

BE IT REMEMBERED that the Quarterly County Court of Loudon County met on November 1, 1971, at 9:00 A. M. with the Honorable Harvey L. Sproul, County Judge of said County presiding, and with Mr. Edward Alexander, Clerk of said Court present; Whereupon Sheriff Russell opened Court and led the Pledge of Allegiance.

Squires present were:

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

There being no objection from the members of the Court, the Chair declared that the first order of business would be to hear the report of the Ambulance Service Study Committee, and to take any necessary action thereon, several members of the Study Committee being present for the giving of the report, and Glenn Click, Harvey Hawkins, and Cecil Karnes being present representing the Funeral Directors of Loudon County. Mr. Gene Rector, a member of the Committee, gave the report of the Committee on behalf of Chairman Clarence Wall, who had to be out of town, the report being attached to these minutes as Exhibit A. Mr. Rector conveyed the feeling of the Committee that it should be discharged, it having worked hard in making its investigation, drawing its report and making a recommendation. After considerable discussion, it was moved by Squire Foster, seconded by Squire Hamilton, and unanimously approved that the County Judge appoint a new Committee to be drawn from the members of the Quarterly Court to meet and consider the report of the Study Committee, to make whatever initial contact it felt it needed to make with the Funeral Directors concerning the recommendation of the Study Committee, and to make a recommendation to the next meeting of the Quarterly Court.

Judge Sproul, later in the meeting, appointed the following Magistrates as members of the new Ambulance Committee:

Squire Conner (Chairman of the Hospital Board)
Squire Hamilton
Squire Bledsoe
Squire Foster
Squire Lefler
Judge Sproul

The question was raised as to the previous declaration by the Funeral Directors stating their intentions of ceasing ambulance operations in Loudon County, but that by informal agreement they had continued to provide service while the Study Committee was doing its investigation, and that there had been more or less an informal understanding that the County would attempt to have some solution at least by January 1, 1972. Judge Sproul indicated that based on his observation as a member of the Study Committee that the postponing of additional action until the December meeting of Quarterly Court would render it virtually impossible to provide adequate ambulance service by trained personnel by January 1, 1972. However, no further action was taken by the Quarterly Court.

The minutes of the October meeting of the Quarterly Court were read by the Clerk, and upon motion by Squire Blair, seconded by Squire Foster, were unanimously approved.

During the County Judge's report, and after discussion concerning the annual County Services Association meeting, a report was made concerning the Tennessee Magistrates Association meeting which was held in Nashville at the UT Center, following the County Services Association meeting, four Magistrates from Loudon County having attended the meeting, whereupon it was moved by Squire Conner, seconded by Squire Hartsook, and unanimously approved on a roll-call vote that the members of the Loudon County Quarterly Court be authorized to apply for membership in the Magistrates Association of Tennessee, with the membership dues in the Association to be paid from the Quarterly Court expense budget.

Judge Sproul reported that while in Nashville he and Bill Russell, Assistant to the Governor, had had a good conference with Mark Luttrell, Commissioner of Corrections, concerning the Regional Correctional Center Program, and it was felt that Loudon County was continuing to be favorably considered as a pilot program County for one of 10 correctional centers which were proposed to be built by the State of Tennessee.

Judge Sproul announced the appointments to the Hospital-Physician Co-ordinating Committee, authorized at the last meeting of Quarterly Court, the Committee to serve for the purpose of co-ordinating in the contacting and the obtaining of new physicians for Loudon County, and in helping to make a recommendation and decision concerning the Charles H. Bacon Wing of the Loudon County Memorial Hospital, as follows:

Squire James Hartsook, Chairman
M. C. Anderson
Squire I. D. Conner
Ray Birkholtz
County Judge
Calvin Atchley

Whereupon, it was moved by Squire Hartsook, seconded by Squire Blair, that Tom Henry who is a professional insurance representative who in the course of his business meets many doctors, be added to the Committee. The motion passed unanimously.

Judge Sproul reviewed the fact that a lawsuit had been filed against the County Judge and the Magistrates by Road Commissioner Joe Greenway concerning the action of a majority of the Quarterly Court in revising the distribution of the County 2¢ gasoline tax among the three road departments of Loudon County, that an injunction was involved, and that it was the intention of the County Judge to retain an attorney to defend the lawsuit for the County, unless there was objection or action to the contrary by a majority of the members of the Quarterly Court.

Judge Sproul explained that under the new Emergency Manpower Act County Judges had been given jurisdiction by the Governor of certain funds (in Loudon County approximately \$25,000) for the purpose of creating new jobs, that he had been under a deadline to make a designation as to the new jobs needed in Loudon County, that with the co-operation of the sheriff he had made contracts with the Cities of Greenback and Philadelphia for the providing for the hiring of a law enforcement officer for each of those Cities, said officers to be deputized, but to be under the basic local control of the Cities involved, the Cities to undertake any expense involved, that the additional position of an Assistant Hospital Administrator was being co-ordinated

through the Hospital Board, and that the County Judge had also recommended that a position be set up under this program of County Maintenance Man, that the amount of money set up under the program was \$400.00 a month, that such County Maintenance Engineer would have the primary responsibility of performing repairs and maintenance on the County Court House, the County Office Building, the County Jail, the County Offices on Fort Hill, the Loudon County Hospital, and for the School Department in the event of emergencies, but that it would possibly take more money than this to hire a person and pay the necessary expenses of setting him into business. It was then moved by Squire Conner, seconded by Squire Blair, that the Quarterly Court subsidize the necessary amount for the setting up of this new position in an amount of \$1500 during fiscal 1972 and \$2500 in fiscal 1973, the money to come from the Manpower Program Fund. Upon a roll-call vote, the motion passed unanimously, with the budget to be amended accordingly.

Judge Sproul explained that he had been contacted by the Bonding Company for Professional Contractors concerning the unfinished portions of the Loudon County Courtroom, that the Company had asked the County to sign a contract with J. E. Staub & Company, a contractor from Memphis, that the County was still holding approximately \$6500 in retainage for failure of the Contractor to complete the job, but that it was the feeling of the County Judge that it was not the responsibility of Loudon County to enter into a contract with a new Contractor, but was the place of the Bonding Company to make the original contract good. After discussion, it was moved by Squire Blair, seconded by Squire Lefler, that the County Judge not be authorized to sign a contract with the new builder, but that the Bonding Company be looked to for purposes of completing the contract. The motion passed unanimously.

Judge Sproul explained that the City of Loudon had installed new parking meters on the South side of Court House Square, in places where there had not been parking meters previously, that after several complaints had been raised that he had discussed this with Mayor Carter, who was supposed to discuss it with City Council, but that no action had been taken to remove the parking meters, the parking question having become somewhat more complicated inasmuch as the new service station had been built on the old Sam Harrison property at the Corner of Cedar and Grove, which had previously been used free for general parking. Judge Sproul did say that Mayor Carter had indicated that there is a possibility that the City would remove the parking meters on request, or that they might be willing to assist in arranging for more parking on the East side of the Court House square, and in the parking lot next to the County Jail, it appearing that there was some question as to whether or not parking meters had been put up on County property. It was moved by Squire Blair, seconded by Squire Hartsook, that the County would withhold objection to this at this time as to the parking meters, but that the County Judge be directed to request consideration from the City in helping to prepare for new parking spaces on the East side of Court House square on the Jail side of the street, which motion passed unanimously.

Judge Sproul explained that Mr. J. J. Bird, retired Agronomy Professor from the University of Tennessee, had volunteered his services concerning the Court yard trees and shrubbery. Professor Bird's strong recommendation was that no such thing as topping ever be allowed to be done to the Court House trees, but that the dead limbs should be cut out, and that two or three of the trees which were badly located, dying, etc. should be cut and removed, and that it was the County Judge's intention to follow his recommendation unless there was objection from any members of the Quarterly Court or from the public. There was no objection.

Judge Sproul explained that he had received a letter from the State Sales Tax Department, a copy of which he had forwarded to members of the Court, wherein it was indicated that the Loudon County 1/2¢ sales tax resolution which had passed public referendum in August, was not consistent with the other resolutions passed in the State, inasmuch as it called for a single item limitation of \$5.00, when it should have been a single item limitation of \$7.50. It was then moved by Squire Blair, seconded by Squire Williams, that it Be Resolved that the maximum local sales and use tax on single articles be increased from \$5.00 each to \$7.50 each in Loudon County, and that this resolution be presented for ratification to the voters of Loudon County at the next general election called for any purpose in the County. The motion passed unanimously on a roll-call vote.

Squire Hartsook reported that the Little Tennessee Valley Educational Co-op Board of Directors had met on October 13, 1971, that the Executive Director, William O. Oakes, was well underway with planning his program, and that it looked as if the Co-operative was going to be of great benefit to the Educational Systems of Loudon, Blount, and Monroe Counties.

The recommendation of the School Board that the Luttrell School property and the Pine Grove property be sold was taken up for discussion, and after considerable discussion wherein it appeared that there might be some question as to whether the people in the Luttrell Community really wanted the Luttrell School property sold, it was moved by Squire Hartsook, seconded by Squire Williams, that the School Board be asked to make an additional study of the matter, with particular reference to the obtaining of a place for voting in the Luttrell Precinct and whether or not the Luttrell Precinct were to be closed, with additional study concerning whether or not the property might be used in the long-range future of the County for a park or other purposes, and to make a definite recommendation back to the December meeting of Quarterly Court, with the additional specific responsibility of co-ordinating with the Purchasing Agent and Committee concerning what method of sale would be best toward getting the best price for the property. The motion passed unanimously.

It was moved by Squire Hamilton, seconded by Squire Williams, that the question of whether or not it would be desirable to sell the New Providence Elementary School, be referred to the School Board for consideration and recommendation back to the Quarterly Court, which motion passed unanimously.

Squire Blair reported that to the best of his knowledge the entire matter concerning the Union Carbide Access Road had been wound up, with the owners of the property, Mr. & Mrs. Tom Henry having executed a deed to the County, and the County having agreed to erect a fence to protect the cattle that the Henrys expected to graze on the property. The only question then was as to the State proceeding under its previous indication of building an industrial access road, it then being moved by Squire Blair, seconded by Squire Hamilton, that the Purchasing Agent proceed immediately with the necessary letting of bids for the construction of the Henry fence even though the road might not be built until earlier next year, which motion passed unanimously on a roll-call vote.

It was explained that the Planning Commission had recommended to the Quarterly Court the acceptance of an additional 10 feet of right-of-way in order to make Outer Drive in District 5, a full 50-foot right-of-way from its intersection with Old State 95 through the Pleasant Hill Sub-division to the point where it reaches the present 50-foot right-of-way. After discussion, it was moved by Squire Blair, seconded by Squire Hamilton, that the County accept the additional right-of-way. The motion passed unanimously.

It was moved by Squire Conner, seconded by Squire Hartsook, that it be recommended to the 2nd District Road Commissioner that Old Stage Road at the intersection of Old Stage Road with Shaw Ferry Road be made a 4-way stop because of being a dangerous intersection, and that Town Creek Road be indicated as a 45-mile-per-hour speed limit. The motion passed unanimously.

It was moved by Squire Blair, seconded by Squire Hartsook, that \$300 be transferred from Unallocated and appropriated to the Circuit Court Clerk Equipment Account, with an additional \$50.00 to go into the Supplies Account, for the purpose of buying a photographic machine for use after regular office hours when the main Xerox machine was locked in the Register's office, which motion passed unanimously on a roll-call vote.

Concerning the recommendation of the Planning Commission that associate members be appointed to serve on the Board of Zoning Appeals, it was moved by Squire Foster, seconded by Squire Hamilton, that this question be put off for consideration and put on the agenda for the December meeting, which motion passed unanimously.

The next recommendation, after previous request of the Quarterly Court concerning recommendation of building codes it was reported that the Planning Commission had drawn a suggested Private Act authorizing Loudon County to adopt special building and construction codes, but not requiring it. After discussion it was moved by Squire Blair, and seconded by Squire Williams, that the Legislators representing Loudon County be requested to pass Private Legislation with the following caption:

AN ACT TO AMEND CHAPTER 196 OF THE PRIVATE ACTS OF 1963 ENTITLED "AN ACT to require building permits in Loudon County as a prerequisite to certain construction; to provide for a fee for said permit; to declare a misdemeanor, and to provide a penalty for the violation of this Act."

the Act itself being attached to these minutes as Exhibit B, and incorporated and adopted by reference in these minutes as if fully set forth herein, the motion passing unanimously on a roll-call vote with all Squires voting aye.

It was further reported that the Planning Commission has recommended to the Quarterly Court that the present Private Legislation pertaining to Loudon County requiring a \$1.00 building permit, be requested to be amended by our Loudon County Legislators by eliminating the \$1.00 building permit in all parts of Loudon County where building and zoning permits have been adopted and are being issued in conjunction with zoning or building codes, but that all other parts of the County, including the Cities of Greenback and Philadelphia, continue to be subject to the \$1.00 building permit law, as long as zoning or building construction permits are not enforced, and that further that the building permit requirement be changed so that the value required before a building permit be issued be lowered from \$1000 to \$500 so as to be in conformance with the other building permit fees presently existing in the Cities and County, which motion was made by Squire Foster, seconded by Squire Conner, and was unanimously approved on a roll-call vote.

It was reported to the Quarterly Court that the Lenoir City Planning Commission had met with the Loudon County Planning Commission requesting its feeling as to whether or not it would be willing to accept zoning jurisdiction in the Lenoir City Planning Region in all areas outside of the City of Lenoir City not presently covered by County zoning regulations, and that the Loudon County Planning Commission had recommended that the Quarterly Court be favorable to this request. It was moved by Squire Williams, seconded by Squire Hamilton, that it be the intention of the Quarterly Court of Loudon County that if Lenoir City should abandon its jurisdiction for zoning in the Lenoir City Planning Region outside the City Limits that the County would zone this area so as to be in general conformance with the rest of the County, which motion passed unanimously with all Squires voting aye.

Sheriff Russell reported that he had one deputy attending the special school sponsored by the East Tennessee Development District under a special Law Enforcement Planning Agency grant during the first week, and that another Deputy would attend the second week.

It was moved by Squire Foster, seconded by Squire Hudson, and unanimously approved that the following notary publics be elected:

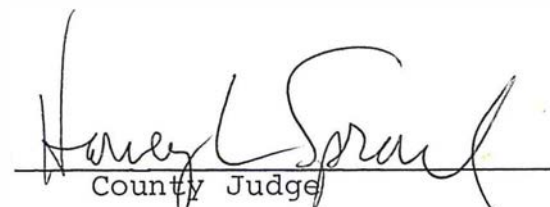
Peter Ponce
Robert E. Wilkerson

It was moved by Squire Blair, seconded by Squire Williams, and unanimously approved that the meeting be adjourned at 12:35 P. M.

Approved:


County Court Clerk

Approved:


County Judge

AMBULANCE SERVICE STUDY COMMITTEE

October 25, 1971

The Loudon County Court
Court House
Loudon, Tennessee 37774

Attention: Judge Harvey Sproul

Gentlemen:

The following is a report of the Ambulance Study Committee appointed to investigate the furnishing of ambulance service to Loudon County.

The necessity of the study was brought about by the expressed desire of the local funeral directors to discontinue the ambulance service they have furnished in our county so well in recent years. We understand one of the reasons for their desire to get out of the ambulance business is Federal Legislation requiring that their companies come under a new section of the Federal Wage and Hour Act that will require a higher minimum wage. Also, sometime in the future, there will be a state law regulating the operation of ambulance services and putting very stringent requirements both on the equipment used and the attendants themselves. Obviously both of these new pieces of Federal and State Legislation would involve additional cost to the funeral directors if they were to stay in the ambulance business.

Based on this committee's investigation in their counties, and on statistics furnished by the State of Tennessee and our local Funeral Directors, we could easily expect that this county would have approximately 1000 calls per year for ambulance service. Of this number approximately 300 would be real emergency

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situations and the rest would be convenience trips such as carrying people home from the hospital, or possibly transferring from our local hospital to another hospital.

The committee has made numerous visits and held extensive discussions with officials in surrounding counties, including counties in Middle Tennessee, that are facing or have faced the same problem that Loudon County faces today. From these trips and discussions we have arrived at the conclusion that there are only three possibilities that would insure the continued emergency services for Loudon Countians.

One of the possibilities is to ask our local Rescue Squad to assume the responsibility of emergency ambulance service along with the fire and rescue protection they already afford the County. Such an operation is already in effect in Hamblen County (Morristown) and seems to be working satisfactorily. The Greenback area of Loudon County is now furnished ambulance service by the Rescue Squad headed by Mr. Ralph Gregory and his associates in the Greenback area. This possibility has been informally discussed with Rescue Squad members but so far the response has been generally negative and there are problems involved in asking a rather small voluntary association to assume a 24-hour per day, 7 day per week responsibility. Under any circumstances if this could be put into effect the County would still be required to make a capital outlay of something in excess of \$50,000.00 for the purchase of four new ambulances, plus radio equipment for these units.

The second possibility would be that the County itself should enter into the ambulance business and operate it as a Department of Hospital. This would mean employing a minimum of nine (9) people plus the capital investment of the new equipment, making a total investment for the first year well in excess of \$100,000.00. If applied for in time, possible help from the Federal Government in purchasing the equipment could reduce this outlay to \$60,000.00 to \$75,000.00, with the annual operating expenses to remain at that general level for the foreseeable future.

In considering all of these possibilities the Committee has realized that if either of these first two alternatives are adopted, the County would have only one location from which emergency vehicles are dispatched for the Lenoir City, Loudon and Philadelphia areas. It is anticipated that the Rescue Squad (Mr. Gregory) will continue to operate the emergency service for the Greenback area. In the immediate future, recognizing the current congested conditions between Lenoir City and Loudon and particularly the possibility of traffic jams around the existing bridge across the Tennessee River, we can visualize considerable problems in working out a traffic coordination system in order to avoid the very real possibilities of unavoidable delays in reaching emergency scenes within the County.

The members of this committee have felt a great responsibility to the citizens of the County to try to come up with the recommendation that will afford our citizens the best emergency ambulance service we can have and still not levy an additional prohibitive burden on our taxpayers. Having been asked to study the entire question by the Quarterly Court, we did not feel that we could take the position of recommending that the Quarterly Court "do nothing" as has been rumored to have been done in one of our neighboring counties with the result that the funeral homes are still in the ambulance business there and no long range

solution has been reached. As was published in our local papers we were not able to get any encouragement from any independent private operators who might service our County.

After considering all these facts the Committee has decided to recommend to the County Court that it pursue a third possibility or alternative: That is, that the County Court request that our local funeral directors enter into a franchise agreement with the County (excluding the Greenback area) whereby they would continue the ambulance service they have furnished so well in the past. Recognizing the additional expenses that will come to them by their continued service, it is proposed that the County would pay directly to each funeral director a fee comparable to those charged in surrounding communities for each ambulance call arising from a Loudon County resident. Most ambulance services are charging \$25.00 per trip plus additional charges for extra mileage and other services. The county would then assume the complete responsibility for collecting the charges for ambulance services from the individuals who receive the service. In this way the County could relieve the funeral directors of the additional bookkeeping necessary to handle such matters and also assure that all Loudon Countians would have access to this service regardless of their ability to pay. Based on the best estimates of the number of calls being made each year by the funeral directors this would involve from \$25,000.00 to \$30,000.00 annually that would be disbursed to the funeral directors, with the County to be responsible for collecting this amount from those using the service thereby relieving the funeral homes of any responsibility or financial loss in this regard.

Over the past five months the members of this Committee have given freely of their time and energy. We know that any report of this type cannot please and satisfy all interests involved, but we feel we have explored every possible avenue that would afford Loudon County good ambulance service in a way that would be fairest to all concerned.

Attached to this report are the detailed minutes of our meetings and reports of the various trips that members of the Committee have made.

Respectfully submitted,


Clarence W. Wall, Chairman

HOUSE BILL NO. _____

By _____

SUBSTITUTED FOR: SENATE BILL NO. _____

By _____

AN ACT to authorize Loudon County to incorporate by reference the provisions of housing, building, electrical, plumbing, and gas codes prepared by technical trade associations and model code organizations, to provide for the amendment of such codes, to provide for the administration and enforcement of such codes, and penalties for the violation thereof.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That the Governing Body of Loudon County is authorized to adopt, by reference, the provisions of any code or portions of any code as herein defined, to amend the provisions of said codes as it deems necessary, to provide for their administration and enforcement, to establish penalties for the violation of such codes and to define the area within the county where such codes will be applicable.

SECTION 2. *Definitions.* BE IT FURTHER ENACTED, That as used in this act, the following terms shall have the meanings hereafter indicated.

- (a) Governing body. The Quarterly Court of Loudon County or any other body in which the general legislative powers of the county may hereafter be vested.
- (b) Code. Any published compilation of published rules or regulations which have been prepared by technical trade associations, model code organizations, or agencies of the State or Federal Governments which regulate building construction, housing quality, electrical wiring, and plumbing and gas installation.
- (c) Published. Any document which is printed, lithographed, multigraphed, or otherwise reproduced.

SECTION 3. *Adoption and amendment of codes by reference.* BE IT FURTHER ENACTED, that the governing body may adopt or repeal a resolution which incorporates by reference the provisions of any code or portions of any code, or any amendment thereof, properly identified as to date and source, without setting forth the provisions of such code in full. At least three copies of such code, portion, or amendment which is incorporated by reference shall be filed in the office of the County Court Clerk and there kept for public use, inspection, and examination. The filing requirements herein prescribed shall not be deemed to be complied with unless the required copies of such code, portion, or amendment are filed with the Clerk for a period of

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thirty (30) days before the adoption of the resolution which incorporates such code, portion, or amendment by reference. No resolution incorporating a code, portion, or amendment by reference shall be effective until published in a newspaper having a general circulation in the county. Codes, regulations, or amendments to any of the foregoing adopted by the governing body, acting under the authority of this Act shall not take precedence over existing or hereafter enacted state laws or regulations except wherein such codes, regulations, or amendments to any of the foregoing surpass the standards of said state laws or regulations, and county officers charged with enforcement under the authority of this Act are hereby authorized and empowered to enforce all such valid state laws and regulations which are more stringent than said county codes or regulations.

SECTION 4. *Amendments to codes.* BE IT FURTHER ENACTED, That any amendment which may be made to any code or regulation incorporated by reference by the governing body hereunder, may be likewise adopted by reference provided that the required number of amended or corrected copies (3) are filed with the County Court Clerk of Loudon County for public inspection, use, and examination at least thirty (30) days prior to adoption. Notice of the adoption of any resolution adopting amendments by reference shall be published in a newspaper of general circulation in the county. No such resolution shall become effective until such notice has been published.

SECTION 5. *Administration.* BE IT FURTHER ENACTED, That the governing body may also incorporate by reference the administrative provisions of any code, or may include in the adopting resolution any suggested administrative provisions found in a code. Should a code not contain administrative provisions, the administrative provisions of another code may be adopted by reference, or may be adopted and included in the adopting resolution. The powers and duties of enforcing the provisions of any code incorporated by reference may be conferred upon such officials within the existing framework of the county government as the governing body may determine, such as, but not limited to, officials and bodies administering zoning and planning regulations within the county.

SECTION 6. *Enforcement.* BE IT FURTHER ENACTED, That the county attorney or any official vested with the powers of enforcing the provisions of any code incorporated by reference may, in addition to any other remedies provided by law, institute injunction to prevent the violation of any provision of such code. Further, that any magistrate or judge who is authorized to issue warrants under general law is authorized to issue to the enforcing officer a warrant authorizing the inspection of specified buildings, structures, or premises when necessary to enforce any codes or regulations adopted hereunder.

SECTION 7. *Penalties.* BE IT FURTHER ENACTED, That the authority of this Act shall not extend to the incorporation by reference of any penalty clause contained in a code. Any person, firm, or corporation or agent who shall violate a provision of any code incorporated by

reference or fail to comply therewith or with any of the provisions thereof, or violate a detailed statement or plans submitted and approved thereunder, shall be guilty of a misdemeanor. Each such person, firm, or corporation or agent shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of a code is committed or continued, and upon conviction for any such violation shall be punished by a fine of not more than Fifty Dollars.

SECTION 8. *Applicability.* BE IT FURTHER ENACTED, That the provisions of this Act shall apply only to the unincorporated area of Loudon County.

SECTION 9. *Validity.* BE IT FURTHER ENACTED, That if any section, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Act.

SECTION 10. BE IT FURTHER ENACTED, That this Act shall have no effect unless the same shall have been approved by a two-thirds (2/3) vote of the governing body of Loudon County. Its approval or nonapproval shall be proclaimed by the county judge of Loudon County and certified by him to the secretary of state.

SECTION 11. BE IT FURTHER ENACTED, That this Act shall be effective from and after its passage, the public welfare requiring it, but the provisions thereof shall not become operative until validated as provided in Section 10 herein.

PASSED: _____
(date)

Speaker of the
House of Representatives

Speaker of the Senate

APPROVED: _____
(date)

Winfield Dunn, Governor

AN ACT TO AMEND CHAPTER 196 OF THE PRIVATE ACTS OF 1963 ENTITLED "AN ACT to require building permits in Loudon County as a prerequisite to certain construction; to provide for a fee for said permit; to declare a misdemeanor, and to provide a penalty for the violation of this Act."

Section 1. Be in enacted by the General Assembly of the State of Tennessee, That Chapter 196 of the Private Acts of 1963, the caption of which is set forth in the caption of this Act, shall be amended by striking out the first paragraph of Section 1 of said Act in its entirety, and by substituting therefore the following:

Section 1. Be it enacted by the General Assembly of the State of Tennessee, That after April 1, 1972, it shall be unlawful in Loudon County to build, erect, or construct or cause to be built, erected, or constructed any new building or to remodel or reconstruct or add to or cause to be remodeled, reconstructed or added to any existing building where the value of such original construction, remodeling or addition exceeds the value of five hundred (\$500.00) dollars without first obtaining from the Assessor of Property of said County a building permit. Said Assessor of Property shall issue such building permit upon due application therefor, and the payment of a fee of one (\$1.00) dollar. The permit required hereby shall be in such form as may be prescribed by the Assessor of Property. Provided that the County building permit required herein shall not be required in any parts of the County, or the Cities therein, wherein a building permit is required under County or City zoning or building laws, but that all parts of the County, including the Cities of Greenback and Philadelphia, continue to be subject to the one (\$1.00) dollar building permit law so long as and during such time as, zoning or building construction permits are not required and enforced in such areas.

Section 2. Be it further enacted, That this Act shall have no effect unless the same shall have been approved by a two-thirds (2/3) vote of the Quarterly County Court of Loudon County on or before the next regular meeting of said Quarterly County Court occurring more than thirty (30) days after its approval by the Governor. Its approval or non-approval shall be proclaimed by the presiding officer of said Quarterly County Court and shall be certified by him to the Secretary of State.

EXHIBIT "C"

Section 3. Be it further enacted, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: _____

Speaker of the House of Representatives

Speaker of the Senate

Approved: _____

Governor of Tennessee

BE IT REMEMBERED that the Quarterly County Court of Loudon County met on December 6, 1971, at 7:00 P. M. with the Honorable Harvey L. Sproul, County Judge of said County presiding, and with Mr. Edward Alexander, Clerk of said Court present; Whereupon Sheriff Russell opened Court and led the Pledge of Allegiance.

Squires present were:

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

Absent:

Roy Bledsoe (came in late)

The minutes of the November 1, 1971, Quarterly Court meeting were read, and upon motion by Squire Conner, seconded by Squire Williams, unanimously approved.

County Judge's report:

Judge Sproul explained that Arthur Fowler, representing the County, was getting ready to file suit against the Bonding Companies of former Circuit Court Clerk Bobby J. Knowles, and although his recollection was that the filing of suit had been approved previously by the Quarterly Court, that this provision has not been found in the minutes as yet, and that specific authorization was needed. It was moved by Squire Blair, seconded by Squire Hudson, that a lawsuit be authorized on behalf of Loudon County against Bobby J. Knowles and his Bonding Companies to recover the amount shown to be short by County auditors which was in the neighborhood of approximately \$10,000. On a roll-call vote, the motion passed unanimously with all Squires voting aye. Squire Bledsoe was absent.

Judge Sproul explained that Attorney Don McMurray had been retained to represent it insofar as a lawsuit was concerned filed by Anderson County against the State Board of Equalization and other State officials, requesting a greater share of the TVA "In-Lieu-of-Tax" payments made to the State to be paid back to all Counties. He stated that he had been informed that Judge Magill of Anderson County had reached a settlement agreement with the State Board of Equalization and State Comptroller's office wherein Loudon County and many others would receive a greater amount of money than what they were receiving now, but that he did not know the exact basis on which the proposed settlement had been made ^{and his} what implications the agreed order would have for the future; that he had talked with the County's attorney and that the attorney had not been contacted at all by the Court in Davidson County or by Judge Magill. It was further ^{a fee was} understood that a hearing was to be held on the request of Judge Magill for his services as an attorney rather than as County Judge and that the requested amount was 6% of all new or additional payments to be made to the Counties various Counties for the first year. After discussion, it was moved by Squire Blair seconded by Squire Bledsoe, that Judge Sproul request the County's attorney to take the necessary steps to determine whether or not the proposed settlement was reasonable insofar as Loudon County was concerned, and that it be the position of the Loudon County Quarterly Court to object to an unreasonable fee to be paid to Judge Magill, and in particular to object to any fee at all being paid to him insofar as Loudon County's portion was concerned, inasmuch as Loudon County officials had been involved for some-time in negotiating with the State, TVA, and others and had been ready to file suit in this same matter, and inasmuch as Loudon County had already retained a lawyer which it was going to have to pay. On a roll-call vote the motion passed unanimously with all Squires voting aye. (Squire Bledsoe having come in at 8:00 P. M.)