

QUARTERLY COURT MINUTES

BE IT REMEMBERED that the Quarterly County Court of Loudon County met on March 5, 1973, at 9:00 A. M. with the Honorable Harvey L. Sproul, County Judge of said County presiding, and with Edward Alexander, County Court Clerk, and Mrs. Addie Ruth Clark, Deputy Clerk, of said Court present; Whereupon Sheriff Russell led the Pledge of Allegiance and opened Court.

The following Squires were present:

ROLL CALL

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

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FEBRUARY MINUTES  
APPR OVED

The minutes of the February 5, 1973, regular meeting of Quarterly Court were read, and upon motion by Squire Conner, seconded by Squire Williams, and unanimously approved, were adopted as read.

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LOUDON HIGH SCHOOL  
CLASSES WELCOMED

Judge Sproul welcomed a large group of young people from Loudon High School who were members of the classes of Mr. Gary Dutton, Mr. "Hoot" Gibson, and Mr. Edward Headlee, these classes being present for the purpose of observing a meeting of the County governing body.

BROWDER RD. BRIDGE  
PROBLEMS

During the "open discussion" session of the meeting, Road Commissioner Lee Malone indicated that there continued to be a problem with the bridges over the creek running next to the Huntsville Road (sometimes also called the Browder Road), just South of U. S. 11 outside the city limits of Lenoir City. He indicated that there continued to be problems concerning the bridges washing out, and that there were some families there who could not now get back and forth across the ditch to the road. He felt that it was better to try to make a more permanent solution concerning this, but that he could not afford to put bridges or culverts for every house along the creek, but that he felt that he could find three various locations which could serve for all the residents, if the people could agree that this would be sufficient. He felt that it would take approximately \$6,000 from his emergency fund to buy the necessary culverts to accomplish this, and that he needed an emergency transfer of money since the rainy season was coming up.

GARBAGE & TRASH  
DUMPS ALONG THIS  
ROAD

It was then moved by Squire Conner, seconded by Squire Foster, and unanimously approved on a roll-call vote, that the necessary budget amendments be made to allow Commissioner Malone to use \$6,000 of his Emergency Surplus for the purpose of installing three bridges or culverts across the ditch adjacent to the Huntsville Road, the said Commissioner being specifically instructed to have a contract drawn and signed by the residents involved so that it will be understood as to exactly what will be done, and so that the County would have no further obligation in the area. It was further suggested that the County Health Department look into the matter, along with the Sheriff, as to the possibility of prosecuting people who are illegally putting garbage and trash into the ditch.

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COMMITTEE APPOINTED

Mr. S. F. Phillips was present concerning his attempts to get necessary road right-of-way agreements signed by the property owners bordering Town Creek Road between old State 95 and new State 95. He stated that all property owners had signed except for five (5) and that Highway Commissioner Malone had agreed to do the work and set the road up as a rural road project but that all the right-of-way had to be obligated before he could proceed. After discussion, it was moved by Squire Conner, seconded by Squire Blair, and unanimously approved that a committee be appointed to work along with the Road Commissioner and the property owners along Town Creek Road to see if the necessary right-of-way could be obtained, and that a recommendation be made to the next Quarterly Court meeting, which motion passed unanimously. By agreement the Second District Squires to wit, Conner (Chairman), Williams, Hartsook, and Foster, were appointed as a committee for this purpose

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OPEN DISCUSSION PERIOD

Mr. Lee D. Price, who is a member of and representing a Senior Citizens Committee and a Retired Teachers' Committee, urged the Quarterly Court to consider the needs of the Senior Citizens in its deliberations and actions, and further urged the Quarterly Court to make additional efforts to help clean up the County roads where garbage and trash were being thrown along side the roads all over the County.

LEE PRICE

BART IDDINS  
(INDUSTRIAL COMMITTEE)

Mr. Bart Iddins was present representing the Loudon County Committee of 100, and explained that the Committee was urging the County to adopt in its budget the amount of \$5,000 to be used by the Committee toward its operating budget with the view toward getting a full-time director and a full-time program in industrial development; and further to take steps to reserve \$25,000 per year to use toward capital expenditures toward industrial parks, etc.

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MRS. LONNIE ARDEN  
MT. ZION RD. FLOODING

Mrs. Lonnie Arden, and a delegation from the Davis Ferry -- Mt. Zion Road (Ridge Road) Community as to a severe problem of flooding over one of the County roads, which was causing a problem of passability when there was any significant rain at all, and was a situation wherein school children were having to wade in water nearly waist deep in order to get home from the school bus. It seemed that the problem was inherited in the was that a previous road was constructed without providing for adequate drainage, and that the problem had grown worse. It also appeared that to correct the situation would possibly take an easement across property belonging to a non-resident private owner. It was moved by Squire Blair, and seconded by Squire Duckworth, and unanimously approved that the following committee be appointed to check into this: Squire Duckworth, Chairman; Squires Bledsoe and Blair.

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COUNTY JUDGE'S REPORT

PROPOSED EXTENSION OF  
STATE 1/2¢ SALES TAX  
FOR LOCAL GOV'T.

The County Judge reported that the TCSA-TML Intergovernmental Committee had now decided on a new approach to getting additional funds from the State for the operation of various programs in County government, to include ambulances, which would be called the Local Government Property Stabilization Act of 1973 wherein the State Legislature would be requested to continue the temporary 1/2¢ State sales tax, with local government to get 1/2 of that.



ATTY'S FEE --  
CIRCUIT CT. CLK.

He announced that the attorney's fee for the lawsuit to recover from the Bonding Company the deficit in the former Circuit Court Clerk's office accounts was \$2,000 plus a small amount of expenses.

MAREMONT "IN-LIEU-  
OF-TAX PROBLEM

He further explained that there had arisen a question of how to divide the In-Lieu-of-Tax payment from the Maremont Corporation between the City of Loudon and the County of Loudon, and that it was his intention to attempt to get the money deposited in a joint savings account with Loudon, to refer the dispute for further consideration to the Budget Committee, and to make a report back to the Quarterly Court.

DRAFT BOARD OFFICES  
RELINQUISHED BY GSA

He reported that he had been notified by the Federal General Services Administration that the lease of two rooms in the County Office Building for draft board purposes had been discontinued under the lease agreement.

MINUTES OF NOV. 1972  
CORRECTED -- COUNTY  
JUSTICE CENTER

Judge Sproul explained that by error the action of the Court in approving a resolution authorizing the institution of condemnation proceedings concerning the County Justice Center had been omitted from the November, 1972, meeting record of minutes. It was moved by Squire Blair, seconded by Squire Duckworth, and unanimously approved on a roll-call vote, that Resolution No. 5-73, attached to these minutes as Exhibit A, correcting the November 1972 minutes, be adopted, the heading of said resolution being as follows:

RESOLUTION TO CORRECT MINUTES OF  
REGULAR MEETING OF NOVEMBER 6, 1972,  
LOUDON COUNTY QUARTERLY COURT

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TARBC MEETING

Judge Sproul reported that Loudon County had been host to a meeting in which the State Director of the Tennessee American Revolution Bicentennial Committee had spoken with representatives having attended this meeting from all over East Tennessee.

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SUGAR LIMB AND  
PHILADELPHIA CONNECTOR  
RDS.

Judge Sproul advised the Quarterly Court that he had now received the estimates from the Department of Transportation as to the estimated cost of the two new connector roads, with the Philadelphia connector estimated to cost \$678,026, and the Sugar Limb connector estimated to cost \$919,719. A copy of the letter is attached to these minutes as Exhibit. 13. Judge Sproul explained that the Department of Transportation was requesting a deposit of \$140,300 as the County's estimated 1/2 share for the cost of right-of-way of both projects. After considerable discussion concerning the cost of the project including a report as to the status of the Hotel-Motel tax lawsuit and how the 1/2¢ sales tax and the Hotel-Motel Tax was being collected, it was moved by Squire Bledsoe, and seconded by Squire Blair, that the County Judge contact the bond advisor and have the preliminary bond resolution drawn so that it could be considered at the next meeting of Quarterly Court. It was moved by Squire Conner, and seconded by Squire Hartsook, that the motion be tabled until the next meeting of Quarterly Court for further consideration at that time.

ESTIMATES OF COST  
REPORTED

CONSIDERATION OF ACTION  
POSTPONED TO NEXT  
MEETING

Voting Aye:

Foster  
Conner  
Hartsook  
Hamilton  
Hudson  
Williams

Voting No:

Blair  
Duckworth  
Bledsoe

The Chair declared the motion to table adopted.

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HOMEMAKER-HOME  
HEALTH AIDE PROGRAM--  
AUTHORITY TO APPLY FOR  
FEDERAL GRANT

The proposed Homemaker-Home Health Aide Program, to be sponsored by the Loudon and Roane Community Action Agency under the State program sponsored by the Tennessee Commission on Aging was explained to the Quarterly Court, and upon motion by Squire Conner, seconded by Squire Hartsook, and unanimously approved, the County Judge was authorized to make application for a Federal grant for the purpose of adopting this program in conjunction with Roane County.

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It was reported that the Planning Commission was still working on the Fiscal Planning Program (Capital Outlay Budget), and hoped to have it ready for presentation to the Budget Committee and the Quarterly Court within the next three (3) weeks; and further that the Luttrell and Eaton Recreational Parks were still in the running for possible funding under the requested HUD grant.

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LTVEC DISCUSSION

It was reported by the Superintendent of Schools that the Loudon County School Board had, pursuant to the Quarterly Court resolution at its last meeting, approved the necessary \$3500 to be taken from the school fund, provided that Monroe County also approved participation in LTVEC. It was pointed out by Squire Hartsook, the County's representative on LTVEC's Board of Directors, that the County Court's resolution had assured funding of the \$3500, and that this information had been relayed to LTVEC, the only question being as to payment from the Board of Education budget. After further discussion, it was agreed that the matter would be discussed further at the next meeting of Quarterly Court.

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COUNTY JUSTICE CENTER  
REPORT

Judge Sproul explained that he had contacted the Tennessee Highway Patrol concerning the possibility of its participation in the new County Justice Center by renting space, and that he had been contacted by Commissioner Armour who was setting up a meeting with representatives from the East Tennessee Office. He also explained that the County now had possession of all the necessary property for the building, and that the only question left in the lawsuit pending in Circuit Court was the question of the fair-market value price of the Thomas Henry tract of land of approximately 5 1/2 acres. He further stated that he had executed the contract with the architect who had proceeded immediately and was pushing toward getting plans and specifications ready for bidding as soon as possible.

On the question of appointments to the County Justice Center Co-ordinating Committee (LCLEA), it was moved by Squire Williams, seconded by Squire Hudson, and unanimously approved that the Town of Loudon and the City of Lenoir City be requested to agree to an amendment of the contract so as to allow five (5) members to be appointed from the County, and one (1) from each City, or a total of seven (7) members.

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TRANSFER STATION REPORT

Concerning the Transfer Station, the report was made concerning: (1) the building of the waterline to the Transfer Station, (2) the fact that apparently only approximately 44¢ was going to be received per capita from the State grant instead of the 75¢ per capita originally understood, to apply on the operational costs insofar as the Cities were concerned, (3) that David Witherspoon, Inc. had made the necessary improvements to the road to the Transfer Station, and (4) that it was time to consider a renewal of the contract with the Martel Garbage Pickup inasmuch as that original contract had only been made for one year with the Martel Garbage Pickup to pay \$100.00 per month. A meeting was set for this Committee for Thursday, March 29, 1973.

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COUNTY JUSTICE CENTER  
REQUEST FOR PRIVATE  
ACT AUTH. CT. COST TAX

Judge Sproul reported that he had checked with the Staff Attorney for the Office of Local Government in the Comptroller's Office who had advised that there were many such Private Acts assessing additional Court costs as against every case filed in the Courts of a County, in answer to the question concerning the possibility of a "court costs tax" to gain additional revenue to help finance the construction and operational cost of the County Justice Center Squire Conner then moved, Squire Foster seconded, and it was unanimously approved, that the Loudon County Legislative delegation be requested to pass a Private Act providing for a special tax of \$1.00 on all criminal cases, and \$2.00 on all civil cases, filed in the Courts of Loudon County, which motion passed on a roll-call vote.

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HOSPITAL REPORT

Squire Conner reported in detail concerning the Hospital Board meeting, and that the Hospital Board had approved an extension to the Emergency Room Parking Lot, had appointed a committee to work with the County concerning the Five Year Capital Outlay Budget insofar as the Hospital was concerned, and had talked very strongly about the necessity of beginning as soon as possible an addition to the Fourth Floor, to be paid for from Hospital revenues, in that the Hospital had been running a full occupancy rate for several weeks; and reported that insofar as the ambulance service was concerned that total cash disbursements for the month of January was \$4,777.06, and that the total deficit as of that date is \$7,261.10. He reported that the collection rate at this time was a little over 1%. There had been 71 calls in January, and a collection to this date of \$516.00 although Medicare statements for ambulance services had not been sent as yet.

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BUDGET AMENDMENTS

It was moved by Squire Foster, seconded by Squire Conner, and unanimously approved on a roll-call vote, that the budget amendments for March, attached to these minutes as Exhibit C, be approved.

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APPROVAL OF STATE  
AUDIT CONTRACT FOR  
1973-74

It was moved by Squire Foster, seconded by Squire Williams, and unanimously approved on a roll-call vote, that the County retain the State to do the necessary audits and budget advisory work for the fiscal year 1973-74.

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NO-FAULT INS.  
RESOLUTION

It was moved by Squire Blair, seconded by Squire Hartsook, and unanimously approved that Loudon County Quarterly Court go on record as being in favor of the "no-fault" insurance proposal offered by the State Administration.

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DEPUTY SHERIFF --  
OFFICE OF SHERIFF  
AUTHORIZED SEVENTH  
DEPUTY

Sheriff Freeman Russell told the Court that he had had two deputies to resign in the last two weeks, that the only way that he could have a full force around the clock was to use his six deputies on the basis of a six-day week and 12 hours a day, and that it was practically impossible, for the salary involved to keep good, competent help at that rate, and that he felt that he could improve the situation considerably by adding a 7th deputy which would enable him to go to a five-day week although it would still be a 12-hour day. It was explained that this would not require a budget amendment or appropriation by the Quarterly Court inasmuch as there was enough money in the budget to cover until the end of this fiscal year, but that approval was requested in that it would be contemplated that Sheriff Russell would request seven deputies for the coming full year. It was then moved by Squire Hamilton, seconded by Squire Hartsook, and unanimously approved that the Sheriff be authorized to hire a seventh deputy. It was explained by Judge Sproul that he felt that it should be brought to the attention of the Quarterly Court that Loudon County was putting a considerable emphasis in attempting to improve law enforcement inasmuch as the County law enforcement operating budget had increased by almost 100% over the last five years.

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"PEANUT" CRISP  
BEER JOINT

Squire Blair brought to the attention of the Court that there was a severe traffic problem on U. S. 11 just outside the Southwest limits of Lenoir City at "Peanut" Crisp's Beer Joint, and he wondered if some action could be taken to keep the traffic from parking on the highway right-of-way. This was to be brought to the attention of the State Highway Patrol by the Sheriff.

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NOTARY PUBLICS ELECTED

It was moved by Squire Conner, seconded by Squire Blair, and unanimously approved that the following persons be elected notary publics for Loudon County:

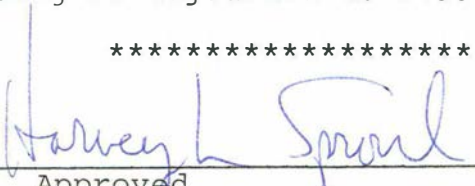
Ivo W. Sanders  
Peggye A. Wilcox  
Helen T. Blair  
Marian Martin

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ADJOURN

It was moved by Squire Blair, seconded by Squire Foster, and unanimously approved that the meeting be adjourned at 2:55 P. M.

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Approved

March 5, 1973

#30A-72

RESOLUTION OF THE QUARTERLY COURT OF  
LOUDON COUNTY, TENNESSEE, AUTHORIZING  
EMINENT DOMAIN PROCEEDINGS TO ACQUIRE  
REALTY FOR A CRIMINAL JUSTICE CENTER

WHEREAS, certain governmental funds are presently available for Loudon County, Tennessee, with which to construct a Criminal Justice Center and;

WHEREAS, the Quarterly Court of Loudon County, Tennessee, is charged with the responsibility of acquiring real property upon which to construct said Criminal Justice Center and;

WHEREAS, certain surveys and appraisals have been made relative to the acquisition of a proposed site upon which said Center could be constructed and;

WHEREAS, it is not yet definite whether said proposed site can be obtained through negotiation or whether Loudon County will have to exercise its power of eminent domain and;

WHEREAS, time is of the essence in this project and authority to exercise said power of eminent domain is needed in the event negotiation to purchase a site for the construction of said Center is unsuccessful.

NOW, THEREFORE, BE IT RESOLVED BY THE QUARTERLY COURT OF LOUDON COUNTY, TENNESSEE, that the County Judge be and is hereby authorized to exercise the power of eminent domain, if necessary, to acquire a site for the proposed Criminal Justice Center and in this respect to execute all documents and take all actions necessary to acquire said building site.

This 6<sup>th</sup> day of November, 1972.

Attest:

Edward Alexander

Harvey L. Sprad

LOUDON COUNTY QUARTERLY COURT

RESOLUTION # 5-73

RESOLUTION TO CORRECT MINUTES OF REGULAR MEETING OF  
NOVEMBER 6, 1972, LOUDON COUNTY QUARTERLY COURT

WHEREAS, it appears that a resolution concerning the County Justice Center, duly adopted by the Loudon County Quarterly Court on November 6, 1972, at its regular meeting, was inadvertently omitted from the minutes of said meeting; and

WHEREAS, it appears that at its December, 1972, meeting, the Loudon County Quarterly Court approved the minutes of the November term of Court as written, which minutes inadvertently omitted the aforesaid Resolution duly and properly passed; and

WHEREAS, the minutes of the aforesaid November meeting should be amended so as to properly show the action of the Quarterly Court;

NOW, THEREFORE BE IT RESOLVED by the Loudon County Quarterly Court in regular session assembled on this the 5<sup>th</sup> day of March, 1973, that the minutes of the Loudon County Quarterly Court dated November 6, 1972, be amended by inserting the following wording in Quarterly Court Minute Book 15, Page 266, immediately preceding the minute item with the heading "Transfer Station -- Revised Closing Hours", the said amendment being in words and figures as follows:

It was moved by Squire Hartsook, seconded by Squire Blair, and unanimously approved on a roll-call vote, that Resolution # 30A-72 be adopted, the said Resolution being as follows:

*E. Hart A*



RESOLUTION OF THE QUARTERLY COURT OF  
LOUDON COUNTY, TENNESSEE, AUTHORIZING  
EMINENT DOMAIN PROCEEDINGS TO ACQUIRE  
REALTY FOR A CRIMINAL JUSTICE CENTER

WHEREAS, certain governmental funds are presently available for Loudon County, Tennessee, with which to construct a Criminal Justice Center and;

WHEREAS, the Quarterly Court of Loudon County, Tennessee, is charged with the responsibility of acquiring real property upon which to construct said Criminal Justice Center and;

WHEREAS, certain surveys and appraisals have been made relative to the acquisition of a proposed site upon which said Center could be constructed and;

WHEREAS, it is not yet definite whether said proposed site can be obtained through negotiation or whether Loudon County will have to exercise its power of eminent domain and;

WHEREAS, time is of the essence in this project and authority to exercise said power of eminent domain is needed in the event negotiation to purchase a site for the construction of said Center is unsuccessful.

NOW, THEREFORE, BE IT RESOLVED BY THE QUARTERLY COURT OF LOUDON COUNTY, TENNESSEE, that the County Judge be and is hereby authorized to exercise the power of eminent domain, if necessary, to acquire a site for the proposed Criminal Justice Center and in this respect to execute all documents and take all actions necessary to acquire said building site.

This 6th day of November, 1972.

/s/ Harvey L. Sproul  
County Judge

ATTEST:

/s/ Edward Alexander  
County Court Clerk

BE IT FURTHER RESOLVED, that the Clerk shall make proper annotation on the margin of the aforesaid November 6, 1972, minutes, to indicate the amendment herein.

This Resolution Adopted this the 5<sup>th</sup> day of March, 1973.

Harvey L. Sproul  
County Judge

Edward Alexander  
County Court Clerk

WINFIELD DUNN  
GOVERNOR

February 15, 1973

ROBERT F. SMITH  
COMMISSIONER

Honorable Harvey L. Sproul  
Loudon County Judge  
Loudon County Courthouse  
Loudon, Tennessee 37774

Dear Judge Sproul:

The Department of Transportation has two agreements, dated August 4, 1971, with Loudon County for the construction of Local Interstate Connector Routes along Sugar Limb Road and Philadelphia Road from I-75 to State Route 2.

I am pleased to say that the ROW plans for both projects have been completed and are being forwarded to you, under separate cover, for your review. The revised cost estimates for each project, which are based on these plans, are as follows:

Philadelphia Connector Route

Right-of-Way Cost	\$ 150,600
Utilities Relocation	13,340
Railroad Crossing Signal	20,000
Construction Cost	<u>494,086</u>
Total	\$ 678,026

Sugar Limb Connector Route

Right-of-Way Cost	\$ 130,000
Utilities Relocation	7,418
Construction Cost	<u>782,719</u>
Total	\$ 919,719

After the Quarterly Court approves the plans, it is requested, as stated in the LIC agreements, that Loudon County make a deposit of \$140,300, to cover their share of the right-of-way phase of the two projects. The deposit is for \$75,300 on the right-of-way acquisition of the Philadelphia Connector and \$65,000 on the right-of-way acquisition of the Sugar Limb Connector. The check for the deposit should be made payable to the Tennessee Department of Transportation, and forwarded to my office.

When the check for the above amount is received, procedures will be initiated to begin the right-of-way acquisition for the project. Since I-75 is already under contract, your prompt attention to this matter will be appreciated.

Yours very truly,



E. R. Terrell, Director  
Bureau of Transportation Planning

ERT:mh

Commissioner Smith  
cc: Mr. Lewis Evans  
Mr. Paul Edens

*E. R. Terrell B*

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TENNESSEE  
STATE DEPARTMENT OF EDUCATION  
OFFICE OF COMMISSIONER  
NASHVILLE 37219

January 23, 1973

Mr. A. C. Dukes, Sr., Superintendent  
Loudon County Schools  
Loudon, Tennessee 37774

Dear Mr. Dukes:

Your request of December 15, 1972, to establish Project 72.41 to be funded from FY 1972 Part C carry-over funds, and to be combined, but not combine with Project 73.01 under Title I, Public Law 89-10 as amended, has been reviewed by this office. Your request is approved as follows:

Decrease

FY 72 Unprogrammed Part "C" Allotment Balance     \$4,658.00

Increase

2210.31	Regular Teachers	\$3,225.00
2220.11	Travel Allowance Itinerant Teacher	200.00
2230.1	Teaching Supplies	814.07
2851.21	Contributions to Social Security	188.66
2851.4	Contributions to Teacher Retirement	230.27
		<u>\$4,658.00</u>

Project Budget 72.41 in the amount of \$4,658.00 is funded in full.

Fiscal year 1972 Part C carry-over funds must be budgeted, reported, and accounted for separately from FY 1973 funds.

Separate financial reports (Form A and B and Final Completion Reports) are required of all FY 1972 Part C funds budgeted in FY 1973 as FY 1972 carry-over funds.

Budget Amendments for March 5, 1973 Agenda

General Fund

<u>Acct.</u>		<u>Dr.</u>	<u>Cr.</u>
41	Estimated Revenues (151) Funds from Hospital for Doctor's Committee	\$500.00	
81	Appropriations (1109-01) Unallocated Primary Travel & Expenses of Doctor's Committee		\$500.00

To amend budget to receive funds from Hospital for Doctor's Committee expenses.

Transfer \$180.00 from Acct. 1109-01 ( unallocated-Primary) to Acct. 1300-02 (Salary for Lester McDonald at Transfer Station)

Title I 72-41

Approved attached Title I 72/41 Budget:

*Ey Lubert C*