

QUARTERLY COURT MINUTES

REGULAR SESSION

BE IT REMEMBERED that the Quarterly Court of Loudon County met on September 5, 1972, at 7:00 P. M. with the Honorable Harvey L. Sproul, County Judge of said County, presiding, and with the County Court Clerk, Edward Alexander, present. Whereupon Sheriff Russell led the Pledge of Allegiance to the Flag, and opened Court.

Court members present:

J. J. Blair	James M. Hartsook
Curtis A. Williams	J. G. Hudson
I. D. Conner	R. P. Hamilton
Henry C. Foster	Roy Bledsoe
Boyd Duckworth	

MINUTES OF
AUGUST 7, 1972,
MEETING
APPROVED

The minutes of the August 7, 1972, Regular Meeting were read, and upon motion by Squire Blair, seconded by Squire Hudson, were unanimously approved as read.

Judge Sproul explained that the meeting had been postponed from 9:00 A. M. until 7:00 P. M. because of the necessity of his being present at a meeting of the Law Enforcement Planning Commission in Nashville to make a presentation concerning Loudon County's application for a grant for a Criminal Justice Center. It was moved by Squire Bledsoe, seconded by Squire Hartsook, that the change of meeting time from 9:00 A. M. to 7:00 P. M. be approved and ratified by the Quarterly Court, which motion passed unanimously.

Judge Sproul welcomed the newly-elected Justice of the Peace from the 1st and 4th District, Boyd Duckworth, as a member of the Quarterly Court, and also expressed the Court's sympathy to him upon the recent death of his mother.

By agreement, some of the items listed on the agenda were taken up in the open public discussion. A delegation was present from Parris Drive in the 2nd Civil District to discuss the procedure and ramifications of closing the old Parris Drive inasmuch as the new section of the relocated Parris Drive had been finished and was in use. Judge Sproul explained that he had taken this matter up with the County Planning Commission inasmuch as some additional factors had entered the picture that had not been first considered, and that it was felt that it would be to the benefit of the landowners as well as to the County to investigate the matter a little more thoroughly inasmuch as something possibly additional was needed in addition to merely "fencing" and "closing" the old right-of-way. He explained that Lenoir City Utilities, the South Central Bell Telephone Company, and the Martel Utilities District, all had utility lines located on the old Parris Drive and it had not been determined as to whether or not the intention of these utilities was to move the lines to the relocated road. In addition some of the people whose property fronted on the old road do not own property on the new road,

that the legal effect of those matters had not been determined as yet, and that possibly in addition further consideration should be given as to whether or not the County would incur any liability to other citizens who were not adjacent landowners but who had been using the road. After additional discussion, it was moved by Squire Foster, seconded by Squire Conner, and unanimously approved that the Court approve the temporary closing and fencing of the old portion of Parris Drive pending a final recommendation and determination of the next meeting of the Quarterly Court.

OWEN JAMES COW
DAMAGES
APPROVED

Concerning another item on the agenda, Mr. Owen James was present in reference to his claim for \$550.00 damages as a result of his cow dying because of allegedly eating a poison weed which had been cut by the 1st District County Highway crew on the right-of-way, but which had fallen onto Mr. James' property subsequent to which his cow had eaten the wild cherry bushes and died. After some additional discussion, it was moved by Squire Blair, seconded by Squire Hartsook, that the County approve and authorize the necessary appropriation from the 1st District Road Budget so as to pay Mr James \$550.00 for the loss of his cow, which motion passed unanimously on a roll-call vote.

STOP SIGNS
AUTHORIZED

It was moved by Squire Hudson, seconded by Squire Duckworth, and unanimously approved that the 3rd District Road Commissioner be requested to put a stop sign on the Meadow Road where it intersects with the Morganton Road, and that a stop sign be put on the Old Niles Ferry Road where it intersects with the Trigonina Road.

SPEED LIMIT--
STEEKEE ROAD AT
CORINTH CHURCH

It was moved by Squire Duckworth, seconded by Squire Conner, that the 1st District Road Commissioner erect 30-mile-per-hour speed limit signs for 100 yards on either side of the Corinth Baptist Church on the Steekee Road, which motion passed unanimously.

SUGAR LIMB
CONNECTOR ROAD

Charles Eldridge was present along with other citizens from the Sugar Limb community, requesting that some consideration be given by the Quarterly Court to requesting the State to change the route of the proposed connector road so as to follow the old road, and further that the 2nd District Road Commissioner be requested to improve and repair the old road which was in terrible shape. Additional discussion ensued but there was no action by the Quarterly Court on the request, in which it was explained that the State's original estimates had indicated that it would cost a considerable amount of additional money to follow the old road inasmuch as that route is longer and had other problems involved in construction, even though Mr. Eldridge stated that most of the landowners along the old road would give right-of-way if the road were made so as to follow the old road, and that a considerable amount of money had already been spent and advanced by the County on the pre-engineering on the present route. Road Commissinner Malone indicated that as soon as the location of the connector route was established that he would repair the old road if it were not going to be torn up as a part of the construction.

It was learned that Mrs. Annabelle Clement O'Brien, sister of the former late Governor of Tennessee, was present in the Court House for another meeting, and she was introduced to the Quarterly Court and welcomed to Loudon County.

Commissioner Greenway requested information concerning a situation in Fort Loudoun Estates No. 2 wherein a resident has objected to the opening up of a clogged culvert that went under the road because it would throw additional water onto his land, the culvert having been installed sometime before the house had been built. After discussion it was generally agreed that the Road Commissioner should act as he thought best in maintaining the roads of Loudon County.

In reference to the proposed Eaton Ruritan Park, the appointed committee stated that all the details had been worked out and it was recommended that the County acquire the property from the Eaton Ruritan Club and make application to the Housing and Urban Development for the necessary Federal grant inasmuch as after the property was acquired that there would be no additional expense other than what would be borne by contributions by clubs and citizens in the community. Accordingly, it was moved by Squire Foster, seconded by Squire Conner, that Loudon County acquire title to the 7.3 acres (more or less located in the 5th Civil District on Hines Valley Road (near the Hickory Creek Road) for the purposes of a recreational park, which motion passed unanimously on a roll-call vote.

It was then moved by Squire Hamilton, seconded by Squire Williams, that Resolution No. 23-72, attached to these minutes as Exhibit A and incorporated herein by reference, be adopted by the Quarterly Court, which motion passed unanimously on a roll-call vote, said Resolution directing the County Judge to apply to the Department of Housing and Urban Development for a Federal grant for the purposes of accomplishing the development of the aforesaid park.

It was moved by Squire Williams, seconded by Squire Hudson, and unanimously approved that the corporate surety bonds of the five Constables sworn in on September 1, 1972, be approved, which motion passed unanimously, the bonds having been submitted by the following Constables:

BONDS --
APPROVAL OF
CONSTABLES'
BONDS

O'Dell Justice
George Dewey Russell
Charles E. Settles
Raymond "Shorty" Rogers
Jessie Hugh Easter

Judge Sproul stated that the committee appointed by the Quarterly Court concerning the proposed donation of the Mize property at the corner of Grove Street and Ferry Street be accepted by the County had checked out the details and was recommending acceptance of the property in accordance with the terms and offer of the owners. It was then moved by Squire Blair, seconded by Squire Bledsoe, that Resolution No. 24-72, attached to and incorporated by reference in these minutes as Exhibit B, be adopted by the Quarterly Court, which motion passed unanimously on a roll-call vote.

MIZE PROPERTY-
ACCEPTANCE OF
CHARITABLE GIFT

BUDGET COM.
PURCHASING
COMMITTEE
APPOINTED

Judge Sproul explained that there was still some work to be done in preparing the appointments to committees, but that he felt that it was desirable to go ahead and appoint the Budget and Purchasing Committees inasmuch as these Committees might have work to do before the next meeting of the Quarterly Court. Judge Sproul then stated that he was appointing the following persons to these two Committees:

Budget Committee:

Henry Foster J. G. Hudson
Boyd Duckworth I. D. Conner
Judge Harvey L. Sproul -- Chairman
(By statute)

Purchasing Committee:

R. P. Hamilton J. J. Blair
Roy Bledsoe James Hartsook
Curtis Williams

It was moved by Squire Blair, seconded by Squire Foster, that the appointments be approved by the Quarterly Court, which motion passed unanimously.

HOSPITAL BOARD
RESOLUTION

The proposed formal Resolution establishing a Hospital Board of Directors, and the duties of this Board and its employees, was discussed, the Resolution having been prepared by Judge Sproul based on recommendations and comments by various members of the Quarterly Court and being primarily based on Private Acts passed concerning hospitals in other Counties. After discussion, it was moved by Squire Hartsook, seconded by Squire Conner, that the Resolution be held under advisement for study by members of the Court until the next meeting of the Quarterly Court, and that the present Hospital Board be designated to continue serving until the next Court meeting, which motion passed unanimously.

LIBRARY BOARD
BEULAH ROBERTS
APPOINTED

It was moved by Squire Foster, seconded by Squire Williams, that Mrs. Beulah Roberts be re-elected to a three-year term to the Loudon County Library Board, which motion passed unanimously.

PUBLIC REC.
COMM. APPT. OF
HENRY FOSTER

Judge Sproul suggested that inasmuch as former Justice of the Peace Jack Lefler had not run for election that there was a vacancy on the Public Records Commission, and suggested ~~that~~ Squire Foster for this position. It was moved by Squire Conner, seconded by Squire Hartsook, that Squire Foster be elected to the Loudon County Public Records Commission, which motion passed unanimously.

PUBLIC UTIL.
BD. APPOINT-
MENT OF W. V.
KIRKLAND

Judge Sproul stated that he had talked with Mr. W. V. Kirkland who had been serving on the Loudon County Board of Public Utilities, that Mr. Kirkland was willing to serve another term, and that he was therefore appointing Mr. Kirkland to another term, subject to approval of the Quarterly Court. It was moved by Squire Williams, seconded by Squire Hudson, that and that unanimously approved W. V. Kirkland be appointed to another term on the Loudon County Board of Public Utilities.

Judge Sproul explained that Mr. Jack Hill who had been serving on the County Board of Public Utilities had resigned and that it was another opening which would have to be filled along with several other committee appointments which would be taken up at the next meeting of the Quarterly Court.

Judge Sproul reported that the Ambulance Service Study Committee had met on at least one occasion since the last meeting of Quarterly Court and had a conference with a young man from Gainesville, Georgia, who made a proposal to provide a top-notch Ambulance Service to Loudon County for the sum of \$85,000 a year in subsidy from the County, with his service to make standard charges and he be allowed to keep whatever collections he could make. It seemed to be the feeling of the Committee that the County could operate a satisfactory service for a lesser amount, although no definite action or recommendation has been made as yet. It was also reported that Ted Randolph and Gay Hamilton, Hospital Administrator, had attended a special emergency medical seminar sponsored by the East Tennessee Development District and had gained some information in the background concerning the problems involved. Squire Hartsook suggested that the Ambulance Committee continue to make additional contacts and consideration as soon as possible.

Attorney Edward P. Bailey, Jr., representing a group of citizens from the Luttrell Community, a group of whom were in the Courtroom, stated that the citizens whom he represented were proposing that the County enter into a similar-type transaction as was being entered into with the Eaton Ruritan Club in reference to the old Luttrell School building, gymnasium and property, with the idea being to tear down or move the old school building, and to improve and convert the gymnasium into an indoor basketball court recreational building, and with the grounds to also be kept up as a part of this project, with the funds for the development of the park to be obtained by applying to the Department of Housing and Urban Development for a special grant. The gymnasium and building would continue on being used as a community center and as a voting precinct for elections. After additional discussion it was moved by Squire Duckworth, seconded by Squire Hudson, and unanimously approved on a roll-call vote, that the County designate this property for this purpose, and that Resolution No. 25-72, attached and incorporated in these minutes by reference as Exhibit C, be approved, providing and directing that the County Judge apply to the Department of Housing and Urban Development for a Federal grant.

BUDGET
AMENDMENTS

It was moved by Squire Hudson, seconded by Squire Foster, and unanimously approved on a roll-call vote that the 3rd District Road Budget be amended by appropriating \$2,000 from Surplus and transferring this to Road Machinery and truck account.

GULF OIL
CLAIM AGAINST
HIGHWAY
DEPT.

It was explained that the Gulf Oil Company was claiming that the 2nd District Road Commissioner owed approximately \$700.00 for gasoline that had been delivered prior to the time that the Gulf Oil Company ~~lost the~~ ^{closed its} ~~gasoline contract with the State and thereby with the~~ County. It was explained that there was no purchase order or signed ticket to back up the claim by the Gulf Oil Company, although it was the feeling of Commissioner Malone that probably the gasoline had been used. Squire Hamilton stated that the Purchasing Committee had not approved the payment of this claim because it was not bought on a purchase order, there were no supporting tickets, and the committee had no authority to approve it. The Chairman opened the floor for motions, but none being offered, no action was taken.

Squire Williams stated that he had been contacted by certain residents in his District concerning the possibility of getting road signs for certain roads, but it was explained that those signs had already been obtained and installed. It was commented that the signing of County roads would be a progressive measure and could possibly be accomplished gradually over a period of time by planning and co-operation of the Road Commissioners.

BUDGET
AMENDMENTS

It was moved by Squire Conner, seconded by Squire Hudson, and unanimously approved on a roll-call vote, that the Budget Amendments attached to these minutes as Exhibit D, be approved.

COURTROOM
RENOVATION
CONTRACT
SETTLEMENT
AUTHORIZED

It was moved by Squire Hudson, seconded by Squire Hamilton, and unanimously approved on a roll-call vote, that the Courtroom and Court House Renovation Committee be authorized to make settlement with the Fidelity and Casualty Bonding Company for the figure of \$2648.64, or some other figure according to the discretion of the Committee, to be retained by the County and the balance of the retainage to be paid to the Bonding Company or to Professional Contractors, Inc., whichever appears to be the proper party, which motion passed unanimously on a roll-call vote.

ENFORCEMENT OF
COUNTY ZONING
& SUB-DIVISION
LAWS AUTHORIZED

After discussion concerning the problems that continued to arise concerning some persons in the County refusing to get building permits according to the County Building Permit Law, it was moved by Squire Hartsook, seconded by Squire Hamilton, that the County be authorized to hire legal counsel to take action and file suit if necessary, to enforce the building permit, zoning, and sub-division laws and regulations adopted by the County under State law, in the event such action is necessary, which motion passed unanimously on a roll-call vote.

CRIMINAL
JUSTICE
CENTER --
AUTH. HIRING
OF SURVEYOR

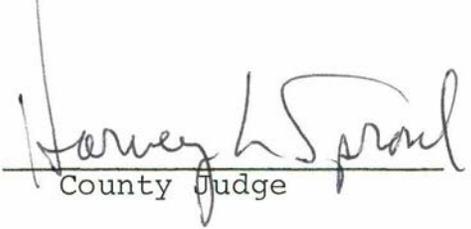
Judge Sproul explained that he had been in Nashville earlier in the day, along with Lee Kribbs of the engineering consulting firm of Barge, Waggoner, Sumner, and Cannon for the purpose of making a presentation to the Law Enforcement Planning Commission, concerning Loudon County's application for Federal funds in the amount of \$200,000 in Federal funds to construct a Criminal Justice Building to be used on a co-operative basis by Loudon County and by the four Cities of Loudon County. He stated that although he had not been notified whether or not the Commission had made a decision, and even though the State only had \$450,000 of building funds available for all 12 applicants, that he had high hopes that at least most of the grant application would be approved inasmuch as Loudon County had one of the strongest applications in fitting into the State program which was based on consolidation of facilities. He stated that the County needed to be in position to move forward so to be ready if the grant were approved, and it was moved by Squire Hartsook, seconded by Squire Hudson, and unanimously approved on a roll-call vote, that the County be authorized to hire a surveyor to begin surveying prospective sites for the Criminal Justice Center.

NOTARY
PUBLICS

It was moved by Squire Foster, seconded by Squire Williams, and unanimously approved that the following persons be elected to four-year terms as notary publics:

H. Paul Raymond
Velma C. Owneby
Joan Hartline
Paul L. ~~Dutton~~ Denton HG
Glenn A. Ellis

APPROVED:


County Judge

IN THE COUNTY QUARTERLY COURT FOR LOUDON COUNTY, TENNESSEE

RESOLUTION NUMBER 23-72

WHEREAS, Title VII of the Federal Housing Act of 1961, as amended, provides for the making of grants by the Secretary of Housing and Urban Development to States and local public bodies to assist said governmental units in the acquisition and development of permanent interests in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of open-space land as part of the comprehensively planned development of the urban area; and

WHEREAS, the County of Loudon desires to acquire and develop certain land situated in the Fifth Civil District of Loudon County, Tennessee, and known to be owned by the Eaton Crossroad Ruritan Club, Inc., which land is to be held and used for permanent open-space land for public recreational purposes; and

WHEREAS, Title VI of the Civil Rights Act of 1964, and the regulations of the Department of Housing and Urban Development effectuating that Title provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and developed; and

WHEREAS, it is recognized that the contract for Federal grant will impose certain obligations and responsibilities upon the County of Loudon and will require among other things (1) assurances that families and individuals displaced as a result of the open-space land project are offered decent, safe and sanitary housing, (2) compliance with Federal labor standards, and (3) compliance with Federal requirements relating to equal

employment opportunity; and

WHEREAS, it is estimated that the cost of acquiring said property will be Eleven Thousand Two Hundred Fifty Dollars (\$11,250.00); and

WHEREAS, it is estimated that the cost of developing said land will be Sixty-four Thousand Three Hundred Fifty Dollars (\$64,350.00);

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY QUARTERLY COURT FOR THE COUNTY OF LOUDON AND THE STATE OF TENNESSEE:

1. That an application be made to the United States Department of Housing and Urban Development for a grant in an amount authorized by Title VII of the Federal Housing Act of 1961, as amended, which amount is presently estimated to be Thirty-seven Thousand Eight Hundred Dollars (\$37,800.00) and that the applicant will pay the balance of the cost from other funds available to it.

2. That the County Judge of Loudon County is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development, to provide additional information and to furnish such documents as may be required by said Department, to execute such contracts as are required by said Department, and to act as the authorized correspondent of the Applicant.

3. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the said County of Loudon will acquire, develop,

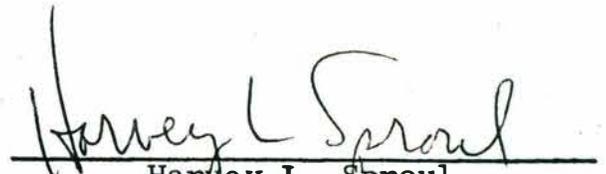
and retain said land for the uses designated in said application and approved by the Department of Housing and Urban Development.

4. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the said County of Loudon with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964.

5. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the said County of Loudon with the Federal labor standards imposed under Title VII of the Housing Act of 1961, as amended.

6. That this resolution shall take effect immediately, the public welfare requiring it.

PASSED this 5th day of September, 1972.


Harvey L. Sproul
County Judge
County of Loudon
State of Tennessee

ATTEST:


County Court Clerk

WHEREAS, Carrie Lou Mize, Mary Katherine Mize, and Ethel Mize Parker, are owners of a certain valuable parcel of property located near the heart of the City of Loudon at the Corner of Grove Street and Ferry Street; and

WHEREAS, it appears that this parcel of property will be of great benefit and assistance to the County of Loudon in its future plans; and

WHEREAS, the said Carrie Lou Mize, Mary Katherine Mize, and Ethel Mize Parker have offered to give and donate this parcel of land to the County of Loudon for such uses and purposes as it might see fit in the future; and

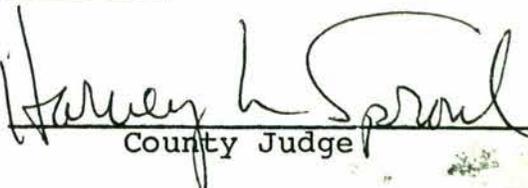
WHEREAS, the Loudon County Quarterly Court through the County Judge and a special Committee have made proper arrangements for the transfer of title of said property from the said landowners to the County of Loudon;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Quarterly Court in regular session assembled the 5th day of September, 1972, on behalf of all the citizens of Loudon County that the gratitude and appreciation of the Quarterly Court be extended to the said Carrie Lou Mize, Mary Katherine Mize, and Ethel Mize Parker for their spirit and benevolence in donating the aforesaid valuable parcel of property to Loudon County, that said land and deed be accepted by the County of Loudon, and that a copy of this Resolution be spread upon the minutes of this Court, and be sent to each of the said landowners.

This the day and date first above written.

Moved by Blair

Seconded by Bledsoe


County Judge

IN THE COUNTY QUARTERLY COURT FOR LOUDON COUNTY, TENNESSEE

RESOLUTION NUMBER 25-72

WHEREAS, Title VII of the Federal Housing Act of 1961, as amended, provides for the making of grants by the Secretary of Housing and Urban Development to States and local public bodies to assist said governmental units in the acquisition and development of permanent interests in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of open-space land as part of the comprehensively planned development of the urban area, and

WHEREAS, the County of Loudon desires to acquire and develop certain land situated in the Fourth Civil District of Loudon County, Tennessee, and known to be owned in part by the said Loudon County and in part by Jess Richesin, which land is to be held and used for permanent open-space land for public recreational purposes; and

WHEREAS, Title VI of the Civil Rights Acts of 1964, and the regulations of the Department of Housing and Urban Development effectuating that Title provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and developed; and

WHEREAS, it is recognized that the contract for Federal grant will impose certain obligations and responsibilities upon the County of Loudon and will require among other things (1) assurances that families and individuals displaced as a result of the open-space land project are offered decent, safe and sanitary housing, (2) compliance with Federal labor standards, and (3) compliance with Federal requirements relating to equal

employment opportunity; and

WHEREAS, it is estimated the the cost of acquiring said property will be Two Thousand Dollars (\$2,000.00); and

WHEREAS, it is estimated that the cost of developing said land will be ^{TWENTY-FOUR} ~~Nineteen~~ Thousand Two Hundred Thirty Dollars (²⁴ \$19,230.00);

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY QUARTERLY COURT FOR THE COUNTY OF LOUDON AND THE STATE OF TENNESSEE:

1. That an application be made to the United States Department of Housing and Urban Development for a grant in an amount authorized by Title VII of the Federal Housing Act of 1961, as amended, which amount is presently estimated to be ^{THIRTEEN} ~~Ten~~ Thousand ^{ONE} ~~Six~~ Hundred Fifteen Dollars (^{13,115.00} \$10,615.00) and that the applicant will pay the balance of the cost from other funds available to it.

2. That the County Judge of Loudon County is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development, to provide additional information and to furnish such documents as may be required by said Department, to execute such contracts as are required by said Department, and to act as the authorized correspondent of the Applicant.

3. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the said County of Loudon will acquire, develop, and retain said land for the uses designated in said

application and approved by the Department of Housing and Urban Development.

4. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the said County of Loudon with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964.

5. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the said County of Loudon with the Federal labor standards imposed under Title VII of the Housing Act of 1961, as amended.

6. That this resolution shall take effect immediately, the public welfare requiring it.

PASSED this 5th day of September, 1972.



Harvey L. Sproul
County Judge
County of Loudon
State of Tennessee

ATTEST:


County Court Clerk

LOUDON COUNTY
CENTRAL ACCOUNTING DEPARTMENT

P. O. BOX 376
LOUDON, TENN. 37774
TELEPHONE 458-4619

August 23, 1972

Budget Amendments for Agenda Sept. 5, 1972

GENERAL FUND

<u>Acct. No.</u>		<u>Dr.</u>	<u>Cr.</u>
41	Estimated Revenue	13,679.00	
	(143) Tellico Area Service System		
81	Appropriations		13,679.00
	(1125) Tellico Area Service System Exp.		
	To set up rev. & exp. Tellico Area Service System.		
97	Unappropriated Surplus	1,310.00	
81	Appropriations		1,310.00
	(807.1-02) Salaries - Janitor \$800.00		
	(807.1-05) Utilities. 510.00		
	To set up above appr. amt. that was omitted from budget.		

HIGHWAY FUND

<u>Acct. No.</u>		<u>Dr.</u>	<u>Cr.</u>
97	Unappropriated Surplus	2,000.00	
	(3rd Dist.)		
81	Appropriation		2,000.00
	(1243.3) Road Machinery & Truck		
	Request of 3rd Dist. Road Commissioner.		