

The regular meeting of the Loudon County Quarterly Court was held at 9:00 A. M. on September 9, 1974, in the Loudon County Courtroom. Mr. Edward Alexander, County Court Clerk, was present, along with Mrs. Addie Ruth Clarke, Deputy Clerk. Deputy Sheriff, Luke Bright, opened Court and Trustee, Slim Schrimsher, led the Pledge of Allegiance.

The following Squire were present:

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

ROLL CALL

Absent:

Curtis A. Williams (recouperating from a heart attack)

The minutes of the August 19, 1974, regular session were read and it was moved by Squire Conner and seconded by Squire Hudson, and unani- mously approved on a roll-call vote that the Quarterly Court minutes for the August 19, 1974, meeting be approved as written.

MINUTES OF
AUGUST 19, 1974,
APPROVED

Judge Russell recognized the visitors and welcomed them. In the open discussion, Mr. "Spot" Russell, a county employee, employed at the Transfer Center, made a presentation to the Court in connection with fires at the Transfer Center. He recommended to the Court that all expediency be used in erecting a fence around the Transfer area in order to solve this problem. He further reported that he had devised a plan whereby Road Commissioner, Millsaps, and City Road Superintendent, Ray Lovin, would provide certain materials and labor in connection with accomplishing these ends. Without objection from the Court, Judge Russell referred this matter to the Purchasing Committee for their consideration and recommendation to the Court.

RECOGNITION OF
VISITORS

REFERAL OF
TRANSFER STATION
FENCE MATTER TO
PURCHASING COMMITTEE

Squire Roy Bledsoe remarked to the Court that it used to be the custom to open Court with a word of prayer. He further commented that since there was a minister in the audience, the Reverend Harrell M. Russell, perhaps a prayer could be had at this time. Without objection from the Court, Judge Russell requested the Reverend Harrell M. Russell to re-open Court with a few words of prayer. This was done. Squire Bledsoe further suggested that this be made a regular part of the agenda.

OPENING PRAYER

Remarks made by Judge Russell.

REMARKS BY
JUDGE RUSSELL TO
COURT

Any government can only be meaningful in America Today if it serves the collective needs of its people toward the fulfillment of a quality life.

Who then decides what the needs are and establishes the standards of quality? The answer is obvious, the people.

Goals or collective aims set by thinkers, planners and other experts without the benefit of people input are totally beyond the point of our concept of government. Although, we may certainly benefit from those who engage in social planning unless we inject ourselves in the process we have lost our democratic form of government.

If you accept the concept that we as a people must be concerned with and indeed the main draftsmen of our collective course then you must also recognize that this carries certain responsibilities. The responsibility to devote time, energy and resources to these ends.

Having established the above concepts it would be extremely presumptuous on my part, at this point, to attempt to set out what I think the goals should be for the next 8 years. It is almost immaterial what I or any other single citizen thinks except as that opinions constitute a part of the entire community's thinking.

Therefore, I propose that a system of community wide participation be established whereby each and every citizen has an opportunity to serve on an active advisory committee structure to advise and give direction to this Court on establishing its collective goals for the coming years.

This concept of citizen participation is certainly not a new concept. It was in fact talked about by both of your candidates for County Judge in the recent election. As a point of interest, I have discussed this plan with the Honorable Charles T. Eblen of Lenoir City and he has agreed to serve as an overall co-chairman of such a program as an expression of his willingness to cooperate to the fullest extent in the best interest of this County. In the highest and best tradition of American Politics, Mr. Eblen is to be commended for this unselfish and noble position. It would have been far easier to set back and hope for failure rather than pitching in to insure success. This says something about the great quality of Loudon County People. Loudon County is just a great place to be alive in.

In order to suggest a framework for this citizen participation in our government process I have arbitrarily classified some areas of interest which several people have already

expressed an interest. They are:

Transportation Committee
Recreation & Leisure Committee
Inter Government Relations Committee
Historical & Cultural Committee
Educational Committee
Communications Committee

Although this list is not exhaustive it could provide the framework around which an active, effective citizen advisory group could be formed. I respectfully ask for your suggestions comments and recommendations in the next four weeks in an attempt to get this program off the ground.

I want to emphasize that any citizen group is only as effective as it desires to be. I hope I am not naive enough to expect that the entire County citizenry will rise to its feet in open enthusiasm for this program. There will always be those in any community who care so little about the affairs at their community that no effort will be made to serve their fellow man. So be it. As I recall the Constitution of the United States still allows every man to make a fool out of himself if he so desires. But, thank God, it also makes provision and gives opportunity for governmental self expression.

Being human I expect to make mistakes as I embark upon the task of functioning as your County Judge. I appreciate the hands of friendship and cooperation already extended and want you to know that I will try my very best to work with this Court and be of whatever assistance I can consistent with my duties and responsibilities to the people.

In these questionable economical times I would make one request. I would like to ask the Court at some early point to re-examine the proposed budget document with an eye to reducing the overall operating portion of the budget arbitrary 5%. The fight against inflation must begin at home. We must set the example for others. I would hope that such a cut could be made across the board with the exception of the County employees salaries. We must always be mindful in our deliberations to insure that those on fixed incomes are not penalized.

I commend this Court for the good they have already done for the people of this County and say again how glad I am to share with you the expectations of tomorrow.

1. Judge Russell advised the Court that there was some question about the form of the officials bonds which were provided. He advised that he had researched the matter and it appeared that the bonds should be made for the entire term of an elected official's office, instead of the one year. Purchasing Agent, Buddy Jenkins, advised the Court that he had called the insurance company who was the successful bidder in connection with

bonds and that the matter would be corrected in time for presentation at the next County Court meeting. Judge Russell advised that this was still time to get the bonds properly filed as required by law with the comptroller.

2. Judge Russell reported that he and the Purchasing Agent had interviewed several well-qualified applicants for the position of Maintenance Supervisor for the County but that no decision had been reached at this time. He further advised that any comments or suggestions from any of the Squires would be welcomed in connection with this position and that it would be made soon.

3. Judge Russell announced that for the time being he would re-appoint the budget and purchasing committees as they are presently constituted. He further announced that there would be no changes in any other committee structure at this time but he would appreciate and respectfully ask for the recommendations and comments from Court members as to their preferences and suggestions as to these appointments. Without objection this was done.

In the absence of Steve Campbell, Dave Booher represented the Tennessee State Planning Commission and reported to the Court that the Loudon County Planning Commission had not had a meeting since the last Court session and therefore there was nothing additional to report.

1. Judge Russell reported to the Court that he had certain offers from the State concerning the two small tracts of land owned by the County which the State intended to purchase in connection with the Sugar Limb Interstate Connecting Road. Without objection the matter was referred to the Purchasing Committee for further action and recommendation.

2. Judge Russell reported that he had been in contact with the State Department of Transportation in connection with the paving schedule for the Philadelphia Connector Road. Judge Russell reported that Squire Hamilton was in contact with the Highway Department this morning and had received the current estimates in connection with the cost of paving, guard rails, signs and engineering cost. The total cost reported by Squire Hamilton was Two Hundred Forty-four Thousand Four Hundred Seventy-three Dollars (\$244,473.00). Judge Russell reported that under the existing agreements in connection with the connector roads Loudon County's share would be One Hundred Twenty-two Thousand Two Hundred Thirty-six and fifty cents (122,236.50). Whereupon Squire Boyd Duckworth presented a resolution ²⁸⁷⁴ attached to these minutes as Exhibit (A) authorizing the payment of money to the State for Loudon County's share of the Philadelphia Connector cost. Hereupon He moved its adoption and it was seconded by Squire Roy Bledsoe. After fully discussing the question was called and unanimously adopted.

REPORT ON
MAINTENANCE SUPERVISOR

APPOINTMENT OF
BUDGET AND PURCHASING
COMMITTEES

REFERAL TO PURCHASING
COMMITTEE OF STATE'S
PURCHASE OF TWO TRACTS
OF LAND ON SUGAR LIMB
EXCHANGE

ADOPTION OF
RESOLUTION AUTHORIZING
BORROWING OF FUNDS FOR
PAYMENT TO THE STATE
LOUDON COUNTY'S SHARE
OF THE PHILADELPHIA
CONNECTOR PAVING, ETC.

3. Judge Russell reported that the request of three separate property owners to-wit: J. E. Shaw, George Miller and the road in the Corinth Cemetary area had not been before the Planning Commission and no recommendation, of course, was forthcoming. The matter was passed over until next time pending a report from the Planning Commission.

4. Judge Russell reported that he had not received a reply from the letter written to the McKinnon Bridge Company by Judge Sproul concerning the extended use of certain roads which were not haul roads in connection with the construction of the Interstate highway. This matter was also passed over until the next session.

Squire Hartsook reported that the Little Tennessee Valley Educational Committee had not met and therefore no additional report was given at this time.

TENNESSEE VALLEY
EDUCATIONAL COMMITTEE
REPORT

Printed resolutions from the Loudon County Board of Education was distributed by School Superintendent, Edward Headlee, for the Court's consideration. On motion made by Squire Conner and seconded by Squire Hartsook the conditions as expressed in the Board of Education's resolution with respect to the relocation for voting precincts in the new Loudon High School was on a roll-call vote, unanimously adopted, a copy of the resolution being attached hereto as Exhibit B.

ADOPTION OF RESOLUTION
ESTABLISHING VOTING
PRECINCTS CONDITIONS
FROM SCHOOL BOARD

2974

Squire Hartsook reported that the Loudon County Law Enforcement Agency Board met on Saturday, September 7, 1974, at 8:00 A. M., in the Red Carpet Inn in Lenoir City, Tennessee. He reported on the 911 telephone system exchange and some problems in connection therewith. He further reported that the Board was exploring the possibilities of obtaining a common seven digit number for use as an emergency, as well as, routine number. He advised that two members of the Public Service Commission were in attendance at the meeting and were seeking ways to assist Loudon County in the proper installation and implementation of a communications system.

REPORT ON LOUDON
COUNTY LAW ENFORCEMENT
BOARD MEETING

Squire Hartsook futher reported that he had appointed a committee consisting of Sheriff Russell; City Manager of Loudon, Gary Hensley; City Councilman, Tommy McNabb, to draft a staffing plan for the Justice Center, particularly in connection with the dispatch officers. He advised that Lee Kribbs was drafting a list of specifications for the jobs in connection with the Justice Center. Squire Hartsook reported

that in his opinion he felt the Justice Center would be completed on time.

Squire J. J. Blair requested information as to where the County stood with respect to its anticipated funding in connection with the Justice Center. Whereupon, Judge Russell reported that Loudon County was first in line for any additional funds not used by other requesting agencies from the Tennessee Law Enforcement Planning Agency but that these funds may not be available. Whereupon Squire Blair requested that information be made available to the Court members showing our current status before the next Court Meeting as to the funding requirements in connection with the Justice Center.

REQUEST FOR INFORMATION
ON FUNDS SPENT FOR
JUSTICE CENTER

Squire R. P. Hamilton reported that two bids had been taken, one in connection with the bonds and the apparent low bidder was Russell and Shields Insurance Agency of Loudon, Tennessee, in connection with public officials bonds. It was noted that a substantial savings was had over prior years and that the range of the bids was several thousand dollars. It was also reported that the bid was opened and accepted in connection with a backstop for Eatons Cross Roads Park.

REPORT FROM
PURCHASING COMMITTEE

Squire Conner reported that at their last meeting Mrs. Sue Patterson appeared before the Board and reported on certain scholarships which would be available for qualified people interested in general medical practice. He reported that the Tennessee Area Health Committee from the University of Tennessee had met with the Board and had agreed to conduct a survey of the present office needs of the County in connection with the existing space at the Old Bacon Hospital. He anticipates a report to the Court in the very near future on this matter. He reported that the Board voted to change ambulance service charges from Thirty Dollars (\$30.00) to Thirty-five Dollars (\$35.00) per trip and that the Board had adopted a different transfer ticket in connection with these trips. He further reported that the Board had adopted a standard billing and claim form in connection with processing billing and insurance claims. Squire Conner further reported that the University of Tennessee Area Health Center had noted some changes in the Board's procedure and that they gave the hospital a higher recommendation.

REPORT FROM HOSPITAL
BOARD

Squire Conner continued with his report in that the ambulance report for the month was Six Thousand Eight Hundred Thirty-five and 90/100 Dollars (\$6,835.90) in expenditures with a net total deficit of Four Thousand Seven Hundred Ten and 07/100 Dollars (\$4,710.07) for the month of July. He indicated that there was a fifty-nine (59) percent collection rate for the month

of July. He had seventy-six (76) calls.

BUDGET AMENDMENTS
APPROVED

Upon motion of Squire Blair and seconded by Squire Hamilton the budget amendments were unanimously approved upon roll-call vote, attached hereto as Exhibit 2.

FALSE ARREST
INSURANCE

Squire Boyd Duckworth mentioned to the Court that it was highly desirable for the Court to assume payment of the premium of certain kinds of insurance in connection with the sheriff and his deputies in connection with "false arrest" insurance. In that the matter was not on the agenda Judge Russell referred the matter to the Budget Committee for consideration and recommendation back to the Court.

ADOPTION OF RESOLUTION
ALLOWING TELLICO AREA
SERVICE SYSTEM TO
ESTABLISH FUNDS 30-74

After due discussion upon a resolution, concerning TASS, presented by Squire Hudson he moved its passage with a second, from Squire Blair whereupon the resolution was adopted unanimously by a roll-call vote attached hereto as Exhibit 10.

ELECTION OF NOTARY
PUBLICS

The following Notary Publics were elected upon motion of Squire Blair and seconded by Squire Duckworth : Bette J. Pope, Elizabeth Ann Williams, John L. Brown, Jr., Claude Maples, George T. Williams, Marjorie H. Price and H. L. Sproul, Sr.

Motion was made by Blair and seconded by Hartsook at approximately 10:30 A. M. to adjourn.

RESOLUTION AUTHORIZING THE ISSUANCE OF \$122,236.50 CAPITAL OUTLAY NOTES OF LOUDON COUNTY, TENNESSEE, PROVIDING THE DETAILS THEREOF AND AUTHORIZING THE SALE THEREOF.

WHEREAS, it has been determined by this Quarterly County Court that it is necessary and desirable in connection with the Tennessee Department of Transportation to pave and otherwise improve a connector road from Interstate 75 Interchange to Route 11.

WHEREAS, Tennessee counties are authorized by Section 5-1031 of the Tennessee Code Annotated to issue its notes, for a period not to exceed three years from the date of issuance of notes by the State Director of Local Finance; and

WHEREAS, it appears advantageous to Loudon County at this particular time to issue Capital Outlay Notes to pave a connector road from Interstate 75 Interchange to Route 11 rather than to issue bonds; and

WHEREAS, Loudon County has no funds available in its treasury for said purposes, but authority exists under the provisions of Sections 5-1031 to 5-1038 of the Tennessee Code Annotated, as amended, for the issuance and sale of notes to provide the necessary funds therefore;

NOW, THEREFORE, Be it Resolved by the Quarterly County Court of Loudon County, Tennessee, as follows:

Section 1. For the purpose of providing funds in the amount of \$122,236.50 for the purposes herein stated, and pursuant to authority granted by Section 5-1031 of the Tennessee Code Annotated, as amended, there shall be issued the negotiable coupon notes of said county in the principal amount of \$122,236.50. Said notes shall be designated "Capital Outlay Notes", shall be dated _____ or from the date the notes are executed, shall be in the denomination of \$40,745.50 each, and shall be numbered serially beginning with the number 1. Said notes shall bear interest from the date

Exp. Exhibit A

thereof until paid at a rate
per annum, to be determined at the time of sale thereof,
payable in one, two and three years respectively. Both
principal and interest on said notes shall be payable in
lawful money of the United States of America, at _____
_____.

Section 2. Said notes shall be signed by the
County Judge, countersigned by the County Court Clerk, and
sealed with the official seal of the County.

Section 3. Said notes shall be in substantially
the following form, the omissions to be appropriately com-
pleted when the notes are printed:

(FORM OF NOTE)

UNITED STATES OF AMERICA

STATE OF TENNESSEE

COUNTY OF LOUDON

CAPITAL OUTLAY NOTE

Number _____

KNOW ALL MEN BY THESE PRESENTS: That the County
of Loudon, in the State of Tennessee, hereby acknowledges
itself to owe, and for value received hereby promises to pay,
to bearer the sum of Forty Thousand Seven Hundred Forty-five
Dollars and fifty cents (\$40,745.50) on the first day of
_____, 19____, with interest at the rate of
_____ per cent (_____ %) per annum from the date
hereof until the principal amount shall have been fully paid,
such interest being payable annually. Both principal hereof
and interest hereon are payable in lawful money of the United
States of America at _____.

For the prompt payment of this note, both principal and
interest at maturity, and for the levy and collection of
sufficient taxes for that purpose, the full faith, credit
and resources of said County of Loudon are irrevocably pledged.

This note is one of an issue of notes of like date
aggregating \$122,236.50 issued under authority of, and in full

compliance with, the Constitution and Statutes of Tennessee, including Section 5-1031 of the Tennessee Code Annotated, as amended, and under authority of a resolution duly adopted by the Quarterly County Court of said county on September 9, 1974, for the purpose of providing funds for the purposes hereinabove stated. It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist and be performed, precedent to and in the issuance of this note in order to make this note a legal, valid and binding obligation of Loudon County, have been done, exist and be performed in regular and due time, form and manner as required by law, and that this note and the issue of which it is a part does not exceed any constitutional or statutory limitation.

Section 5-1039 provides that neither the principal nor the interest of Capital Outlay Notes issued pursuant to the provisions of Sections 5-1031 to 5-1039, inclusive, of the Tennessee Code Annotated, as amended, shall be taxed by the State of Tennessee or by any county or municipality therein.

IN WITNESS WHEREOF, the County of Loudon, by its Quarterly County Court, has caused this note to be signed by its County Judge, countersigned by its County Court Clerk and sealed with the official seal of the county, all as of the first day of _____, 19____.

COUNTY JUDGE

Countersigned:

COUNTY COURT CLERK

Section 4. For the purpose of providing funds with which to pay interest accruing on said notes and the principal thereof at maturity, there shall be levied upon all taxable property in said Loudon County, in addition to all other taxes, a direct annual tax for each of the years

while said notes, or any of them, are outstanding, in amounts sufficient for that purpose. Principal or interest coming due at any time when there shall be insufficient funds on hand to pay the same shall be promptly paid when due from the general fund or other available funds of said Loudon County, and reimbursement shall be made to such fund or funds in the amount of the sums thus advanced when taxes provided for that purpose shall have been collected.

Section 5. Said notes shall be sold by the County Judge for not less than par and accrued interest, if any, to date of delivery. The action of the County Judge in consummating such sale and fixing the interest rate shall be conclusive and no further action shall be necessary on the part of this Court.

Section 6. The proceeds of said notes shall be turned over to the County Trustee of Loudon County and shall be paid out for the purposes and distributed in the manner required by law and this resolution.

Section 7. All orders or resolutions in conflict herewith be and the same are hereby repealed insofar as such conflict exists, and this resolution shall become effective immediately upon its passage.

PASSED and approved this _____ day of _____, 19____.

COUNTY JUDGE

Attest:

COUNTY COURT CLERK

RELOCATION OF VOTING MACHINES

29-74

(In its regular monthly meeting held on Thursday, September 5, 1974, the Loudon County Board of Education authorized the relocation of four voting precincts in the new Loudon High School with the following conditions:)

- (1) No smoking allowed inside the cafeteria during elections.
- (2) Should damage result to school property because of storage or use of facilities as voting areas, this damage will be repaired by the County out of funds appropriated from the General Purpose Fund and at no cost to the school funds.
- (3) Should damage result to the machines due to a break-in at the school, the school system will not be held liable for this damage.
- (4) Any costs involved in cleaning up after an election will be paid by the Election Commission or the County and not taken from the School Budget Funds.

For the Board of Education:

A. Edward Headlee, Superintendent

Exhibit B

BUDGET AMENDMENTS FOR AGENDA

September 9, 1974

GENERAL FUND

Acct.No.

97	Unappropriated Surplus	\$ 1,735.02
81	Appropriations	\$1,735.02
	(303.1-01) Property Assessor's Salary (\$1,375.02)	
	(501-02) Salary for person keeping (360.00) books for sheriff (\$30.00 a month).	

This amendment is made due to the increase of salary of property assessor as of 9/1/74. (T.C.A.-Sec. 8-2403). The \$360.00 is an item that was left off the budget by error.

GENERAL PURPOSE SCHOOL FUND

41	Estimated Revenue	\$10,301.07
	(114) Local Funds - Title III	\$ 4,636.91
	() Title III Funds	5,664.16
81	Appropriations	10,301.07
	(3272.32) Title III Equipment	\$3,795.80
	(2243.1) Title III Teaching Supplies	6,505.27

To set up Title III Funds.

Transfer \$1,027.28 from Account 2230.1 (Teaching Supplies) to Account 3273.31 - \$599.13 and Account 2243.1 - \$428.10

41	Estimated Revenue	667.50
	(133.09) Lunchroom Equipment	
97	Unappropriated Surplus	222.50
81	Appropriations	890.00
	(3273.05) Lunchroom Equipment	

To set up budget for Lunchroom equipment.

FEDERAL REVENUE SHARING FUND

97	Unappropriated Surplus	11,840.69
81	Appropriations	11,840.69
	(3272.03) Remodeling of Buildings	

To reappropriate funds for rooms at Philadelphia School.

Exhibit C

30-74

RESOLUTION BY THE QUARTERLY COUNTY COURT
FOR LOUDON COUNTY, TENNESSEE, RATIFYING
OPERATING PROCEDURES ESTABLISHED BY THE
TELLICO AREA SERVICES SYSTEM

WHEREAS, the Tellico Area Services System has heretofore been established pursuant to an agreement under the authority of the Interlocal Cooperation Act and the Urban Type Public Facilities Act as between the Loudon County and Monroe County Board of Public Utilities, and the Loudon County and Monroe County Quarterly County Courts, for the purposes of providing a water system to serve certain designated areas in Loudon County and Monroe County, Tennessee, and;

WHEREAS, the Loudon County Board of Public Utilities needs the approval of the Quarterly County Court for Loudon County, Tennessee, to establish certain operating funds and to have approval of the actions heretofore taken by said Loudon County Board of Public Utilities.

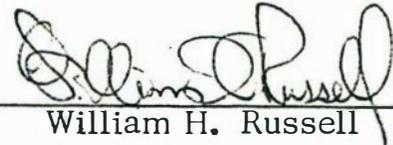
NOW THEREFORE, be it RESOLVED by the Quarterly County Court for Loudon County, Tennessee, that the operating procedures as heretofore set out by the Loudon County Board of Public Utilities be and the same are hereby ratified and approved by the Quarterly County Court for Loudon County, Tennessee; and,

Be it further RESOLVED that the Loudon County Board of Public Utilities be and is hereby permitted to establish an operating fund whereby certain necessary operating expenses as approved by the Board may be paid with said fund and procedures being subject to a periodic audit by an authorized representative of the Quarterly County Court of Loudon County, Tennessee, and

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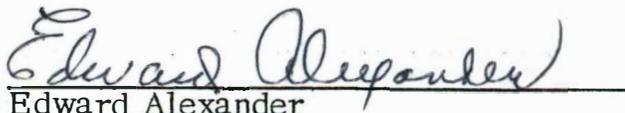
further subject to a periodic audit, revisions, and changes which may be initiated and requested by the office of the Comptroller of the State of Tennessee

This 9th day of September, 1974.



William H. Russell
County Judge

ATTEST:



Edward Alexander
County Court Clerk

(seal)