

QUARTERLY COURT MINUTES

The Quarterly Court met in an adjourned session on July 17, 1972, at 7:00 P. M. in the Main Courtroom of the Loudon County Court House with the Honorable Harvey L. Sproul, County Judge, presiding. Mrs. Addie Ruth Clarke was present representing Mr. Edward Alexander, County Court Clerk. Sheriff Russell led the Pledge of Allegiance and opened Court.

Members present:

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

BROWDER HOLLOW
DRAINAGE DITCH

During the public discussion session of the meeting, several residents from the Browder Hollow Road section on the Second District were present concerning a big drainage ditch which runs beside or near the County road and in front of their property. They said that the ditch was stopped up with a lot of debris, trash, etc., and that many of the bridges were in bad repair. Road Commissioner Malone was present stating that it would be a considerable expense involved in cleaning out the ditch, and that parts of the ditch were on private property although the condition of the ditch did affect the County road. After discussion, it was moved by Squire Hartsook, seconded by Squire Conner, and unanimously approved, that the Second District Road Commissioner be requested to clean out the large drainage ditch bordering the Browder Hollow Road.

REAPPORTIONMENT

In an answer to a question by Squire Lefler, Judge Sproul explained that the Quarterly Court had been advised in its last meeting that the Election Commission would not comply with the majority Resolution re-apportioning the County voting districts, that no action had been taken by the Quarterly Court subsequent to the action of the Election Commission, and that if the Quarterly Court took no additional action to change the Resolution or to force the Election Commission to honor the previous Court Resolution, that everything would stay the way it is until any private citizen who feels he is agrieved brings a lawsuit.

LENOIR CITY PARK
RESOLUTION

Judge Sproul explained that he had been contacted by the City of Lenoir City concerning a problem that has arisen in reference to Lenoir City's application for a grant to improve the Lenoir City Park, which Lenoir City holds under a 19-year lease agreement from the Tennessee Valley Authority; and that inasmuch as the park itself was located outside the city limits, that the Federal Agency required a Resolution of co-operation from the County. It was moved by Squire Williams, seconded by Squire Lefler, that Loudon County Resolution No. 19-72, attached to these minutes as Exhibit A, be adopted by the Quarterly Court, said Resolution indicating the intent of the Quarterly Court to protect the Lenoir City Park as a recreation site to its extent of its legal capability, which motion passed unanimously on a roll-call vote.

Judge Sproul advised that he was appointing the following County Building Committee, in response to the Quarterly Court's previous direction:

APPOINTMENT OF
COUNTY BUILDING
COMMITTEE

Squire James Hartsook, Chairman
Chairman of Hospital-Physician Committee

Squire R. P. Hamilton
Chairman of Purchasing Committee
Member of Agricultural Committee

Thomas D. Foster
Former Hospital Administrator

Squire J. J. Blair
Purchasing Committee and Contractor

Judge Sproul

Judge Sproul further explained that he would expect and request Purchasing Agent Arnold Jenkins, Civil Defense Director Ted Randolph, and Staff Planner of the Tennessee State Planning Office Tom Platt to work with the Committee.

It was moved by Squire Foster, seconded by Squire Conner, and unanimously approved on a roll-call vote that the following amendments to the proposed budget for 1972-73, be made:

<u>Acct. No.</u>		
203-07	Legal Fees-Prof.-Reduced from \$5,000 to \$4,000	\$1,000.00
207-18	Other Supplies-Elections-Reduced from \$2,500 to \$2,000	500.00
	Luttrell Voting Prec.-Deleted \$1,500.00	1,500.00
208-01	Per Diem-Beer Board-Reduced from \$1,000 to \$750.00	250.00
303.2-01	Per Diem-Equalization Board-Reduced from \$500.00 to \$250.00	250.00
405-02	Payment to Jurors-Reduced from \$20,000.00 to \$16,500.00	3,500.00
502-08	Repairs to Jail-Reduced from \$2,000.00 to \$1,000.00	<u>1,000.00</u>
		\$8,000.00

It was moved by Squire Foster, seconded by Squire Williams, that RESOLUTION NO. 20-72, attached to these minutes as EXHIBIT B, be adopted by the Quarterly Court, the caption of said Resolution being as follows:

A RESOLUTION MAKING APPROPRIATIONS FOR
THE VARIOUS FUNDS, DEPARTMENT, INSTITUTIONS,
OFFICES AND AGENCIES OF LOUDON COUNTY,
TENNESSEE, FOR THE FISCAL YEAR BEGINNING
JULY 1, 1972, AND ENDING JUNE 30, 1973

The motion passed unanimously on a roll-call vote, with the exception of Squire Lefler who passed.

It was moved by Squire Foster, seconded by Squire Conner, that RESOLUTION NO. 21-72, attached to these minutes as EXHIBIT C, be adopted by the Quarterly Court, the caption of said Resolution being as follows:

A RESOLUTION ESTABLISHING PROPERTY TAX
RATES FOR LOUDON COUNTY, TENNESSEE, FOR
THE FISCAL YEAR 1972-1973

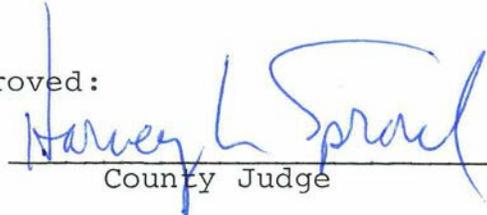
The motion passed unanimously on a roll-call vote with all Squires present voting aye with the exception of Squire Lefler who passed.

The following Notary Publics were elected on motion made, seconded, and unanimously approved;

E. E. Keener
James B. Stewart

It was moved by Squire Blair, seconded by Squire Hudson, and unanimously approved, that the meeting be adjourned at 8:15 P. M.

Approved:


County Judge

LOUDON COUNTY RESOLUTION

RESOLUTION NUMBER 19-72

WHEREAS, Lenoir City, Tennessee has applied for an Open Space grant to make improvements to the Fort Loudoun Lake Park, which lies outside the Lenoir City corporate boundaries, and

WHEREAS, the Quarterly Court of Loudon County, Tennessee has legislative jurisdiction over the area in which the park is located, and

WHEREAS, the Open Space Land Act, which is administered by the U. S. Department of Housing and Urban Development, requires that the legislative body exercising jurisdiction over any site receiving funds under said Act must express intent to preserve the open character of the project site and of lands adjacent to the project,

NOW THEREFORE BE IT RESOLVED, that the Quarterly Court of Loudon County, Tennessee, hereby expresses the intent to protect the aforementioned recreation site and adjacent lands, to the extent of its legal capability, from encroachments by activities or land uses which may be detrimental to said site or adjacent lands.

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

ATTEST:

COUNTY COURT CLERK

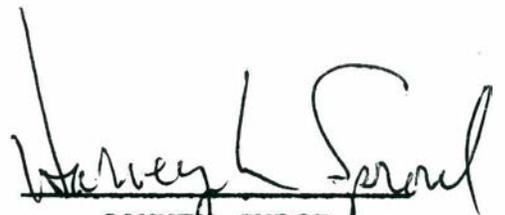

COUNTY JUDGE

Exhibit "A"

Resolution # 20-72

A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,
DEPARTMENT, INSTITUTIONS, OFFICES AND AGENCIES OF
LOUDON COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING
JULY 1, 1972 AND ENDING JUNE 30, 1973

SECTION 1. BE IT RESOLVED by the Quarterly County Court of Loudon County, Tennessee, assembled in adjourned session on the 17th day of July, 1972, that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Loudon County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the fiscal year beginning July 1, 1972 and ending June 30, 1973, according to the following schedule:

COUNTY GENERAL FUND

General County Government	\$ 59,361.00
Finance	53,664.00
Administration of Justice	44,223.00
Law Enforcement and Care of Prisoners	95,698.00
Conservation of Natural Resources	9,950.00
Recording and Preservation of Documents	7,300.00
Health and Welfare	87,101.80
Unclassified and Sundry	82,889.40
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Total County General Fund	\$440,187.20

HIGHWAY (TWO-CENT GAS) FUND

Expenditures - Unallocated	\$ 38,550.00
Expenditures - First and Fourth Districts	118,980.00
Expenditures - Second and Fifth Districts	118,980.00
Expenditures - Third District	59,490.00
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Total Highway (Two-Cent Gas) Fund	\$336,000.00

GENERAL PURPOSE SCHOOL FUND

Administration	\$ 49,250.00
Instruction	1,201,533.00
Attendance Services	9,950.00
Health Services	600.00
Pupil Transportation	173,700.00
Operation of Plant	151,500.00
Plant Maintenance	43,855.00
Fixed Charges	33,575.00
Food Services	10,200.00
Student Body Activities	30,000.00
Capital Outlay	55,950.00
Outgoing Transfers	7,225.00
Adult Education	2,640.00
Clearing Accounts	101,000.00
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Total General Purpose School Fund	\$1,870,978.00

RIGHT-OF-WAY FUND

Condemnation Suits	\$8,728.28
Trustee's Commission	180.00
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Total Right-of-Way Fund	\$8,908.28

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LOUDON COUNTY LEGAL LIBRARY FUND

Books and Periodicals	\$1,715.00
Trustee's Commission	<u>20.00</u>
Total Loudon County Legal Library Fund	<u>\$1,735.00</u>

DEBT SERVICE FUND

Principal on Bonds	\$295,000.00
Interest on Bonds	128,956.25
Principal on Notes	19,262.50
Interest on Notes	2,632.00
Paying Agents Fees	750.00
Trustee's Commission	<u>8,000.00</u>
Total Debt Service Fund	<u>\$454,600.75</u>

LENOIR CITY SCHOOL FUND

Payments to Lenoir City Schools	\$212,978.64
Trustee's Commission	<u>5,000.00</u>
Total Lenoir City School Fund	<u>\$217,978.64</u>

SPECIAL HIGHWAY PROJECTS

Note Principal	\$11,666.67
Note Interest	1,400.00
Trustee's Commission	<u>314.00</u>
Total Special Highway Projects	<u>\$13,380.67</u>

LOUDON COUNTY MEMORIAL HOSPITAL

Total Operating Expenses	<u>\$696,130.00</u>
Total Loudon County Memorial Hospital Fund	<u>\$696,130.00</u>

SECTION 2. BE IT FURTHER RESOLVED, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Court Clerk, Circuit Court Clerk, Register, Sheriff and the Clerk and Master and their officially authorized deputies and assistants may severally be entitled to receive under State laws heretofore or hereafter enacted. Expenditures out of commissions, and/or fees collected by the Trustee, County Court Clerk, Circuit Court Clerk, Clerk and Master, Register and the Sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized to be paid therefrom, and paid therefrom, shall be paid over to the Trustee and converted into the County General Fund as provided by law.

SECTION 3. BE IT FURTHER RESOLVED, that if the need shall arise, the Budget Committee may with the consent of any official, head of any department or division which may be affected, transfer any amount from any item of appropriation to any other item of appropriation in the same fund. Be it further provided that any such transfer shall be authorized in writing and signed by the Director of Accounts, County Judge, the Budget Committee and the departmental or divisional heads directly concerned. The School Superintendent must also receive the consent of the Board of Education for transfers within each main division of the budget and the consent of the Quarterly County Court for transfers between these main divisions as required by law.

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One copy of this authorization shall be filed with the County Court Clerk, one copy with the Chairman of the Budget Committee, and one with each divisional or departmental head concerned. Aforesaid authorization shall clearly state the reasons for the transfer, but this provision shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED, that any appropriation made by this resolution which covers the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County, shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. But provisions for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for any department, agency, or division of the County in excess of that appropriation herein for such department, division, or agency of the County. Such appropriation shall constitute the limit to the expenditures of any department, division and agency ending June 30, 1973. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Quarterly County Court providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the fiscal year in which the expenditure is to be made, to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by the State Director of Local Finance after its adoption as provided by Sections 9-1101 to 9-1119, inclusive, of Tennessee Code Annotated.

SECTION 6. BE IT FURTHER RESOLVED, that certain school funds designated as "Clearing Accounts" have been included in the revenue and appropriations for the year ending June 30, 1973 as a memorandum only. It is expressly understood that the County Board of Education may not create or incur expenditures from these funds above actual revenue of such funds. It is further directed that no transfers may be effected between these Clearing Accounts and the operating school funds accounts.

SECTION 7. BE IT FURTHER RESOLVED, that there is hereby appropriated for Rural Road Construction on State-approved projects such amount or amounts as may from time to time be approved by contract with the State Department of Highways.

SECTION 8. BE IT FURTHER RESOLVED, that the County Judge and County Court Clerk are hereby authorized to borrow money on revenue anticipation notes to pay the expenses herein authorized until the taxes and other revenue for the fiscal year 1972-1973 have been collected, not exceeding 60% of the appropriations of each individual fund. The proceeds of loans for each individual fund shall be used only to pay the expenses and other requirements of the fund for which the loan is made and the loan shall be paid out of revenue of the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the authority of Sections 5-1031 to 5-1039, inclusive, Tennessee Code Annotated. Said notes shall be signed by the County Judge and countersigned by the County Court Clerk and shall mature and be paid in full without renewal not later than June 30, 1973.

SECTION 9. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 1970 and prior years and the interest and penalty thereon collected during the year ending June 30, 1973 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 1971. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly. Also, that payments in lieu of taxes from the

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T. V. A. shall be placed in the various funds of the County in the same proportion as the tax rate is divided except the portion that would ordinarily go to the Department of Education and the Right-of-Way Fund will go to the Debt Service Fund.

Taxes collected in compliance with the Business Tax Act shall be placed in the various funds of the County in the same proportion as the tax rate is divided except the portion that would ordinarily go to the Right-of-Way Fund will go to the Debt Service Fund.

SECTION 10. BE IT FURTHER RESOLVED, that all unencumbered balances of appropriations remaining at the end of the fiscal year shall lapse, and be of no further effect at the end of the fiscal year at June 30, 1973.

SECTION 11. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which has heretofore been passed by the Quarterly County Court which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 12. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 1972. This resolution shall be spread upon the minutes of the Quarterly County Court.

Passed this 17th day of July, 1972.

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RATES FOR LOUDON COUNTY, TENNESSEE, FOR
THE FISCAL YEAR 1972-1973

RESOLUTION NO. 21-72

SECTION 1. BE IT RESOLVED by the Quarterly County Court of Loudon County, Tennessee, assembled in adjourned session on this 17th day of July, 1972, that the combined property tax rate for Loudon County, Tennessee, for the fiscal year beginning July 1, 1972, shall be \$2.58 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

<u>FUND</u>	<u>RATE</u>
County General	\$.50
General Purpose School	1.36
Debt Service	.70
Right-of-Way	<u>.02</u>
TOTAL	<u>\$2.58</u>

SECTION 2. BE IT FURTHER RESOLVED, that based on the 1971 ratio of assessment to actual value a rate of \$2.97 would be required to raise approximately the same amount of dollars as the proposed rate of \$2.58 will provide.

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Quarterly County Court of Loudon County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED, that this resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the Quarterly County Court.

Passed this 17th day of July, 1972.

E. J. Kilbuck C

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