

requested to place 20 mile-per-hour speed limit signs on Outer Drive in the Pleasant Hill Sub-division, and on Simpson Road in front of the new Munsey Plant, which motion passed unanimously.

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Judge Sproul reported that the Anderson County vs State Board of Equalization lawsuit had been postponed to March 24, 1972, to give more time to Loudon County and other Counties who were interested in getting a fairer settlement from the proposed lawsuit. Judge Sproul stated that the investigation of Don McMurray, the County Attorney and himself indicated that the formula which was being proposed as a settlement left out the important base element of current valuation of property, and merely took the value of the property as of the date it was taken by TVA, with the 30% assessment being added on to that, and then this was multiplied times the tax rate. He stated it was their feeling that a factor should be put into the formula so that the current value of the property would be considered. Further discussion was carried out concerning the entire situation, and concerning the request by County Judge Joe Magill of Anderson County to be awarded an attorney's fee to be taken from the increased share of each county, for his services in filing the lawsuit.

After discussion, it was moved by Squire Conner, seconded by Squire Hudson, and unanimously approved by all Squires present that Resolution No. 3-72 be adopted, which Resolution is attached to these minutes as Exhibit A, and is incorporated herein by reference.

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Squire Foster explained that there was some additional work being requested by citizens and parents at the Highland Park and Steekee Schools which work was not included as a part of the original improvement project, and that some restrooms, shower rooms and other necessities were needed, and that accordingly it was moved by Squire Foster, seconded by Squire Blair, and unanimously approved by all Squires present on a roll-call vote, that \$2500 for each school, or a total of \$5,000, be appropriated from the Surplus in the School Fund.

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Judge Sproul reported that in the case of Greenway vs County that the motion to dismiss the complaint had been overruled by the Chancellor and that the case would be set for hearing at the regular May term of Chancery Court, but that the next step in the lawsuit would be the filing of a cross-complaint by the defendant's attorney alleging the illegal organization of the present existing Board of Highway Commissioners and asking for a reapportionment of the Highway Commissioners.

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Squire Foster reported that he had attended a meeting on February 10, 1972, in Clinton wherein the proposed reorganization of all Community Action Agencies in the East Tennessee Development District and in particular those Counties in the Western part of the District, was being discussed. He stated that a proposed reorganization including 7 or 8 Counties had been drawn up, but that many of those Counties appeared to want to go together, leaving Roane, Anderson, and Loudon to join together as a separate agency, but this depended upon whether or not this type of system would be allowed by the Atlanta Office, and that there were to be other meetings concerning this in the near future.

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Cecil Karnes was in the Courtroom requesting information as to any additional steps that may have been taken by the Quarterly Court Ambulance Committee toward taking over ambulance service on July 1, 1972. It was reported to him that the committee had taken no additional action inasmuch as no further information had been received from any of the funeral directors. Mr. Karnes stated that he felt that the County should keep in mind, and be working toward this proposed date because he nor no one else wanted to see the County left without ambulance service on that date. Squire Foster as a member of the Committee indicated that he felt that it would be better to wait and see what Legislation if any was passed by the Legislature now in session before the County should undertake any kind of solution.

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It was reported by Judge Sproul that the County Services Association was calling a general membership meeting for Thursday February 17, 1972, in Nashville for the purpose of deciding on which plan to adopt in reference to the proposed change in the Legislature of the distribution of the two-cent gas tax. He stated that some counties apparently felt that the smaller counties should not accept any compromise at all, but should fight to leave it just as it is, while the majority appeared to feel that some change was going to be made and that the best chance for the smaller counties was to attempt to get a compromise formula which would hurt the smaller counties the least. Judge Sproul announced that he would not be able to be at the meeting, and Squires Lefler and Bledsoe indicated that they felt that they would be able to attend the meeting representing Loudon County's interest in the matter.

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It was moved by Squire Hartsook, seconded by Squire Conner, and unanimously approved that the question concerning requesting Loudon County Legislators to enact private legislation providing for the reorganization of the Loudon County Highway Commission be deferred until the next meeting of Quarterly Court.

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Squire Blair reported that the Union Carbide Industrial Road contract had been let by the state for the approximate amount of \$49,000, and that work should begin on this project in the near future.

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It was moved by Squire Bledsoe, seconded by Squire Hartsook, and unanimously approved that the appointment of the new members to the Agricultural Committee be deferred until the next meeting.

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Squire Lefler reported that the County Central Sanitary Landfill Committee, working with representatives from the two larger cities, had met on two occasions and were now waiting for the state representative to inspect several prospective sites before further action or recommendation could be made.

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It was moved by Squire Blair, seconded by Squire Hudson, that a public hearing be called on two proposed rezonings, namely a section of Erie Community from A-1 to C-1, and a part of the Morganton Road area in the Third District from A-1 to A-2, the public hearing to be at 6:30 on April 3, 1972, prior to the regular Quarterly Court Meeting. The motion passes unanimously.

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Squire Conner reported that the Hospital Board had made some salary adjustments for the personnel at the hospital, and had authorized the architect to proceed on plans and prints in connecting up the new part of the Bacon Wing of the old hospital with the new hospital. He further announced that Hospital Administrator Tom Foster had announced that he would retire effective April, 1972.

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Squire Conner reported to the Court that he had learned of a possibility of getting new doctors through a special federal program called the National Health Service Corps, which Roane County had been involved with. It was moved by Squire Conner, seconded by Squire Williams, that the County Judge be directed to contact The National Health Service Corps to determine whether or not Loudon County could become involved in the special program for the purpose of getting new doctors in Loudon County, which motion passed unanimously with all squires present voting aye.

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It was moved by Squire Conner seconded by Squire Blair that the budget ammendments listed on Exhibit B to these minutes, which are incorporated herein by reference, be approved. Which motion passed unanimously on a roll-call vote with all squires present voting aye.

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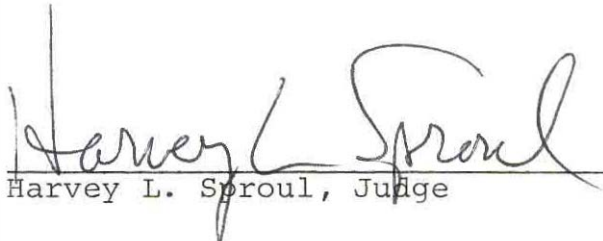
It was moved by Squire Foster, seconded by Squire Hudson, that Resolution Number 4-72, calling for a consideration of building fall-out shelters in future public buildings, which Resolution is attached to these minutes as exhibit C, and incorporated herein by reference, be adopted, which motion passed unanimously with all Squires present voting aye.

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It was moved by Squire Foster, seconded by Squire Hudson, that the following persons be elected to four-year terms as Notary Publics, which motion passed unanimously on a roll-call vote with all Squires present voting aye: Fred Fipps, John R. Lewis.

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It was moved by Squire Conner, seconded by Squire Hudson, that the meeting be adjourned at 9:20 P. M., which motion was unanimously approved.

  
Harvey L. Sproul, Judge

RESOLUTION NO. 3-72

WHEREAS, a lawsuit, Anderson County vs State Board of Equalization, et al, is presently pending in the Chancery Court of Davidson County; and

WHEREAS, a settlement has been proposed wherein the State of Tennessee, out of the approximately \$10,000,000 it is now receiving from TVA as required by Federal law, would pay the Counties and Cities for their tax losses resulting from the purchase of property the total amount of \$1,060,401.56, but which proposed formula does not take into consideration the current valuation of land;

NOW, BE IT RESOLVED that the Loudon County Quarterly Court does hereby go on record in opposition to the proposed settlement agreed upon between the State Board of Equalization and Anderson County as a part of the aforesaid lawsuit;

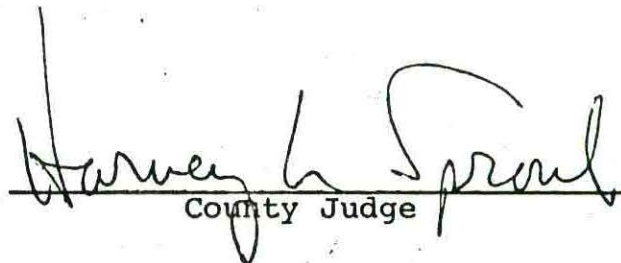
BE IT FURTHER RESOLVED that the County Judge and County Attorney be instructed to take the necessary legal steps to obtain a more accurate and more favorable formula and settlement, which would be more in line with the actual tax loss being sustained by Loudon County, and more in line with the apparent original intent of State Legislation, and it be the further intent for Loudon County to aid all other Cities and Counties in obtaining a more favorable settlement insofar as legally and practically possible so to do; and

BE IT FURTHER RESOLVED that because of the financial and budgetary problems of most of the Counties and Cities involved in the aforementioned lawsuit, and the dependency of these local governments on revenue from the TVA "In lieu of tax" payments, that the County Judge and County Attorney take steps to attempt to work out an agreement whereby all Counties and Cities can receive an advance payment of at least the amount that those Counties and Cities received from the State of Tennessee for 1969, pending final settlement of the lawsuit; and

BE IT FURTHER RESOLVED that it be the position of the Loudon County Quarterly Court that it has been personally interested in the obtaining of a new TVA "In-Lieu-of-Tax" formula for some years, and had had personal contact in one of its regular meetings with the County Judge of Anderson County concerning the

filing of a joint lawsuit to achieve from the State a more equitable proration of TVA "In-Lieu-of-Tax" payments, it being the intention of Loudon County that such a lawsuit be filed on behalf of all affected Counties, and without charge to any of the other Counties; and further, inasmuch as Loudon County has throughout this litigation retained its own attorney to represent its interest; it is, then, the further recommendation and request of the Loudon County Quarterly Court that no attorney's fee be charged against Loudon County's portion of the proposed settlement; and

BE IT FURTHER RESOLVED, that inasmuch as the County Judge of Anderson County's involvement in this lawsuit as an attorney, came as a result of his official position as County Judge of Anderson County, that it be the further respectful recommendation of the Loudon County Quarterly Court that the Chancellor award no attorney's fees to the County Judge of Anderson County, to be deducted from the pro-rated shares of the other affected Counties and Cities, other than any items of unreimbursed out-of-pocket expenses that might have been incurred.

  
County Judge

  
County Court Clerk



WHEREAS, The County of Loudon has heretofore indicated its interest in a high quality Civil Defense Program, and

WHEREAS, extensive studies have been made indicating the need and desirability for fallout shelters in public buildings, and

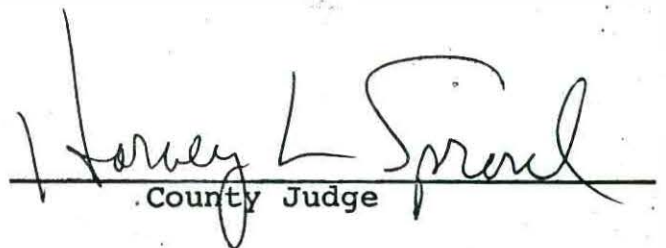
WHEREAS, architectural services are available through the Office of Civil Defense for the purpose of determining the utility and feasibility of said fallout shelters, and

WHEREAS, The County Court recommends that the idea of fallout shelters be given consideration in the study and planning of all future buildings, erected wholly or partially with public (tax derived) funds.

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

That the recommendation of the Director of Civil Defense of Loudon County be approved and it is hereby directed that inclusion of fallout shelters be given consideration in the design, study, and planning of all future public buildings.

This the 7th day of February, 1972.

  
County Judge

ATTEST:

  
County Court Clerk

Exh. C

Budget Amendments for Agenda

2/7/72

Highway Fund

Transfer \$20,000.00 from 1st & 4th District Surplus (Acct. 97) to Acct. 1219.1 (Rock) \$15,000.00 and Acct. 1208.1 (Repairs and Maintenance) \$5,000.00

Transfer \$15,000.00 from 2nd & 5th District Surplus (Acct. 97) to Acct. 1219.2 (Rock) \$10,000.00, Acct. 1213.2 (Tile) \$3,000.00 and Acct. 1218.2 (Other Contractual Services) \$2,000.00.

	<u>Dr.</u>	<u>Cr.</u>
Estimated Revenue-Acct. 41	\$19,000.00	
Appropriations-Acct. 1204 & 81		\$19,000.00

To set up Rural Road 53053-3301-03, R-3670 (4) Williams Ferry Road

Right of Way Fund

Transfer \$4.00 from Right of Way Surplus (Acct. 97) to Acct 1000-19 (Other Contractual Services)-Recording Right of Way Deed.

Transfer \$1,143.22 from Right of Way Surplus (Acct. 97) to Acct. 1000-19 (Other Contractual Services)-This transfer is for the payment of fence (Union Carbide Project.)

School Fund

Transfer \$3,636.00 from Surplus Acct. 97 to Acct. 2700 and Acct. 2740 (Plant maintenance and repair parts) and adjust appropriations by this amount.

Transfer \$5,000.00 from Surplus Acct. 97 to Acct. 3272.2 (New Buildings and Additions) for finishing Highland Park & Steekee Basements \$2,500.00 each.

General Fund

Transfer \$250.00 from Acct. 1109-01 (Unallocated-Primary) to Acct. 204.1-02 (Salary of Janitor at Courthouse)

Exh B.