#### QUARTERLY COURT MINUTES

BE IT REMEMBERED that the Quarterly Court of Loudon County met on October 2, 1972, at 7:00 P. M. with the Honorable Harvey L. Sproul, County Judge of said County, presiding, and with the County Court Clerk, Edward Alexander, and his Deputy Mrs. Addie Ruth Clark, present. Whereupon Sheriff Russell led the Pledge of Allegiance to the Flag, and opened Court.

All members of the Quarterly Court were present as follows:

J. J. Blair I. D. Conner

Reece P. Hamilton

J. G. Hudson Boyd Duckworth

Roy Bledsoe Henry C. Foster James M. Hartsook

Curtis A. Williams

MINUTES APPROVED

The minutes of the September 5, 1972, regular meeting were read, whereupon two errors in the minutes were brought to the attention of the Chair. It was then moved by Squire Foster, seconded by Squire Hartsook, that the minutes be approved as read with the exception that the minutes should be corrected on the face of the minutes by showing the name of the person having been elected as a notary public as Paul L. Denton, and by indicating on Page 235 that the Gulf Oil Company did not lose the contract but had given up and closed its dealership, which motion passed unanimously with all Squires voting aye.

In the open discussion session, Elmer Hattley

was present requesting information as to how he might clarify a question that had arisen concerning his

application for a building permit wherein it was explained that the Building Commissioner and the Second District

Highway Commissioner had no records to indicate whether

or not the road adjacent to which the Elmer Hattley

OPEN DISCUSSION

OM LEE ROAD RATIFIED

AS PUBLIC ROAD

property was located was a public road. The County Zoning Resolution provides that before a building permit will be issued concerning a parcel of land the parcel must have at least 25 feet frontage on a public road. Commissioner Malone was present in the Courtroom and stated that the particular road in question had been maintained by the County for a considerable period of time, which was verified by Mr. Hattley. After additional

discussion, it was moved by Squire Conner, seconded by Squire Hartsook, that in view of the statements made in open court, and in further view of the statement of the Road Commissioner that the road had been and would be maintained in the future as a County road, that the question of whether or not the Tom Lee Road was a County Road be clarified by designating and ratifying it as a

County road, which motion passed unanimously on a roll-

call vote.

30-MPH SPEED ZONE SET ON HICKORY CREEK ROAD

It was moved by Squire Hamilton, seconded by Squire Williams, that the Fifth District Road Commissioner be requested to set speed zones on the Hickory Creek Road at 30-miles-per-hour, which motion passed unanimously.

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RESOLUTION #
HOTEL-MOTEL TAX-DESIGNATING CO.
JUDGE AS AGENT
FOR PROCESS

Judge Sproul explained that a matter had come up wherein it was indicated that when the Quarterly Court had passed the resolution levying a 5% Hotel-Motel Occupancy Tax on May 8, 1972, that a specific person had not been designated as agent for service of process as required by Private Act # 232, 1972 General Assembly, (which legislation had been ratified and adopted by the Quarterly Court on April 26, 1972,) although general state law was specific in indicating that the County Judge was the proper party to receive service of process on any lawsuits brought against Loudon County. Judge Sproul stated that in order to clarify any question about it that a specific resolution had been prepared for consideration by the Quarterly Court.

Accordingly, it was moved by Squire Hartsook, seconded by Squire Conner, that Resolution No. 26-72, attached hereto as Exhibit , and incorporated in these minutes by reference, be adopted, which motion passed unanimously on a roll-call vote, the caption of said Act or said Resolution being as follows:

A Resolution Designating the County Judge As The County Officer On Whom Service Shall Be Made Where Redress Is Sought Under The Hotel-Motel Occupancy Tax

BEER BOARD-APPT. OF GORDON FISHER Judge Sproul stated that he had received a letter of resignation from the County Beer Board from Charles A. Clark of the Third District, and that the floor was open for nominations to fill the vacated position. It was moved by Squire Hudson, seconded by Squire Foster, that Gordon Fisher be elected to the County Beer Board to replace Charles A. Clark, which motion passed unanimously on a roll-call vote.

MIZE PROPERTY--REMOVAL OF OLD HOUSE APPROVED Consideration was given by the Quarterly Court to the request of the Loudon County Radio Club to use the Mize building located on Grove and Ferry Street as a Club House when the property transaction is completed with the Mize family. It was pointed out by the special committee that the original intention and agreement with the Mize family was to have the house removed at the least expense to the County. It was moved by Squire Blair, seconded by Squire Hartsook, that the County Purchasing Committee proceed to have the building removed at the least expense to the County, which motion passed unanimously on a roll-call vote.

LESTER WILLIAMS
APPOINTED 5TH
DISTRICT INTERIM
CONSTABLE

It was moved by Squire Hamilton, seconded by Squire Quarterly Court as Constable for the Fifth District until such time as a Constable is elected by the people, which motion passed unanimously on a roll-call vote.

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ZONING APPEALS--APPOINTMENTS TO BOARD

It was moved by Squire Conner, seconded by Squire Hartsook, that the County Judge be requested to re-nominate Squire Curtis Williams as a member of the Loudon County Planning Commission, which motion passed unanimously. was moved by Squire Conner, seconded by Squire Hartsook, and unanimously approved, that Squire Conner and Squire Williams retain their positions on the County Board of Zoning Appeals. It was moved by Squire Blair and seconded by Squire Williams. that R. S. Pressly be appointed to the County Board of Zoning Appeals to replace J. E. Greenway, which motion passed unanimously.

AT GENA, AND PARIS COFFEY

It was moved by Squire Hamilton, seconded by Squire Hartsook, and unanimously approved, that the PUBLIC HEARING - Quarterly Court call for a public hearing to be held REZONING OF TRACT at 8:30 A. M. on Monday, November 6, 1972, on the two proposed rezonings, recommended by the County Planning Commission, namely a small tract of land located at the TRACT ON NEEDMORE intersection of Alternate State 95 with the L & N Railway RD. (DIST. 1) at Gena in the Third Civil District, from A-2 to C-1, and a 90-acre parcel owned by Paris Coffey, located on the Needmore Road in District 1, from A-2 to R-1.

COUNTY HOSPITAL

Concerning the question of the County providing a public ambulance service, a considerable amount of discussion resulted, which included a report that several members of the Quarterly Court had made a trip to the Cumberland Medical Center at Crossville where the Ambulance Service was a part of the Hospital operation. Other discussion included a reminder that the original special study committee given strong consideration to the possibility AMBULANCE SERVICE that if the County went into the ambulance business that it COUNTY TO PROVIDE be operated from the Hospital, that the Hospital was already set up with a business office and collection system, that there was the possibility of utilization of the personnel involved in the Ambulance Service in regular Hospital work, that ambulance services are closely related to medical services, that the County Hospital now had additional administrative help with  $\alpha n$  assistant administrator, and that the Tennessee Department of Public Health recommended that Ambulance Services be operated from a hospital if possible. It was subsequently moved by Squire Hartsook, and seconded by Squire Blair, that because of the notice of the local funeral home directors of their intention to cease operation of ambulance services on November 15, 1972, that Loudon County undertake to provide this service for the citizens of Loudon County, that these services be provided as a part of the operation of the Loudon County Hospital, that the Hospital Administrator and Board of Directors be so notified, and further that the Quarterly Court Ambulance Committee be directed to make available their services and assistance in anyway requested by the Hospital, which motion passed unanimously on a roll-call vote.

> Judge Sproul reported that the County now had received the letter of certification from the State Law Enforcement Planning Agency to the effect that the County's application for a \$200,000 Federal Grant to build a Criminal Justice Center Building, with the building to be

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CRIM. JUSTICE
CENTER--AUTH. TO
HIRE ATTY.,
APPRAISERS, AND
TO NEGOTIATE
OPTION TO
PURCHASE

used co-operatively between the County, the City of Lenoir City, and the Town of Loudon. He further stated that because a deadline of December 6 is set in which the project must be started, that he had continued to work with the consulting engineer toward the finding of a suitable parcel of property between Lenoir City and Loudon for the location of such a building, but that additional authority was needed for the hiring of an attorney and appraisers and to give the Committee the authority to negotiate for an option. It was then moved by Squire Blair, seconded by Squire Hartsook, and unanimously approved on a roll-call vote, that the County Judge be authorized to retain an attorney to represent the County in this matter, and to retain the necessary real estate appraisers, that further the Criminal Justice Center Committee be given the authority to negotiate an option with the owners of the selected location, such authority being limited to expend no more than \$500 as consideration for obtaining such options

HOSPITAL BOARD:
APPROVAL OF
RESOLUTION
REORGANIZING
BOARD

After a report by Squire Conner concerning general matters concerning the Loudon County Memorial Hospital, in a brief discussion of the proposed resolution drawn up by Judge Sproul specifically setting up a Hospital Board to govern the Hospital, and defining its role, it was moved by Squire Conner, seconded by Squire Foster, that the proposed rough draft of the Resolution (which Resolution will be No. 27of the Loudon County Resolution will be No. 27-72 of the Loudon Cou Quarterly Court) be adopted by the Quarterly Court as written, with the exception that the Board Members will be appointed for 2-year terms, that the Officers be elected by the Board for 2-year terms, that any limitations as to the number of years an officer (or Board member may serve) be deleted, and that Squire Hartsook's suggestion that the Hospital Board be required to consult at least three reputable Accounting Firms before hiring an auditing firm for the fiscal year 1973-74, and that this be done then at least every three years thereafter, with the further stipulation that the Board members will be elected in September and to take office in October of even numbered years; and that the resolution be redrawn incorporating the changes, and to be attached to these minutes as Exhibit , the caption of said Resolution reading as follows:

A RESOLUTION TO ESTABLISH A BOARD OF DIRECTORS FOR THE MANAGEMENT, OPERATION, CONTROL, AND SUPERVISION OF THE LOUDON COUNTY MEMORIAL HOSPITAL IN LOUDON COUNTY, TENNESSEE

The vote on said motion was unanimous with the exceptions of Squires Blair and Duckworth who voted no, and the Chair declared the Resolution adopted.

Nominations for Hospital Board members were as follows:

HOSPITAL BOARD ELECTION OF NEW MEMBERS From Squire Williams for the Second District:

Squire I. D. Conner, Gene Hamby, John Roberts, Calvin Atchley, and Dr. Harold Freedman

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For the First and Fourth District by Squire Duckworth:

> Squire J. J. Blair, Squire Roy Bledsoe, and Homer Vaughn Simpson

For the Third District by Squire Hudson: Nola Elam

The Chair indicated the nominations complied with the requirements of Resolution No. 27-, and it was then moved by Squire Hartsook, seconded by Squire Hudson, and unanimously approved that the persons nominated be appointed to two-year terms on the Loudon County Memorial Hospital Board of Directors, the terms to begin on October 1, 1972, which motion passed unanimously.

BUDGET **AMENDMENTS** 

It was moved by Squire Hudson, seconded by Squire Foster, that the Budget amendments as listed be adopted with the exception that the \$500 transfer be changed to a \$600 transfer, said amendments being attached to these and incorporated herein minutes as Exhibit by reference, which motion passed unanimously on a roll-call vote with the exception of Squire Blair who was not present.

COUNTY COURT APPROVED

It was moved by Squire Hamilton, seconded by Squire Hartsook, that Edward Alexander be allowed 10¢ per mile on his travel expense toward collecting delinquent CLERK TRAVEL EXP. accounts owed to the County Court Clerk's office, with said Clerk to keep a record and turn in an itemized statement of his claim for mileage, which motion passed unanimously on a roll-call vote with the exception of Squire Blair who was absent.

> Concerning the claim of the Architect Gilbert Carter for \$875 as the balance of his fee which actually represented the cost of the jury chairs, which it was stated the building committee had earlier understood Mr. Carter to say that because of his failure to include these chairs in the invitations to bid that he would deduct this amount from his fee, there was no action taken by the Court to approve the appropriation of the expenditure.

NOTARY PUBLICS

It was moved by Squire Duckworth, seconded by Squire Foster, that the following Notary Publics be elected, which motion passed unanimously on a roll-call vote with the exception of Squire Blair who was absent:

> Brenda Smallen Mary O. Hartsell Faye Clinton

There being no further business, the meeting adjourned at 11:20 P. M. upon motion by Squire Foster, seconded by Squire Hamilton.

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Approved:

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A RESOLUTION DESIGNATING THE COUNTY JUDGE AS THE COUNTY OFFICER ON WHOM SERVICE SHALL BE MADE WHERE REDRESS IS SOUGHT UNDER THE HOTEL-MOTEL OCCUPANCY TAX

Whereas, the General Assembly of the State of the State of Tennessee on February 21, 1972, passed Chapter 232 of the Private Acts of 1972 establishing a 5% tax on the privilege of occupancy of hotel and motel rooms by transients in Loudon County, Tennessee; and

Whereas, the Governor of the State of Tennessee approved said Act on February 28, 1972; and

Whereas, said Act provides that the Act shall have no effect unless approved by a 2/3 vote of the Quarterly County Court of any County to which it may apply, and that on April 26, 1972, the County Court for Loudon County approved and ratified the aforesaid Chapter 232 of the Private Acts of the State of Tennessee for 1972; and

Whereas, said Act provides in Section 9 thereof, that the Resolution authorizing the levy of the tax shall des-ignate a County Officer against whom suit may be brought if controversies should arise; and

Whereas, on May 8, 1972, the Loudon County

Quarterly Court in regular session assembled adopted Resolution

No. 16-72 levying a 5% tax on the privilege of occupancy of

hotel and motel rooms by transients in Loudon County, under the

authority of the aforesaid Chapter 232 of the 1972 Private Acts;

Whereas, it appears that the Resolution authorizing the levy of the tax did not specifically designate the County Judge as the County Officer against whom suit may be brought for recovery; and

Ex hibit A

Whereas, general statutory law of the State of
Tennessee provides that the County Judge of any County shall
be the lawful person upon whom process against the County shall
be served, and no additional action as required by a Private Act
would be necessary;

NOW THEREFORE BE IT RESOLVED, however, for the purpose of technical compliance with Chapter 232 of the 1972 Private Acts of Tennessee that Resolution No. 16~72 of the Loudon County Quarterly Court, which was adopted by the Loudon County Quarterly Court in regular session on May 8, 1972, be hereby amended so as to designate the County Judge of Loudon County, Tennessee, as the County Officer against whom suit may be brought for recovery or redress in reference to the aforesaid Chapter 232 of the Private Acts of 1972 General Assembly.

BE IT RESOLVED, by the Loudon County Quarterly Court, as follows:

I.

## ESTABLISHMENT OF HOSPITAL BOARD

There is hereby created and established in Loudon County,

Tennessee, a Board of Directors to have full charge of the

operation and maintenance of the Loudon County Memorial Hospital in

Loudon County, Tennessee.

II.

## AUTHORITY OF BOARD

The Board of Directors shall have and be vested with authority and responsibility for the operation, management, conduct and control of the business and affairs of the Loudon County Memorial Hospital (except as may be otherwise indicated herein or by applicable law) which shall include the following:

- 1. Determine the policies of the hospital, with relation to the patients therein and to community needs.
- 2. Provide equipment and facilities consistent with the needs of the patients of said hospital, and within the budget authorized by the Quarterly Court of Loudon County.
- 3. See that professional standards are maintained in the care of the sick.
- 4. Provide adequate finances by sufficient income and by enforcing business-like control of expenditures.
- 5. Provide for the safe administration of funds entrusted to said hospital.
- 6. Keep adequate records of the hospital finances and activities.
- 7. Surround the patients within said hospital with every reasonable protection, thereby fulfilling the moral and legal responsibility of the hospital; to include the exercising of proper care and judgment in the selection of a qualified administrator and medical, nursing, technical and other personnel of said hospital.

Ey hebet B

8. The authority and responsibility of the Board of Directors shall include but shall not be limited to the establishment, promulgation and enforcement of rules, regulations and policies of the hospital, the upkeep and maintenance of all property belonging to the hospital, and the administration of the fiscal affairs of the hospital within the provisions of State law, and the execution of all contracts, agreements and other instruments unless otherwise specified or required by State and/or Federal laws and regulations.

III.

### APPOINTMENT & ORGANIZATION OF BOARD

Said Board of Directors shall be composed of nine (9) in number, who shall serve without compensation, except that they shall be allowed an expense allowance for each meeting attended not to exceed \$25.00 per meeting, and shall be authorized any additional personal expenses as authorized by the Board for travel outside the County. No person who receives a full-time regular salary from Loudon County or one of its departments may receive the "per meeting" expense allowance.

The regular term of each elected member will be two years; and the election (or re-election) of new members shall be in September of even-numbered years; with the members to take office on October 1 the members of the Board, however, to serve until their successors are elected.

There are no prescribed rules in the selection of Board members other than that the Board will be apportioned so that the residences of members are from the same districts and in the same proportion as the make-up of members on the Quarterly Court, unless agreed otherwise by the justices of the peace from a specific district However, no more than 1/3 of the members may be Quarterly Court members, and no more than 1/3 may be physicians. Nominations of the members for election to the Board will come from the Justices from that section of the County subject to the approval of a majority of the Quarterly Court.

The County Judge and the Chief of the Medical Staff of the nospital are ex-officio members of the Board without vote.

A Director whose term has expired shall continue to serve until his successor shall have been elected in the manner herein provided. In the event of death or resignation of a Board member prior to the expiration of his term, his successor shall be elected by the Quarterly County Court of Loudon County, Tennessee, for the unexpired term. Any incumbent Director shall be eligible for reelection.

IV.

## OFFICERS & MEETINGS OF THE BOARD

At the first meeting of the Board of Directors, the Board shall elect from its membership a Chairman, Vice-Chairman, and a Secretary, each of said officers to serve a two-year term and to be eligible for re-election. The Chairman shall preside at all meetings and shall otherwise carry out all duties as directed by the Board of Directors, and shall carry out the usual duties and functions of Chairman of Boards and Committees. The Vice-Chairman shall act, as Chairman in the absence of the Chairman. The Secretary shall keep a record of all the meetings of said Board, or shall be responsible for same, reflecting accurately the proceedings of the meetings.

In the event of the absence or inability of the Administrator to sign checks, the Chairman of the Board of Directors has the authority to do so in conjunction with the County Judge, or the Board may authorize the Assistant Administrator to do so, and/or as otherwise prescribed by law.

The Chairman of the Board may appoint such Committees as he deems necessary to assist in the matters concerning hospital business, and such Committees as may be authorized by the Hospital Board.

The Board of Directors shall hold regular monthly meetings, the regular day and time to be set by resolution of the Board, which day may be changed from time to time by proper resolution. Special meetings of the Board may be called by the Chairman, or by any three members, with five days' written notice to the remainder of the Board members.

## EMPLOYMENT OF ADMINISTRATOR AND APPROVAL OF STAFF

The Board of Directors shall have authority to employ and appoint a Hospital Administrator for said hospital who shall hold office at the pleasure of the Board. The Administrator shall not be a member of the Board of Directors. He shall be a qualified person, and experienced in hospital administration, whose duties and responsibilities shall be as herein designated and as shall be determined and prescribed by the Board of Directors.

The Board of Directors shall approve the medical staff of the hospital, and all doctors, physicians and surgeons composing the medical staff of said hospital.

VI.

#### HOSPITAL ADMINISTRATOR DUTIES

The Administrator employed by the Board:

- 1. Shall be the chief executive officer of the hospital, subject to the by-laws, rules and regulations adopted by the Board and shall be under the control and direction of the Board of Directors.
- 2. Shall, with the consent of the Board of Directors, equip the hospital with all necessary furniture, appliances, fixtures, equipment and needed facilities for the care and treatment of patients and for the use of the officers and employees thereof.
- 3. Shall be the purchasing agent for the hospital, and shall work with the County Purchasing Agent in purchasing all necessary supplies and equipment.
- 4. Shall have general supervision and control of the records, accounts and bills of the hospital, and all internal affairs, and shall maintain discipline therein and shall enforce compliance with and obedience to all rules, by-laws and regulations adopted by the Board of Directors, and/or required by Federal, State and local laws, for the government, discipline and management of said hospital, and the employees and patients thereof.
- 5. Shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law or the rules and regulations of the Board of Directors.

- 6. Shall, under such rules and regulations and within the limits and in the manner prescribed by the Board of Directors and with the advice and consent of said Directors, employ such necessary personnel, including nurses' aides, supervisors, technicians and such other technical and general employees as shall be necessary or proper for the efficient performance of the business of the hospital, prescribe their duties and discharge such employees at his discretion for good cause, in keeping with good efficient and honest administration.
- 7. Shall keep or cause regularly, to be kept proper records and accounts of the business and operations of the hospital from day to day, in the books and records provided for that purpose and prescribed by the Board of Directors and see that such records and accounts are correctly made up for the report of the Board of Directors to the Quarterly County Court of Loudon County, Tennessee, as hereinafter required.
- 8. Shall collect, or cause to be collected, and receive all monies due the hospital; and such monies, when collected, shall be deposited daily in the bank to the account of the County Trustee on receivable warrants in the same form as received; shall keep an accurate account of the same; shall pay the expenses of the operation of the hospital, from funds available, by County warrants drawn on the County Trustee, with the exception that a special payroll banking account may be established, such warrants and checks to be countersigned by the County Judge. A complete report of the operations of the hospital shall be presented by the Administrator to the monthly meetings of the Board of Directors.
- 9. Before entering upon the discharge of his duties, the
  Administrator shall give a bond in such sum as the Board of
  Directors may determine to secure the faithful performance of his
  duties, the cost of the same to be included in the expense of the ope
  ation of the hospital.
- 10. Shall perform such other duties as the Board of Directors may prescribe.

#### SALARIES

The Board of Directors shall fix the salary of the Administrator and, with the advice and consent of said Administrator, the salaries of the other employees of the hospital within the limits of funds available for the maintenance and operation of said hospital.

VIII.

# AUDITS & REPORTS

The Board of Directors shall have the books, records and accounts of the hospital audited by a reputable firm of independent certified public accountants for each fiscal year of the operation of the hospital, said fiscal year to begin July 1st of each year, the audit to be completed within a reasonable time after the close of the fiscal year of the hospital. A copy of the audit shall be filed with the County Judge, The County Court Clerk, the Director of Accounts and the Justices of the Peace of Loudon County, Tennessee.

The audit shall correctly set forth the operations of the hospital for the fiscal year.

The Board of Directors shall annually present to the Quarterly County Court of Loudon County, Tennessee, at the September term of said Court, a report setting forth the operation of said hospital for the previous year, both financially and otherwise, and shall quarterly submit a financial summary of the operations of the Hospital to the County Budget Committee.

The Hospital Board will interview at least three firms of Certified Public Accountants for fiscal year 1973-74 for the purpose of selecting the Hospital Auditor, and will use the same procedure to select the Hospital Auditor every three years thereafter.

IX.

# SUMMARY OF RESPONSIBILITY

The Board of Directors shall have the general superintendence, management, and control of said hospital grounds, buildings, officers and employees thereof, of the patients therein and of all matters relating to the government, discipline, contracts and fiscal concerns thereof, and make such other by-laws, rules and

regulations as may be deemed by said Board necessary for the efficient and proper management and operation of said hospital, and for the carrying out of the purposes for which said hospital was established, in accordance with, and not in conflict with, the responsibility delegated herein, it being understood that the final responsibility and jurisdiction for the operation of the hospital derives from the Loudon County Quarterly Court.

The Hospital Board will undertake any responsibilities concerning health and medically related matters requested by the Loudon County Quarterly Court.

į.	Resolved,	this th	ne 57	_ day of Se	ptember, 1972	
		. 20	Har	ven L	Sproul	_
79	pi.			County Jud	lge V	٠
Moved	by:					
Second	led by:				-1,	*

# CENTRAL ACCOUNTING DEPARTMENT

P. O. BOX 376
LOUDON, TENN. 37774
TELEPHONE 458-4619

September 22, 1972

# BUDGET AMENDMENTS FOR AGENDA

# HIGHWAY

Estimated Revenue (Acct. 144) 19,500.00

81 Appropriations (Acct. 1204)

19,500.00

To set up R.R. # 53077-3302-03 Project 13302-(2) 2.7 miles Virtue Road - 2nd District

# GENERAL FUND

Transfer \$600.00 from Account 1109-01 (Unallocated - Primary) to Account 1300-08 (Repairs and Maintenance - Sanitary Landfill).

Ey Lilie C

2.60