type: none"> <li>• Completes Pellissippi Parkway as envisioned by local and regional plans</li> <li>• Enhances circumferential mobility</li> <li>• Improves delay at most key intersections in Maryville/Alcoa core</li> <li>• Improves travel times by 11 minutes</li> <li>• Supported by local officials</li> </ul>	<p><b>Pros:</b></p> <ul style="list-style-type: none"> <li>• Provides an improved two-lane, non-radial route for NE Blount County</li> <li>• Improves travel times by 7 minutes</li> <li>• Converts least number of acres of farmlands (45)</li> <li>• Least number of archaeology sites (1) to be investigated</li> <li>• No wetland impacts</li> <li>• Least number of noise sensitive receptors affected (64)</li> <li>• Lowest estimated capital cost (\$59.5 million) of the Build Alternatives</li> </ul>
<p><b>Cons:</b></p> <ul style="list-style-type: none"> <li>• No major improvement to radial road network</li> <li>• No enhancement to mobility in NE Blount County</li> <li>• Not consistent with community growth plans and transportation plans</li> <li>• Farmland conversion continues without corresponding roadway improvements in vicinity</li> <li>• Not supported by local officials</li> </ul>	<p><b>Cons:</b></p> <ul style="list-style-type: none"> <li>• Does not substantially improve corridor LOS on existing network</li> <li>• Converts highest number of farmlands acres (128)</li> <li>• Noise impacts to 83 receptors from major new road</li> <li>• 5 archaeology sites to be investigated</li> <li>• Greatest amount of linear feet of stream impacts (although they are headwaters rather than ecologically diverse downstream reaches)</li> </ul>	<p><b>Cons:</b></p> <ul style="list-style-type: none"> <li>• Does not substantially improve corridor LOS on existing network</li> <li>• Displaces most number of residences (26 ) and businesses (2)</li> <li>• Greatest noise impacts (110 receptors)</li> <li>• 5 archaeology sites to be investigated</li> <li>• Affects more downstream reaches of larger tributaries of Little River than Alt A</li> <li>• Greatest amount of perpendicular floodplain impacts (9 acres)</li> <li>• Highest estimated capital cost (\$104.5 million) of the Build Alternatives</li> </ul>	<p><b>Cons:</b></p> <ul style="list-style-type: none"> <li>• Existing Pellissippi Parkway is not extended to US 321, and continues to terminate at a 2-lane roadway. A major mixed use development is underway to the east of the half interchange</li> <li>• Does not improve corridor LOS on existing network; increases delay at most intersections</li> <li>• Displaces 24 residences, slightly less than C</li> <li>• Closest to Little River, the primary source for drinking water</li> <li>• Affects more linear feet of ecologically diverse downstream reaches compared with A or C</li> <li>• 8 acres of perpendicular floodplains</li> <li>• Not supported by local officials</li> </ul>

**Table 4: Achieving Purpose and Need**

Stated Purposes	No Build	Build Alt A	Build Alt C	Build Alt D
Enhance regional transportation system linkages	No – would not address the long range vision for providing a direct connection between I-40 and the east side of Maryville on US 321.	Yes – would complete Pellissippi Parkway as envisioned in long range plans; would provide a 4-lane connection between I-40 and the east side of Maryville on US 321.	Yes – would complete Pellissippi Parkway as envisioned in long range plans; would provide a 4-lane connection between I-40 and the east side of Maryville on US 321.	Partially - would not complete Pellissippi Parkway as envisioned in long range plans but would provide an improved roadway between SR 33 and US 321, with a short jog from existing Pellissippi Parkway.
Improve circumferential mobility	No – would not provide or enhance a non-radial route in NE Blount County to allow motorists an option to avoid congested downtown Maryville roads and intersections.	Yes – would provide a new 4-lane route in NE Blount County that would allow motorists to avoid congested downtown Maryville routes. Travel times would be improved by 56%.	Yes – would provide a new 4-lane route in NE Blount County that would allow motorists to avoid congested downtown Maryville routes. Travel times would be improved by 56%.	Partially – would provide an enhanced 2-lane non-radial route in NE Blount County. Provided a needed link in this section of the county. Travel times would be improved by 44%.
Enhance roadway safety on the roadway network, including the Maryville core	Not directly – other projects in the Long Range Plan would address some problem areas.	Yes - the new route would result in a reduction of traffic volumes on existing routes with the highest crash rate by 2035; with the reduction in traffic volumes comes the potential for reduction in crashes given less volume on the roadway compared to the No-Build scenario. It also provides a safer route for travelers in NE Blount County compared with the existing network of disconnected 2-lane roads.	Yes - the new route would result in a reduction of traffic volumes on existing routes with the highest crash rate by 2035; with the reduction in traffic volumes comes the potential for reduction in crashes given less volume on the roadway compared to the No-Build scenario. It also provides a safer route for travelers in NE Blount County compared with the existing network of disconnected 2-lane roads.	Yes but not to the degree of Alts A and C. The enhanced 2-lane option provides a safer route for travelers in NE Blount County by correcting existing deficiencies (narrow lanes, no shoulders, and poor sight distances) on a network of local roads. The enhanced 2-lane connection between SR 33 and US 321 would be a safer route than the existing network of disconnected roads.
Assist in achieving acceptable traffic flows	No	Yes - while segment LOS is not substantially improved, key intersections would experience a substantial improvement in delays.	Yes - while segment LOS is not substantially improved, key intersections would experience a substantial improvement in delays.	No – this alternative is not expected to draw substantial traffic away from the existing road network. Would degrade LOS on Wildwood Road and Alcoa Highway compared with No Build and Alt A/C.

## 6.0 Agency Coordination

Federal, state, and local agencies have been offered opportunities to provide input on the development of the purpose and need statement and the alternatives considered in the DEIS. Following the publication of the NOI on April 25, 2006, TDOT sent coordination letters to introduce the project, and invited agencies to be cooperating and participating agencies. The cooperating agencies for this project are the US Army Corps of Engineers and the Tennessee Valley Authority.

### Tennessee Environmental Streamlining Agreement

TDOT has applied the Tennessee Environmental Streamlining Agreement (TESA) for the Environmental and Regulatory Coordination of Major Transportation Projects process to this project. The streamlined environmental process is intended to achieve timely and efficient identification, evaluation, and resolution of environmental and regulatory issues. This agreement establishes "one decision-making process" to identify and address agency issues at four key points, termed concurrence points, during the planning and NEPA process for major projects. TESA requires concurrence from each of the signatory agencies at the following four stages (concurrence points) of project development:

1. The determination of purpose and need for the project and potential project impact area;
2. The development of project alternatives to be evaluated as part of the environmental review document;
3. The draft of the environmental (EA or DEIS) document; and
4. The selection of a preferred project alternative which will include proposed means of mitigating environmental impacts.

The eight agencies participating in the TESA review process for this project are:

- US Environmental Protection Agency (EPA)
- Tennessee Valley Authority (TVA)
- US Army Corps of Engineers – Nashville District (USACE)
- US Department of Interior – Great Smoky Mountains National Park
- US Fish and Wildlife Service (USFWS)
- Knoxville Regional Transportation Planning Organization (TPO)
- Tennessee Department of Environment and Conservation (TDEC)
- Tennessee Wildlife Resources Agency (TWRA)

Concurrent Points 1, 2 and 3 have been concluded with all agencies concurring. The Concurrence Point 4 (Preferred Alternative and Mitigation Strategies) will be prepared and submitted following selection by TDOT of the Preferred Alternative.

### Agency Comments on DEIS

Including the eight TESA agencies listed above, copies of the DEIS were mailed to 29 federal, state, regional and local agencies. Five federal and state agencies provided written comments to the DEIS: Federal Aviation Administration (FAA), EPA, USFWS, USCAE, and TWRA. The EPA was the only agency with substantial comments related to purpose and need, farmland impacts, noise, and mobile source air toxics. The EPA rated the DEIS as EC-2 (Environmental Concerns – with additional information requested); the information requested will be provided in the FEIS.

### **Local Officials Participation**

TDOT held several briefings on the project for local officials of Maryville, Alcoa, and Blount County throughout the development of the project and several local officials were in attendance at the February 2008 public meeting to answer questions and several local officials attended the July 2010 public hearing. Both of the Cities of Maryville and Alcoa passed resolutions of support for the project in November 2007. In response to the DEIS, the Cities of Maryville and Alcoa and the new Blount County Mayor, Ed Mitchell, also provided letters of support.

## **7.0 Public Involvement**

TDOT has provided numerous opportunities to citizens, organizations and other stakeholders to provide input on the development of the purpose and need statement and the alternatives considered in the DEIS, and on the DEIS evaluation. Following the publication of the NOI on April 25, 2006, TDOT sent coordination letters to more than 60 agencies, officials, and organizations, and to other agencies, officials and/or organizations as they were identified. The first round of public meetings for the DEIS was held on June 13, 2007. Subsequent public information meetings were held on October 25, 2007 and February 19, 2008 to explain the project and the NEPA process, and to invite public input on the purpose and need and alternatives to be considered. The DEIS public hearing was held on July 20, 2010.

In addition to the public meetings/hearing, TDOT has disseminated information about the project to the public through the project website, media releases, and a newsletter in October 2008 to inform the public of the alternatives to be evaluated in the DEIS. Input from the public meetings has been considered and used to refine the Build Alternatives and to provide additional information for use in the evaluation of environmental impacts.

### **DEIS Public Comments**

During the comment period for the DEIS (May 7, 2010 through August 30, 2010), 621 total public comments were received. Because there were a variety of ways to respond, some individuals commented in multiple formats; 561 individuals or organizations provided separate comments. Of the 561 comments received, 256 comments opposing the project were submitted in the format of pre-printed postcards signed by individuals. Table 5 provides a summary of the comments received by means of response and preference of alternative.

During the comment period, the Blount County Chamber of Commerce submitted a signed resolution dated July 12, 2010 in support of the completion of the Pellissippi Parkway from SR 33 to US 321.

One of the letters received contained the formal statement from the Citizens against Pellissippi Parkway Extension (CAPPE), the organization that filed the 2002 lawsuit against the project. The key comments made by CAPPE were:

- The DEIS and Technical Memoranda demonstrate that none of the proposed Build Alternatives will independently achieve the purpose and need for the project.

**Table 5: Summary of Public Hearing Comments – Alternative Preference**

	No Build	Build	Alt A	Alt C	Alt D	Other	No Preference	Total
Comments from Formal Portion of Hearing	25	1	0	0	0	0	2	28
Oral Comments to Court Reporter	17	8	4	2	1	0	3	28
TDOT Supplied Comment Forms	62	171	126	32	20	4	0	233
Individual Letters	53	11	4	1	4	0	7	71
Emails	4	6	1	1	0	0	5	15
Preprinted Postcards*	245	0	0	0	0	0	0	245
Minus Duplicates	-50	-6	-2	0	0	0	-4	-60
<b>Total Responses</b>	<b>356</b>	<b>191</b>	<b>132</b>	<b>35</b>	<b>24</b>	<b>4</b>	<b>14</b>	<b>561</b>

\*Postcards – a preprinted statement with individuals writing in their names and address

\*No Preference- no preference in build alternative

\*Other- Improve existing roads, Not Alternative D

\*Some voters chose more than one alternative or No Build and Alternative D

- Safety analysis is inadequate; offers no finding as to the level of improvement in safety.
- PPE would not substantially improve traffic congestion and levels of service on the existing road network.
- Use available funding for other uses, such as improving substandard and unsafe roads.
- Cumulative impacts on air quality, federal and state protected species, water resources, farmlands are underestimated. Quality of life is not discussed.
- DEIS fails to address impacts from Southern Loop and Alcoa Highway Bypass.
- Role of karst geology (sinkholes) not adequately addressed.
- Incorrect identification of wet weather conveyances and streams.
- Economic and fiscal impact analysis underestimates the degree to which the project will lead to growth and its resulting fiscal impact; assumptions of the study are “flawed.”
- Costs of project are underestimated because of mitigation required for karst, rising costs of materials, and costs of land within Pellissippi Place Research and Development Park.
- The public input process was flawed: Technical memoranda not posted early; comment form was seriously flawed by an incorrect description of the No-Build and not including Economic and Fiscal Impacts as a choice for concerns.
- Terminus at US 321 in Hubbard community is illogical; project does not have independent utility without considering the Southern Loop.

Table 6 summarizes the public comments received that opposed the project.

**Table 6: Summary of Public Comments Opposing Project**

<b>Comment</b>
The project is too expensive and the county cannot afford it.
Use the \$100 million set aside for the project to fix existing roads that are deficient and unsafe (i.e. US 411, SR 33, US 129, and other local roads).
None of the Build Alternatives meets the stated Purpose and Need; they would not relieve traffic congestion, improve Level of Service of traffic, or reduce crash incidence on existing roads.
It is irresponsible to spend \$10 million per minute saved when other roads remain dangerous, even with the proposed extension.
The small travel time savings (11 minutes) is not worth the cost to the county budget or to community resources.
Circumferential mobility means the Southern Loop and Alcoa bypass – the DEIS does not address adverse impacts from those projects.
The proposed project will encourage urban sprawl and uncontrolled growth that will tax the county's budget to provide new services for new residents and destroy the valuable rural scenery.
The project would destroy prime farmlands, removing land from agricultural production.
The project would adversely affect the rural character and scenic views of the community that are highly valued and quality of life.
The No-Build is compatible with the plan to maintain the rural nature of Blount County.
Project would bypass Maryville and Alcoa, affecting businesses livelihood and tax revenue.
Keep the "quiet side of the Smokies" quiet – the project would encourage more traffic and development in Townsend and Walland.
The project would cause adverse impacts to streams and state/federally listed streams due to sedimentation during construction and with new developments.
The project would cause substantial noise impacts to persons now living in the rural area.
The project would result in substantial displacements of homes and businesses, including active farms.
The project will worsen already bad situation of US 411 with the proposed interchange (for A and C).
Economic and fiscal impact analysis assumes that the county government will follow a Smart Growth approach; the County isn't enforcing Smart Growth concepts.
If something had to be built, Alt D (two-lane) would be preferred over Alts A or C, in order to improve existing roads.

Table 7 summarizes the public comments received that indicated support for the project.

**Table 7: Summary of Public Comments Supporting the Project**

Comment
The project is needed for the public welfare and economic development. It is important for the future.
The project will relieve traffic that has resulted as Maryville and Alcoa have expanded.
Build as soon as possible. It has been delayed too long.
Provides a safer and quicker route to the Smokies and to West Knoxville.
Support Alt A – Alts C & D would have more displacements, greater negative impacts on residential areas. Alt A is more direct.
Support Alts A or C – No-Build and Alt D are not acceptable, do not improve anything.
Support Alt D – Alts A & C would have greater impact on environment, farms, rural character, increase congestion, and disturb archaeology sites. Alt D would have less noise impact on Mane Support, a non-profit equine assisted grief-counseling center.

As a direct result of agency and public comments on the DEIS, TDOT determined that additional traffic operations analysis should be conducted for Alternative D (enhanced two-lane) to provide a comparable level of analysis with Build Alternatives A and C. This additional analysis was conducted prior to the selection of the Preferred Alternative, and the results are incorporated into this summary.

## **8.0 Outstanding Project Issues**

The project currently has three issues to be resolved: archaeological sites, hazardous materials sites and threatened and endangered species.

### **Archaeology**

If TDOT selects a build alternative as the Preferred Alternative, more detailed archaeological and engineering studies will need to be conducted to resolve the archaeological issues prior to approval of the Final EIS (FEIS).

### **Hazardous Materials**

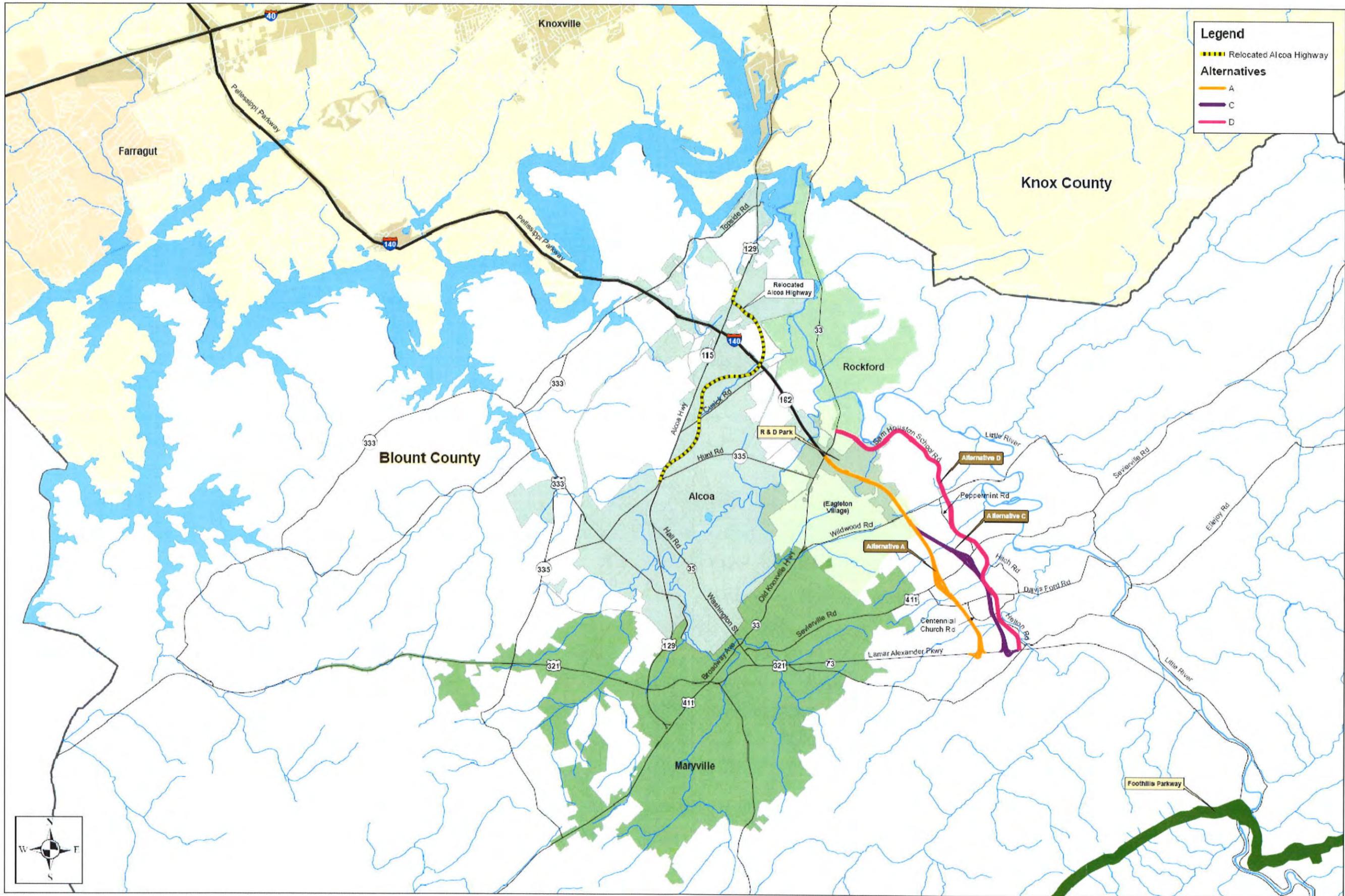
If TDOT selects a build alternative as the Preferred Alternative, a Phase II Contamination Assessment will need to be conducted on site(s) within that alternative to verify or refute potential contamination concerns, and the FEIS will report the results of the survey.

### **Threatened and Endangered Species (Section 7 Consultation)**

The USFWS provided a letter dated July 30, 2010, stating that the agency no longer believes that a timeframe for tree removal properly addresses indirect and cumulative impacts to the Indiana Bat; further coordination under Section 7 of the Endangered Species Act (ESA) will be required. If TDOT selects a build alternative as the Preferred Alternative, the FEIS will need to document the project area suitability for roost habitat for Indiana bats, discuss mitigation strategies, and report bat survey results if required.

**Table 8: Anticipated Schedule and Next Steps**

	<b>Anticipated Completion Date</b>
Select Preferred Alternative	August 2011
Complete TESA Concurrence Point 4 (Preferred Alternative and Preliminary Mitigation)	December 2011
FHWA Approval Final EIS	February 2013
FHWA Issue Record of Decision (ROD)	April 2013
Return to US District Court to seek an order to lift the injunction	







MT. TABOR RD.  
347-607L





**RESOLUTION NO. 11-10-007**

**SPONSORED BY COMMISSIONERS GARY FARMER AND GERALD KIRBY**

**TO ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN  
FOR BLOUNT COUNTY**

**WHEREAS**, *Tennessee Code Annotated*, Section 5-1-111, requires that , at least every ten (10) years, county legislative bodies shall change the boundaries of di stricts or redi strict a county entirely if necessary to appor tion the county legisla tive body so that the m embers represent substantially equal populations; and

**WHEREAS**, Blount County has prepared a plan consistent with the provisions of *Tennessee Code Annotated*, Section 5-1-111, which provides for a county legi slative body composed of twenty-one members and which creates ten districts as depicted on the official redistricting map for Blount County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110.

**NOW, THEREFORE, BE IT RESOLVED** by the Blount County Legislative Body m eeting in regular session at Maryville, Tennessee, on this 20th day of October, 2011, that:

**SECTION 1.** There is hereby adopted a reapportionm ent plan for Blount County which provides for two comm issioners in each of the ten districts and an additional commissioner in District Four for a total county legislative body of 21 members. The districts for members of the county legislative body are depicted on the official redistricting map for Blount County prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. A copy of the redistricting m ap is attached as Exhibit A to this resolution and is incorporated herein by reference.

**SECTION 2.** All members of the county legislative body shall be elected at large within the district wherein the candidate seeks election. All members of the county legislative body shall be elected from designated seats in each district, namely seat A and B and seat C in District Four. Candidates shall qualify for only one such seat.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filed in accordance with *Tennessee Code Annotated*, Section 5-1-104.

ADOPTED this 20th day of October, 2011.

**CERTIFICATION OF ACTION**

**ATTEST**

\_\_\_\_\_  
**Commission Chairman**

\_\_\_\_\_  
**County Clerk**

Approved: \_\_\_\_

Vetoed: \_\_\_\_\_

\_\_\_\_\_  
**County Mayor**

\_\_\_\_\_  
**Date**

# Blount County Commission-Recommend

## Legend

 Districts

## Blocks

District

 Unassigned

 1

 2

 3

 4

 5

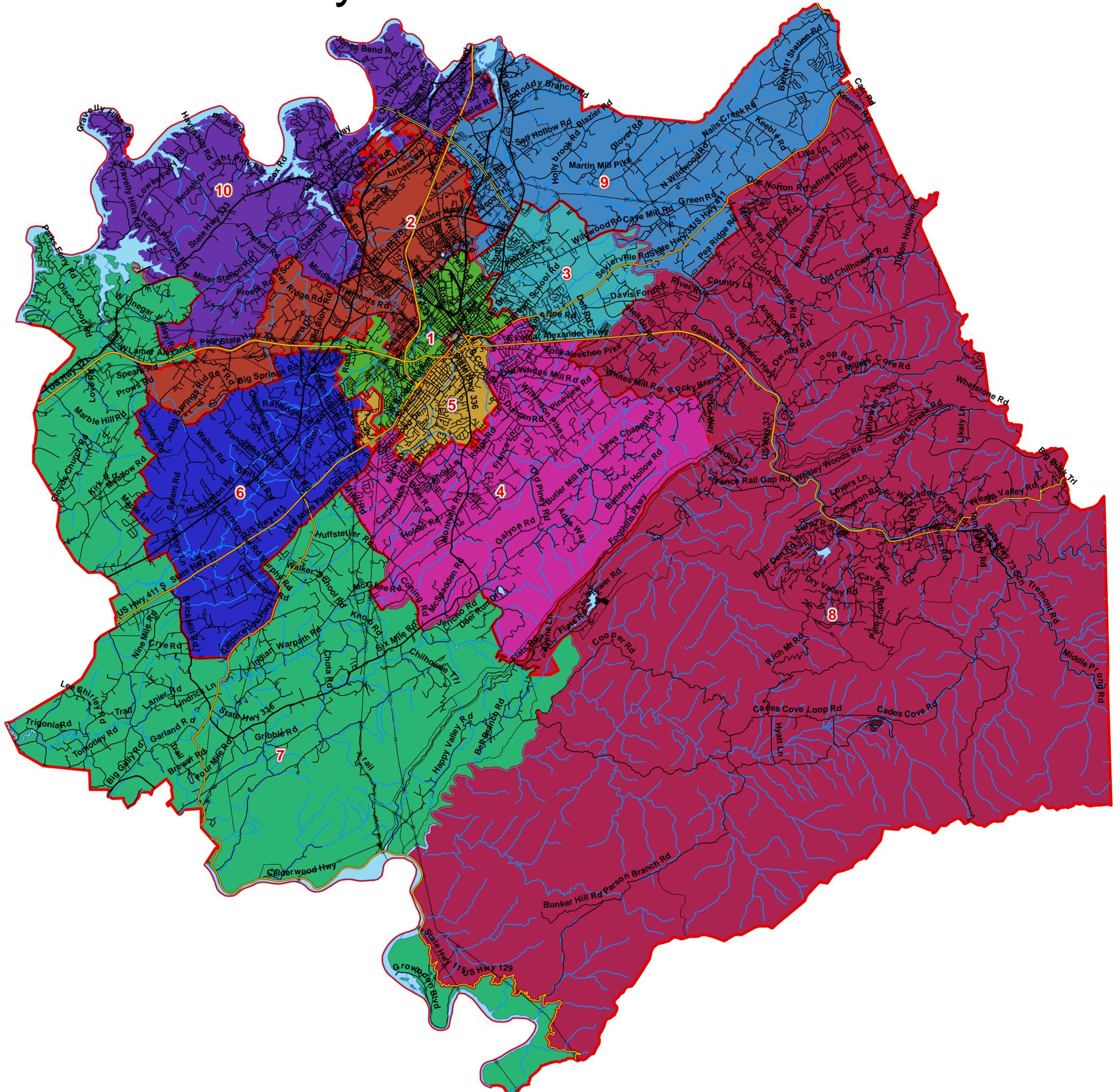
 6

 7

 8

 9

 10



DISTRICT	TOTALPOP	DEVIATION	PER_DEV
1	11542	-173.24	-1.48
2	11274	-441.24	-3.77
3	11848	132.76	1.13
4	18310	737.14	4.19
5	11622	-93.24	-0.8
6	12118	402.76	3.44
7	12091	375.76	3.21
8	11790	74.76	0.64
9	11165	-550.24	-4.7
10	11250	-465.24	-3.97

# Blount County Commission-Recommend-Changes

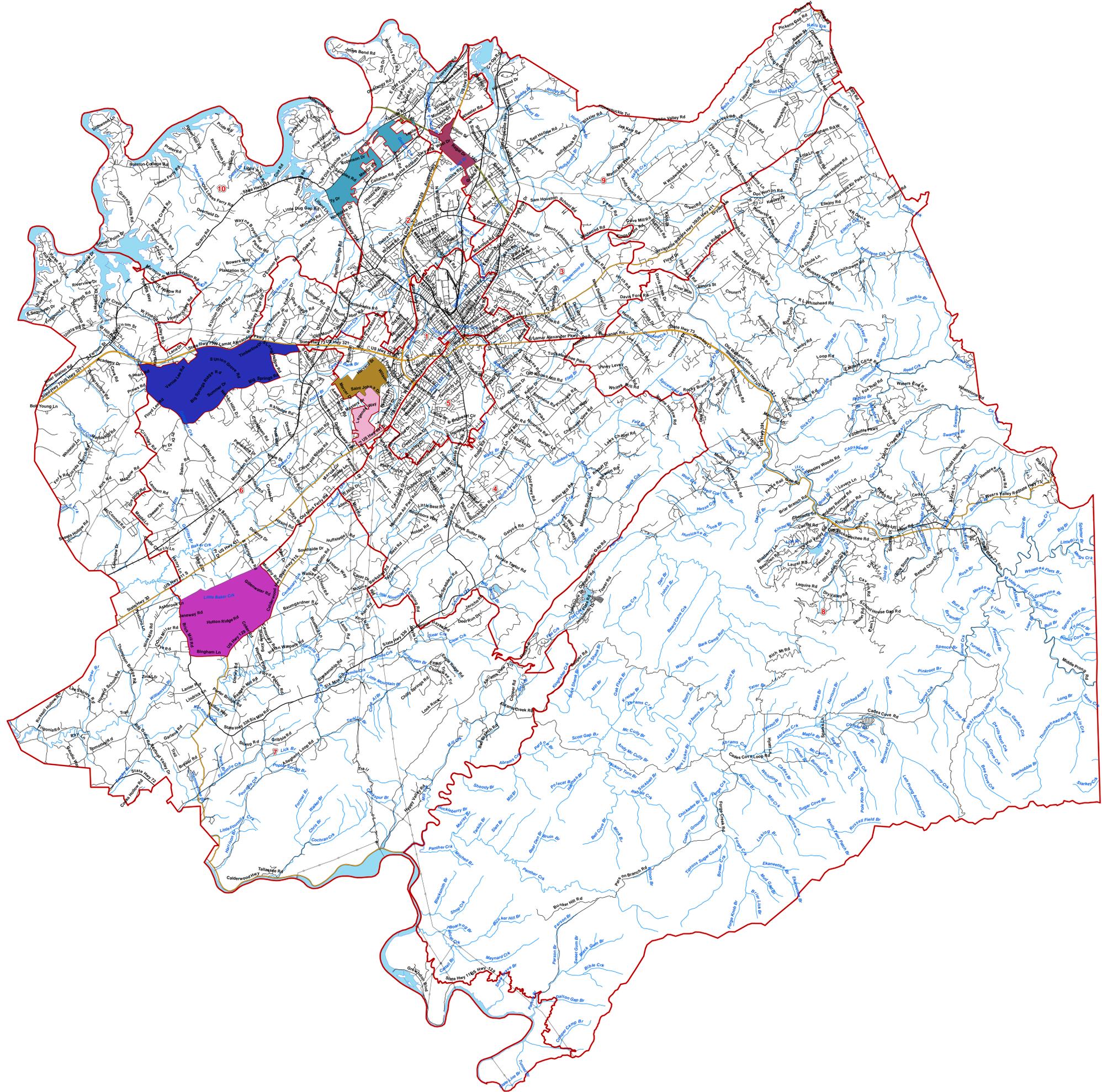
## Legend

commission\_changes

<all other values>

DISTRICT, DISTRICT\_1

- 1, 1
- 2, 9
- 2, 10
- 2, 2
- 3, 3
- 4, 4
- 5, 5
- 6, 1
- 6, 2
- 6, 5
- 6, 6
- 7, 6
- 7, 7
- 8, 8
- 9, 9
- 10, 10
- 10, 2



## County Commission Redistricting Statistics

		Original	Recommend		
District	# Commissioners	Population	Population	Deviation	% Deviation
1	2	10476	11542	-173.24	-1.48
2	2	10652	11274	-441.24	-3.77
3	2	11848	11848	132.76	1.13
4	3	18310	18310	737.14	4.19
5	2	10767	11622	-93.24	-0.80
6	2	14548	12118	402.76	3.44
7	2	13268	12091	375.76	3.21
8	2	11790	11790	74.76	0.64
9	2	10875	11165	-550.24	-4.70
10	2	10476	11250	-465.24	-3.97
Grand Total	21	123010	123010		

Population Changes	
From-To	Population
02-09	290
02-10	774
06-01	1066
06-02	1686
06-05	855
07-06	1177

**RESOLUTION NO. 11-10-008**

**SPONSORED BY COMMISSIONERS TOM GREENE AND GERALD KIRBY**

**TO ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN  
FOR BLOUNT COUNTY SCHOOL BOARD DISTRICTS**

**WHEREAS**, *Tennessee Code Annotated*, Section 5-1-111, requires that , at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county school board so that the members represent substantially equal populations; and

**WHEREAS**, Blount County has prepared a plan consistent with the provisions of *Tennessee Code Annotated*, Section 5-1-111, which provides for a school board composed of seven members and which creates seven districts as depicted on the official redistricting map for Blount County School Board prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110.

**NOW, THEREFORE, BE IT RESOLVED** by the Blount County Legislative Body meeting in regular session at Maryville, Tennessee, on this 20th day of October, 2011, that:

**SECTION 1.** There is hereby adopted a reapportionment plan for Blount County School Board which provides for one member in each the seven districts for a total school board body of 7 members. The districts for members of the school board body are depicted on the official redistricting map for Blount County School Board prepared pursuant to *Tennessee Code Annotated*, Section 5-1-110. A copy of the redistricting map is attached as Exhibit A to this resolution and is incorporated herein by reference.

**SECTION 2.** All members of the Blount County School Board shall be elected at large within the district wherein the candidate seeks election.

**SECTION 3.** This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with *Tennessee Code Annotated*, Section 5-1-104.

ADOPTED this 20th day of October, 2011.

**CERTIFICATION OF ACTION**

**ATTEST**

\_\_\_\_\_  
**Commission Chairman**

\_\_\_\_\_  
**County Clerk**

Approved: \_\_\_\_\_

Vetoed: \_\_\_\_\_

\_\_\_\_\_  
**County Mayor**

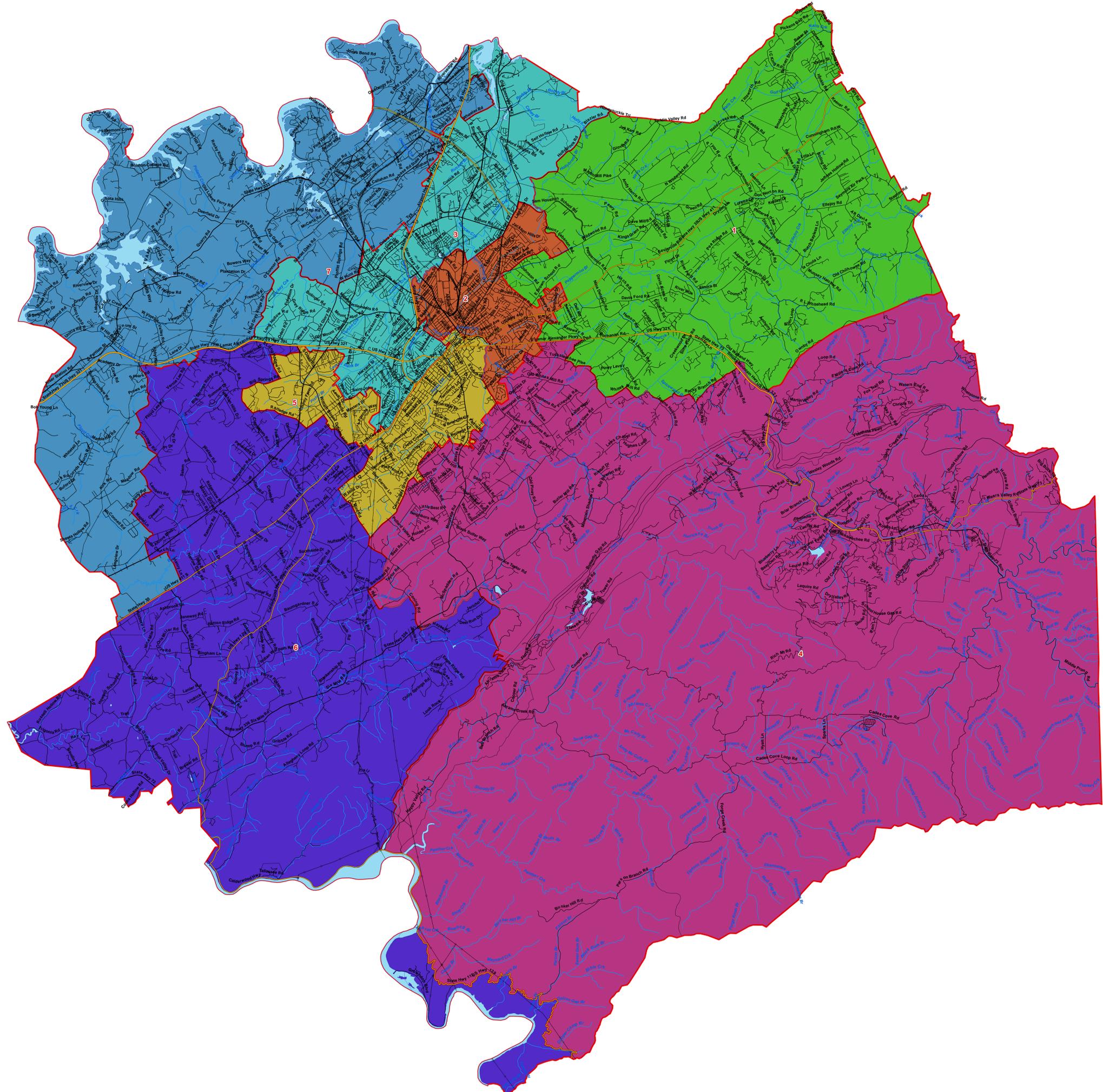
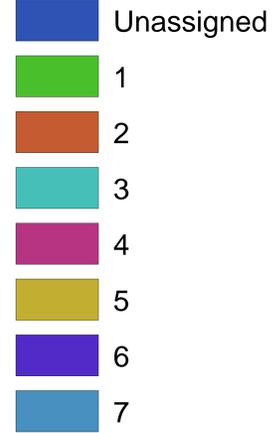
\_\_\_\_\_  
**Date**

# Blount County School-Recommend

## Legend

### Blocks

### District



DISTRICT	TOTALPOP	DEVIATION	PRR. DEV
1	12714	145.14	0.8
2	18600	433.14	2.40
3	12664	91.14	0.52
4	16735	837.86	4.37
5	18223	666.14	3.37
6	12507	-65.86	-0.37
7	12161	-411.86	-2.34

# Blount County School-Recommend-Changes

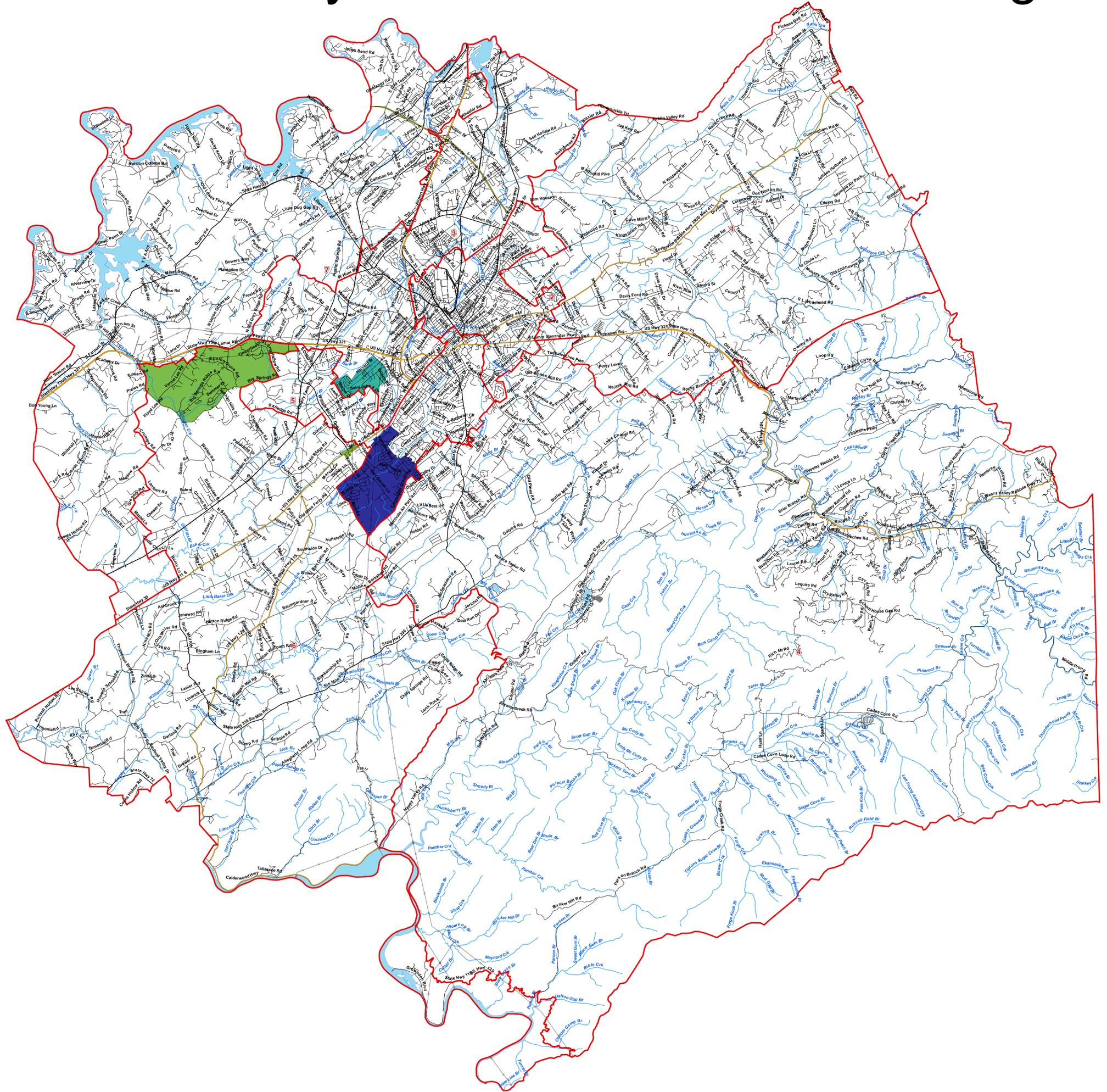
## Legend

### school\_changes

<all other values>

### DISTRICT, DISTRICT\_1

- 1, 1
- 2, 2
- 3, 3
- 4, 4
- 4, 5
- 5, 3
- 5, 5
- 5, 6
- 6, 6
- 7, 7



## Schools Redistricting Statistics

	Original	Recommend		
District	Population	Population	Deviation	% Deviation
1	17714	17714	141.14	0.80
2	18006	18006	433.14	2.46
3	16590	17664	91.14	0.52
4	19759	16735	-837.86	-4.77
5	18008	18223	650.14	3.70
6	15772	17507	-65.86	-0.37
7	17161	17161	-411.86	-2.34
Grand Total	123010	123010		

Population Changes	
From-To	Population
04-05	3024
05-03	1074
05-06	1735

Additional Maps can be found at

[www.blounttn.org/redist.asp](http://www.blounttn.org/redist.asp)