

QUARTERLY COURT MINUTES NOVEMBER 4, 1974

The regular meeting of the Loudon County Quarterly Court was held at 9:00 A.M., on November 4, 1974, in the Loudon County Courtroom. Mrs. Addie Ruth Clarke, Deputy Clerk, was present. Deputy Sheriff, Luke Bright, opened Court and led the Pledge of Allegiance. The Reverend Robert T. Edmonds, Pastor of the United Trinity Methodist Church of Lenoir City, Tennessee, conducted the invocation.

The following Squires were present:

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

Absent:

Boyd Duckworth

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The minutes of the October 7, 1974, regular session were read and it was moved by Squire Hudson and seconded by Squire Blair and unanimously approved on a roll-call vote that the Quarterly Court minutes for the October 7, 1974, meeting be approved as written.

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1. Judge Russell recognized the visitors who were in the audience. Mrs. JoAnn Day from the Waller Ferry Road area was present along with other residents from the area who presented to the Court a petition including ninety-five (95) names requesting that some immediate action be taken with respect to the repair of Waller Ferry Road. It was suggested that a copy of the petition be presented to each member of the Court along with a copy to the Road Commissioner.

Reverend Davis of the IMCO Sign Company of Loudon, Tennessee, asked the Court for some relief in zoning matters with respect to certain properties along I-75 in Loudon County. After considerable discussion it was moved by Squire Blair and seconded by Squire Hartsook that the matter be referred to the Planning Commission for additional study. Upon request of Reverend Davis, Judge Russell agreed to write a letter to the Planning Commission advising them of the Court's action.

Dexter Pierce of the Second Civil District requested that he be given some consideration in connection with certain alley-ways which join

MINUTES OF  
OCTOBER 7, 1974,  
APPROVED

REQUEST FOR  
IMMEDIATE ACTION  
TO REPAIR  
WALLER FERRY ROAD

RE-ZONING REQUEST,  
REVEREND DAVIS,  
REFERRED TO  
PLANNING COMMISSION  
FOR APPROVAL

DEXTER PIERCE REQUEST  
FOR ROAD RELIEF

his property as well as some of his neighbors. Lee Malone was present in the Courtroom and upon motion of Squire Hartsook and seconded by SQuire Williams the Judge was to make proper investigation into the deeds concerning the property and advise with Road Commissioner, Lee Malone, in an attempt to help Mr. Pierce out.

Upon motion of Squire Foster and seconded by Squire Conner the Judge was directed to draft and forward to the appropriate officials a commemorative type resolution indicating the tremendous success the Loudon County High School in Loudon has had with respect to a winning football season and wishing them well with their tournament. The resolution being attached to the minutes as No. 31-74 Exhibit H.

2. Judge Russell reported that he had been sued by the Sheriff and the Clerk of the Circuit and Criminal Courts in connection with their required law suits. He reported that the Sheriff's law suit had been heard and that the Criminal Judge had awarded the Sheriff the required deputies and established their pay according to the amounts the Court previously budgeted for them. The one exception with this was that the Criminal Judge awarded Cheif Deputy, Luke Bright, an additional One Hundred Dollars (\$100.00) per month in that the Criminal Judge stated that this was practice in all surrounding counties. Judge Russell reported that he had hired John Gibson, a local attorney, to represent him in the Clerk's law suit and that the matter was at issue and would be heard at mutually convenient time between the Clerk and the Judge.

3. Judge Russell introduced Mrs. Ann Bright of the Luttrell area who was to be a co-chairwoman of the Citizens Committee Advisory Group. He also introduced Mr. Charles T. Eblen who was the other co-chairman of the group. Judge Russell indicated that he was delighted to have the cooperation and support of the county's objectives and the support of these two very fine citizens.

4. Civil Defense Director, Ted Randolph, gave a comprehensive report on the activities of the Energy Committee. He indicated that certain plans and suggestions for County offices were being considered in an effort to conserve energy. He indicated that the present status of energy situation was extremely serious and that the County should set certain examples for the rest of the citizens in conserving energy. Judge Russell commented that he was delighted that Mr. Randolph had consented to continue his term of office until the first of the year even though he had indicated his desire to resign earlier. Judge Russell indicated that Mr. Randolph had done an unselfish and tireless

COMMEMORATIVE RESOLUTION  
IN RE:  
LOUDON COUNTY HIGH SCHOOL

LAWSUITS OF THE SHERIFF  
& CLERK OF CIRCUIT &  
CRIMINAL COURTS, FILED

CHAIRMAN & CO-CHAIRWOMAN  
OF THE CITIZENS COMMITTEE  
ADVISORY GROUP

REPORT ON THE  
ACTIVITIES OF THE  
ENERGY COMMITTEE

COUNTY COURT TO MEET  
ONLY IN DAYTIME

ENERGY COMMITTEE  
TO DRAFT A PLAN  
TO BE USED IN CONNECTION  
WITH COUNTY OFFICES &  
PERSONNEL

JOHNSON ROAD IN  
SECOND CIVIL DISTRICT  
SENT BACK TO  
PLANNING COMMISSION

RE-ZONING OF  
LARRY FOSHEE PROPERTY  
APPROVED

FINANCING OF  
LOUDON COUNTY SHARE  
OF PHILADELPHIA &  
SUGAR LIMB ROAD PROJECTS

job for the County and should be commended.

After discussion of the energy situation it was moved by Squire Blair and seconded by Squire Hartsook that the Court meet only during the daytime only until the energy situation abated. After due discussion and called to question the matter was passed with one (1) dissenting vote from Squire Foster who indicated that the matter ought not to have been brought up in the absence of Squire Duckworth. After further discussion of the energy situation a motion made by Squire Hamilton and seconded by Squire Williams it was unanimously passed that the Energy Committee have the authority and support of the Court to proceed with the formulation of an energy plan to be used in connection with County offices and personnel.

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1. Steve Campbell, State Planning Office, gave the report from the Planning Commission a copy of which is attached hereto as Exhibit B, and made a part of this record as if fully set out hereon. Upon motion of Squire Blair and seconded by Squire Bledsoe the entire report with this recommendation was adopted. Mr. Glenn Johnson of the Second Civil District asked the Court to have an additional stretch of a road which lies adjacent to or in the Johnson Sub-division approved by the Court as a County road. It was pointed out that this portion of strip of the road had not been contemplated as part of the present agenda and as such he was advised that he ought to go back to the Planning Commission for a recommendation. Mr. Johnson indicated that he was desirous of doing this and without objection from the Court, Judge Russell asked Mr. Johnson to do so.

2. Public hearing on re-zoning of Larry Foshee property. The Court declared itself as a body constituted for a public hearing for the purpose of re-zoning and upon motion made by Squire Conner and seconded by Squire Williams the re-zoning request of Mr. Larry Foshee was unanimously approved.

3. Judge Russell reported that the time had come to make final arrangements for the financing of the Loudon County share of the Philadelphia and Sugar Limb Road projects. He presented to the Court a letter he had received from the Department of Transportation indicating the amounts which were required to be deposited in connection with these projects.

Mr. Tommy Ayers of Cumberland Securities who had been the Court's advisor in the past on these matters appeared and presented certain documents necessary for the authorization of the bond resolution. Upon motion of Squire Bledsoe seconded by Squire Blair, the followin roll-call vote resulted: Those in favor: Blair, Conner, Hamilton, Hudson, Bledsoe, Foster, Hartsook and Williams. Those opposed: None. which resulted in approval of the

*Resolution  
Authorizing  
Bond Issue  
attached.  
pp 355A-C*

notes and bonds for financing these projects. These being Resolution No. 52-7y attached as Exhibit No. C.

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1. Judge Russell indicated that signal crossing lights for the railroad tract at Philadelphia Connector were being installed.

2. He further reported that the Tennessee Department of Transportation was unable at this time to lower the level of the bank in front of the Justice Center in that to do so would prevent traffic from flowing easily on Highway 11. The Highway Department stated that they did not wish to do this until the Interstate was open so as not to unduly congest North and South traffic.

3. Squire Hamilton presented for the Court's consideration a proposal that the County provide and make provision for obtainment of professional engineering services in the design of Muddy Creek Road. He explained that if the County would go ahead and do this it would be much faster than waiting for the State to do so and that State money would be provided for the road. Upon motion of Squire Conner and seconded by Squire Williams the request was unanimously approved for a Three Thousand Dollar (\$3,000.00) expenditure in connection with the engineering services.

Squire Hamilton gave a report on the progress the State of Tennessee had been making in connection with the Luttrell Road situation. He reported that certain stretches of road in the Luttrell and Stockton Valley area were now slated for pavement in other areas going on over to the Interstate were in the planning stages.

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Superintendent Headlee reported to the Court on his proposed building plans for the coming fiscal year. His plans included a remodeling and extension of the present Loudon Jr. High School which included a new gym, four new class rooms and the addition of air-conditioning. The total price in connection with the Loudon Jr. High School was Nine Hundred Thousand Dollars (\$900,000.00) approximately. His next project for this year was complete remapping of the Greenback School to include a new auditorium, cafeteria and several other class rooms. Mr. Headlee advised the Court that it was his desire to give the Court complete details as to any building projects as far in advance as possible so as to include these in their budget process,

Mr. Headlee discussed with the Court the possibilities of consolidation and the building

QUINTUS MILLS PROPERTY  
SITE VOTED FOR  
VOCATIONAL SCHOOL

of one county unified high school which would serve all the counties needs.

Squire Foster presented to the Court certain documents and information in connection with vocational rehabilitation site and indicated that there were now at least five (5) sites which had been considered. He reported that he along with other members of the Budget Committee and Site Selection Committee had visited the Quintus Mills property adjacent to the Lenoir City High School and that the Department of Education had approved this site also. SQuire Foster indicated that from the best information he had available at the time that the Mills property was the one which could be purchased at the lowest price without condemning any land.

After full and complete discussion of the matter Squire Hamilton moved and Squire Hudson seconded a motion which would authorize the purchase of the Mills property with the specific provision that written approval of the site would be obtained from the state before said purchase was made.

It was unanimously passed on a roll-call vote.

All of the documents presented by Squire Foster in connection with the site location and approval are attached hereto as Exhibit A.

Without objection from the Court, Judge Russell recognized Miss Jesse Ridenour, Director of Public Welfare, Loudon County, to request the Court that she be allowed to alter her expenditure of certain funds in connection with nursing home funds. It was pointed out that the item was not on the agenda but the Court gave its approval of the concept and agreed to have it on the agenda for next term to ratify this action. Upon motion of Squire Foster and seconded of Squire Conner this ascermentation of approval was given and unanimously passed.

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Squire Hartsook reported on the Law Enforcement Planning Agency. He noted that the last meeting was held on November 2, 1974, at the Red Carpet Inn in Lenoir City with all members of the Board present including Judge Russell who served with the capacity as advisor. He reported that the Agency had considered several communication problems and had been looking at a closed circuit TV system for the new Justice Center.

Judge Russell reported that he had been directed by the Loudon County Law Enforcement Agency to pursue two items with the State Department. The first item was clarification of the communication bid and to ascertain whether or not our planning grant was to be extended for

HOSPITAL REPORT

an additional year in connection with the payment of certain communication and record personnel.

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AMBULANCE REPORT

Squire Conner gave a report on the hospital and ambulance service. He reported that the ambulance expense had been Eight Thousand One Hundred Eighty-two Dollars and forty-four cents (\$8,182.44) for the month they had received Two thousand Fifty-nine Dollars and twenty-eight cents (\$2,059.28) they had received ninety-nine (99) calls which included six (6) no-pick-ups, and had a sixty-three (63%) percent collection rate.

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APPROVAL OF BUDGET AMENDMENTS

Motion made by Squire Blair and seconded by Squire Hartsook and approved that the budget amendments were adopted and attached hereto as Exhibit E.

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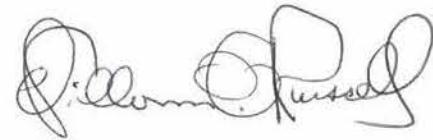
ELECTION OF NOTARY PUBLICS

The following Notary Publics were elected upon motion of Squire Blair and seconded by Squire Hudson: R. P. Hamilton, Sue F. Hartsook, Bobbie D. Hamby and Charles R. Barksdale.

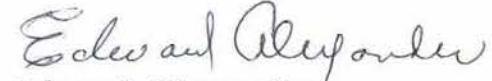
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MOTION TO ADJOURN

It was moved by Squire Blair and seconded by Squire Hartsook that the meeting be adjourned, which motion was unanimously approved.



William H. Russell  
COUNTY JUDGE

  
Edward Alexander  
COUNTY COURT CLERK

*ATTACHMENT*

LOUDON, TENNESSEE

BE IT REMEMBERED that the Quarterly County Court of Loudon County, Tennessee, met in regular session at the Courthouse in Loudon, Tennessee, on the 4th day of November, 1974 at 9:00am.

There was present and presiding the Honorable William H. Russell, County Judge, also present Edward Alexander, County Court Clerk, and the following Justices of the Peace, to-wit:

J.J. Blair	James M. Hartsook
Roy Bledsoe	J.G. Hudson
I.D. Conner	Curtis A. Williams
Henry Foster	
Reece Paul Hamilton	

Absent:

Boyd Duckworth

A quorum being present Court was opened in due form of law, and the following proceedings were had, to-wit:

\* \* \* \* \*

An Initial Resolution authorizing \$600,000 Road Bonds was presented and read in full. The resolution is as follows:

INITIAL RESOLUTION  
AUTHORIZING THE  
ISSUANCE OF \$600,000  
ROAD BONDS OF LOUDON,  
COUNTY, TENNESSEE.

WHEREAS, the Quarterly County Court of the several counties of the State of Tennessee are authorized under the provisions of Sections 5-1101 to 5-1125, inclusive, of the Tennessee Code Annotated, as amended, to issue bonds to provide funds for constructing roads, including all property, real and personal, appurtenant thereto or connected with such project, and

WHEREAS, it is necessary and advisable for the County to pay the cost of constructing certain connecting roads to interchanges in and for said County, including all property, real and personal, appurtenant thereto or connected with such project, and

WHEREAS, said roads are to be operated and maintained for the benefit of all of the citizens of Loudon County, Tennessee;

NOW, THEREFORE, BE IT RESOLVED BY THE QUARTERLY COUNTY COURT OF LOUDON COUNTY, TENNESSEE, AS FOLLOWS:

Section 1. That, for the purpose of providing funds to pay the cost of constructing certain connecting roads to interchanges in and for said County, including all property, real and personal, appurtenant thereto or connected with such project, there shall be borrowed for and on behalf of said County a sum not to exceed \$600,000 and that negotiable bonds of said County for said amount be issued under the authority of existing law.

Section 2. That said bonds shall bear interest at a rate or rates to be determined upon a public sale thereof not to exceed seven and one-half (7½) percent per annum, and said bonds and interest shall be paid from ad valorem taxes levied upon all of the taxable property within said County without limitation as to rate or amount.

Passed and approved on this November 4, 1974.

/S/ WILLIAM H. RUSSELL  
County Judge

Countersigned:

/S/ EDWARD ALEXANDER  
County Court Clerk

WHEREUPON, it was moved by Justice Roy Bledsoe and seconded by Justice J.J. Blair that the foregoing Bond Resolution be adopted. A roll call vote was taken and the following Justices voted in favor of the adoption of said resolution:

J.J. Blair	Roy Bledsoe
I.D. Conner	Henry Foster
Reece Paul Hamilton	James M. Hartsook
J.G. Hudson	Curtis A. Williams

Those opposed:

NONE

IT WAS THEREUPON DECREED BY THE COUNTY JUDGE that said Initial Resolution has been duly adopted and said County Court Clerk was ordered to spread the same of record on the Minutes of the Court, and said resolution was ordered published in a newspaper published within Loudon County and of general circulation therein, with the following Notice attached thereto.

N O T I C E

The foregoing resolution has been adopted by the Quarterly County Court of Loudon County, Tennessee. Unless within ten (10) days from the date of the publication hereof a petition signed by at least ten percent (10%) of the registered voters of Loudon County shall have been filed with the County Court Clerk protesting the issuance of the bonds, such bonds will be issued as proposed.

/S/ EDWARD ALEXANDER  
County Court Clerk

Upon motion duly made, seconded and unanimously carried the Court adjourned.

/S/ WILLIAM H. RUSSELL  
County Judge

Countersigned:

/S/ EDWARD ALEXANDER  
County Court Clerk

STATE OF TENNESSEE)  
COUNTY OF LOUDON )

I, EDWARD ALEXANDER, hereby certify that I am the duly qualified and acting County Court Clerk of Loudon County, Tennessee, and as such official I further certify that attached hereto is a copy of excerpts from the minutes of the regular meeting of the Quarterly County Court of said County held on November 4, 1974; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to \$600,000 Road Bonds of said County.

RESOLUTION NO. 31-74

WHEREAS, the 1974 Loudon County High School Football Team has exhibited those fine and outstanding qualities which have made them a winning football team this season, and

WHEREAS, the coaches, principal, teachers and assistants have provided quality leadership to the said members of the 1974 Loudon County High School Football Team, and

WHEREAS, the County of Loudon and all its people are justly proud of the outstanding accomplishments of the 1974 Loudon County High School Football Team;

BE IT REMEMBERED AND RESOLVED that on this the 4th day of November, 1974, the Loudon County Quarterly Court met in regular session, recognized the outstanding accomplishments and achievements of the 1974 Loudon County High School Football Team and hereby resolves that all members of the said football team together with their coaches, assistants, teachers, principal and supervisors should be acclaimed and congratulated on the outstanding performances as a team and further that all members of this Court wish each and every team member success and further that a copy of this Resolution be presented to each team member and coach certified by the County Judge and County Court Clerk of the Court of the County of Loudon this the 4th day of November, 1974.

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COUNTY JUDGE

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COUNTY COURT CLERK

*E. Elliott R.*

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TENNESSEE STATE PLANNING OFFICE  
EAST TENNESSEE SECTION  
MEMORANDUM

TO: Judge William H. Russell and Members of the Loudon County Quarterly Court  
FROM: Steve Campbell, Loudon County Staff Planner  
DATE: November 4, 1974  
SUBJECT: RECOMMENDATIONS OF THE LOUDON COUNTY REGIONAL PLANNING COMMISSION RELATIVE TO REZONING REQUESTS AND ROAD ACCEPTANCE REQUESTS

The Loudon County Regional Planning Commission met in regular session on October 17, 1974 and acted on the above items.

At the request of the Tennessee Department of Transportation, the planning commission considered the rezoning of parcel 194-3, Tax Map 17 from R-1 to M-1 for the purpose of constructing a state garage. Staff recommended that the planning commission notify the Department of Transportation of their desire to see the state garage moved from its present location on U. S. Highway 11, but that the specific lot not be rezoned. It is felt that the state has the authority to relocate the state garage to the above-mentioned site without rezoning the property. The planning commission voted unanimously to so inform the Department of Transportation.

The planning commission also considered the request for acceptance of a road in the Glen Johnson Subdivision. After considerable discussion the planning commission voted to recommend public acceptance of the portion of the road which extends for a distance of approximately 205 feet off of Glen Drive. The right-of-way for this road is only 30 feet, however, since the subdivision plat is one of record and since it would be impossible to obtain 50 feet of right-of-way due to the density of development in the area, the planning commission feels that acceptance of the road is warranted. This recommendation specifically excludes the proposed roadway which extends at a 90 degree angle off of the road to be considered for acceptance.

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Judge William H. Russell  
and Members of the Loudon  
County Quarterly Court  
Page 2  
November 4, 1974

In addition the planning commission voted to pass a statement of intent to recommend acceptance of a road being built in connection with the TASS water system. The road (not yet constructed) will be approximately 2300 feet in length and will be located off of Niles Ferry Road in the area behind Greenback Industries. Action taken by the planning commission is contingent upon the following factors: (1) cost for construction of the road to be paid for by TASS, (2) the road will have a 50 foot right-of-way, and (3) design and construction of the road will proceed under the advice of the county road engineer.

In other action the planning commission voted to recommend the rezoning of a portion of parcel 36, Tax Map 43, and owned by Mr. Sam Branum, from A-2, Rural Residential to C-2, General Commercial. Verbal agreements between Mr. Branum and the planning commission have been made regarding access to the property which will help to maintain the traffic-carrying capacity of SR 72 upon which the property is located. A public hearing on this request has been called for the December meeting of the county court.

The final recommendation from the Loudon County Regional Planning Commission concerns the naming of a road in the Dixie-Lee Junction area. The planning commission voted to recommend that the road be named Twin Oaks in accordance with the desires of the adjacent property owners. This action, however, should not in any way be construed to imply acceptance of the road as a public road.

The following additional items were considered at the October meeting of the planning commission:

- (1) Deferred action on a rezoning request for parcels 16-1 and 16-3, Tax Map 52, due to absence of petitioners.
- (2) Denied approval of rezoning requests for parcel 80, Tax Map 12 and a 200 foot wide strip along I-75; both requests being made for the purpose of erecting billboards on the affected properties.

Judge William H. Russell  
and Members of the Loudon  
County Quarterly Court  
Page 3  
November 4, 1974

- (3) Referred to staff for additional study, a petition to rezone parcel 26, Tax Map 8, from R-1 to C-2, owned by Mr. C. B. Pickel.
- (4) Deferred action on a rezoning request for parcel 49, Tax Map 53, due to absence of petitioners.
- (5) Gave preliminary plat approval to the Engert and Pershing Subdivision located adjacent to SR 72 and Watts Bar Lake, such approval being subject to changes in the plat.
- (6) Heard brief reports on the following: Draft Environmental Impact Statement for proposed improvements to SR 95 in Blount and Loudon County; recent TAPC meeting, goals committee proposals, and a proposed amendment to the Loudon County Zoning Resolution.

SC:adr

WITNESS my official signature and the seal of my  
office this 1<sup>st</sup> day of August, 1975.

Edward Alexander  
COUNTY COURT CLERK

( S E A L )

INITIAL RESOLUTION AUTHORIZING  
THE ISSUANCE OF \$600,000 ROAD  
BONDS OF LOUDON COUNTY, TENNESSEE.

32-74

WHEREAS, the Quarterly County Court of the several counties of the State of Tennessee are authorized under the provisions of Sections 5-1101 to 5-1125, inclusive, of the Tennessee Code Annotated, as amended, to issue bonds to provide funds for constructing roads, including all property, real and personal, appurtenant thereto or connected with such project, and

WHEREAS, it is necessary and advisable for the County to pay the cost of constructing certain connecting roads to interchanges in and for said County, including all property, real and personal, appurtenant thereto or connected with such project, and

WHEREAS, said roads are to be operated and maintained for the benefit of all of the citizens of Loudon County, Tennessee;

NOW, THEREFORE, BE IT RESOLVED BY THE QUARTERLY COUNTY COURT OF LOUDON COUNTY, TENNESSEE, AS FOLLOWS:

Section 1. That, for the purpose of providing funds to pay the cost of constructing certain connecting roads to interchanges in and for said County, including all property, real and personal, appurtenant thereto or connected with such project, there shall be borrowed for and on behalf of said County a sum not to exceed \$600,000 and that negotiable bonds of said County for said amount be issued under the authority of existing law.

Section 2. That said bonds shall bear interest at a rate or rates to be determined upon a public sale thereof not to exceed seven and one-half (7½) percent per annum, and said bonds and interest shall be paid from ad valorem taxes levied upon all of the taxable property within said County without limitation as to rate or amount.

Passed and approved on this November 4, 1974.

Countersigned:

/S/ WILLIAM H. RUSSELL  
County Judge

/S/ EDWARD ALEXANDER  
County Court Clerk

N O T I C E

The foregoing resolution has been adopted by the  
Quarterly County Court of Loudon County, Tennessee.

Unless within ten (10) days from the date of the

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Continued  
Page 2

publication hereof a petition signed by at least ten percent (10%) of the registered voters of Loudon County shall have been filed with the County Court Clerk protesting the issuance of the bonds, such bonds will be issued as proposed.

/S/ EDWARD ALEXANDER  
County Court Clerk

LOUDON, TENNESSEE

BE IT REMEMBERED that the Quarterly County Court of Loudon County, Tennessee, met in regular session at the Courthouse in Loudon, Tennessee, on the 4th day of November, 1974 at 9:00am.

There was present and presiding the Honorable William H. Russell, County Judge, also present Edward Alexander, County Court Clerk, and the following Justices of the Peace, to-wit:

J.J. Blair  
Roy Bledsoe  
I.D. Conner  
Henry Foster  
Reece Paul Hamilton  
James M. Hartsook  
J.G. Hudson  
Curtis A. Williams

Absent:

Boyd Duckworth

A quorum being present Court was opened in due form of law and the following proceedings were had, to-wit:

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A resolution authorizing \$600,000 Bond Anticipation Road Notes was presented and read in full. The resolution is as follows:

RESOLUTION by the Quarterly County Court of Loudon County, Tennessee, authorizing the issuance of \$600,000 Bond Anticipation Road Notes of Loudon County, Tennessee, providing for the payment of principal thereof and interest thereon and providing for the sale thereof.

WHEREAS this Quarterly County Court has heretofore on November 4, 1974, adopted an Initial Resolution pursuant to Sections 5-1101 to 5-1125, inclusive, of Tennessee Code Annotated, authorizing the issuance of \$600,000 Road Bonds of said County for the purpose of paying the cost of constructing certain connecting roads to interchanges in and for said County, including all property, real and personal, appurtenant thereto or connected with such project; and

WHEREAS it is necessary to obtain funds immediately in the amount of \$600,000 for the purposes expressed in said resolution; and

WHEREAS existing market conditions are deemed unsatisfactory for the issuance of bonds at this time; and

WHEREAS by Section 5-1032 of Tennessee Code Annotated counties are authorized, after approval by the State Director of Local Finance, to issue and sell interest bearing bond anticipation notes for all county purposes for which general obligation bonds can be legally authorized and issued; and

WHEREAS it is now necessary to issue such notes in the amount of \$600,000;

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

Section 1. For the purpose of providing funds to pay the cost of constructing certain connecting roads to interchanges in and for said County including all property, real and personal, appurtenant thereto or connected with such project, and in anticipation of the proceeds of a like principal amount of Road Bonds authorized by a resolution heretofore adopted by the Quarterly County Court of Loudon County on November 4, 1974, and referred to in the preamble hereto, there shall be issued the bond anticipation road notes of said County in the principal amount of \$600,000. Said notes shall be dated as of the date of the issuance thereof, shall mature not later than two years thereafter, shall be of such denominations as may be agreed upon by the County Judge and the purchasers of the notes, shall be numbered serially beginning with the number 1, and shall bear interest at a rate or rates not exceeding seven and one-half (7½) percent per annum, payable at the maturity of said notes.

Section 2. Said notes shall be designated "Bond Anticipation Road Notes, Series 1974 A" and shall be payable both principal and interest in lawful money of the United States of America at the office of the County Trustee of Loudon County in the Courthouse at Loudon, Tennessee.

Section 3. Said notes shall be subject to prepayment prior to maturity at the option of the County, in whole or in part, and at any time at the principal amount thereof and accrued interest to

to the date of prepayment. Thirty days notice of intended prepayment shall be given by publication of an appropriate notice one time in a newspaper published in the County of Loudon but the holder of any note intended for prepayment may waive such notice.

Section 4. Said notes shall be signed by the County Judge and countersigned by the County Court Clerk and sealed with the official seal of the County.

Section 5. Said notes shall be in substantially the following form:

(FORM OF NOTE)

UNITED STATES OF AMERICA

STATE OF TENNESSEE

COUNTY OF LOUDON

ROAD NOTES

SERIES 1974 A

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 \_\_\_\_\_

\_\_\_\_\_ Dollars (\$ \_\_\_\_\_) on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, with interest at the rate of \_\_\_\_\_ percent (\_\_\_\_%) per annum from the date hereof until the principal amount shall have been fully paid, such interest being payable upon the maturity of this note. Both principal hereof and interest hereon are payable in lawful money of the United States of America at the office of the County Trustee of Loudon County in the Courthouse at Loudon, Tennessee. 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 hereby irrevocably pledged.

This note is subject to prepayment at any time at the option of Loudon County, in whole or in part, at the principal amount hereof and accrued interest to the date of prepayment. Thirty days notice of intended prepayment shall be given by publication of an appropriate notice one time in a newspaper published in

Loudon County unless the holder of this note shall have waived such notice. Any such prepayment shall be applied first upon the accrued interest and then next applied upon the unpaid principal hereof. The County may require presentation of this note for endorsement of the prepayment in the case the prepayment is in part and for surrender in case the prepayment is in full.

This note is one of an issue of notes of like date aggregating \$600,000 issued under authority of and in full compliance with the Constitution and Statutes of Tennessee, including Sections 5-1031 to 5-1039, inclusive, of Tennessee Code Annotated, under authority of a resolution duly adopted by the Quarterly County Court of said County on November 4, 1974, for the purpose of anticipating the proceeds of Road Bonds to be issued by Loudon County under authority of Sections 5-1101 to 5-1125, inclusive, of Tennessee Code Annotated, in the principal amount of not less than \$600,000. 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 have been 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 bond anticipation notes issued pursuant to the provisions of Section 5-1031 to 5-1039, inclusive, of Tennessee Code Annotated 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 \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

/S/ WILLIAM H. RUSSELL  
COUNTY JUDGE

Countersigned:

/S/ EDWARD ALEXANDER  
COUNTY COURT CLERK

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Section 6. 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. Provided, however, that when the bonds described in the preamble hereto shall have been issued the principal proceeds of such bonds in an amount not exceeding the principal amount of notes issued hereunder and then outstanding shall be applied to the retirement of the principal amount of such notes.

Section 7. Said notes shall be sold by the County Judge in whole or in part from time to time at not less than par and accrued interest and said notes shall thereupon be delivered to the purchasers by the County Trustee upon payment therefor. The action of the County Judge in selling said notes and fixing the interest rate or rates on the notes in accordance with the bid or bids accepted but not exceeding seven and one-half percent ( $7\frac{1}{2}\%$ ) per annum, and fixing the denomination and maturity dates of such notes shall be binding on Loudon County and this Quarterly County Court and no further action by this Court shall be necessary in reference thereto.

Section 8. 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 in the manner required by law and this resolution.

Section 9. 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 4th day of November, 1974.

/S/ WILLIAM H. RUSSELL  
COUNTY JUDGE

Attest:

/S/ EDWARD ALEXANDER  
COUNTY COURT CLERK

WHEREUPON, it was moved by Justice J.J. Blair and seconded by Justice Reece Paul Hamilton that the foregoing Note Resolution be adopted. A roll call vote was taken and the following Justices voted in favor of the adoption of said resolution:

J.J. Blair  
Roy Bledsoe  
I.D. Conner  
Henry Foster  
Reece Paul Hamilton  
James M. Hartsook  
J.G. Hudson  
Curtis A. Williams

Those opposed:

NONE

IT WAS THEREUPON DECREED BY THE COUNTY JUDGE that said resolution has been duly adopted and said County Court Clerk was ordered to spread same of record on the minutes of the Court.

\* \* \* \* \*

Upon motion duly made, seconded and unanimously carried the Court adjourned.

/S/ WILLIAM H. RUSSELL  
COUNTY JUDGE

Countersigned:

/S/ EDWARD ALEXANDER  
COUNTY COURT CLERK

STATE OF TENNESSEE)  
)  
COUNTY OF LOUDON )

I, EDWARD ALEXANDER, hereby certify that I am the duly qualified and acting County Court Clerk of Loudon County, Tennessee, and as

such official I further certify that attached hereto is a copy of excerpts from the minutes of the regular meeting of the Quarterly County Court of said County held on November 4, 1974; that I have compared said copy with the original minute record of said meeting in my official custody; and that said copy is a true, correct and complete transcript from said original minute record insofar as said original record relates to \$600,000 Bond Anticipation Road Notes, Series 1974 A, of said County.

WITNESS my official signature and the seal of my office this

7 day of November, 1974.

Edward Alexander  
COUNTY COURT CLERK

( S E A L )

Budget Amendments for Agenda Nov. 4, 1974

GENERAL FUND

Acct. No.		Dr.	Cr.
41	Estimated Revenue (141.08) State Dental Funds	\$ 455.00	
81	Appropriations 805-08 (Expenditure of State Dental Program)		\$ 455.00
41	Estimated Revenue (1338) Manpower Program	\$3,675.00	
81	Appropriations (1127-14) Manpower Program		\$3,675.00

This amendment is to set funds from E.T.P.D. for 5 mos. salary and fringe benefits for maintenance man for County.

Transfer \$75.00 from Acct. 303.1-09 (Office Supplies) to Acct. 303.1-46 (Property Assessor-Equipment)

This transfer is requested by the Property Assessor - Emmett Carter.

Transfer \$241.80 from Account 701-09 (Reg.of Deeds -Office Supplies) to Acct. 701-46 (Equipment - Reg.of Deeds).

This transfer is requested by the Register of Deeds - Ralph Wear.

GENERAL PURPOSE SCHOOL

Transfer \$55.00 from Acct. 2130.9 (other supplies) to Acct. 3273.2 (Equipment for Administration).

97	Unappropriated Surplus	\$11,662.00
81	Appropriations	\$11,662.00
	Acct. (2620.9) Other Contractual Services	\$ 1,662.00
	(2120.9) LTVEC Administration	4,410.00
	(2210.9) Contracted Services for Daniel Arthur U.T.Hearing & Speech King's Daughter's & Hospt.Serv.	5,590.00

This amendment was approved by the Lyndon County Board of Education. \$1,662.00 for termite control at Philadelphia School and \$10,000.00 for Local Matching funds for the \$39 Handicapped Program.

*Ey Helut E*