

Be it remembered that the Quarterly County Court of Loudon County, Tennessee, met on May 5, 1975, at 9:00 A. M., with the Honorable William H. Russell, County Judge, presiding and with Mrs. Addie Ruth Clarke, Deputy Clerk of said Court present: Whereupon Chief Deputy Sheriff, Luke Bright, opened Court, led the Pledge of Allegiance to the Flag and introduced the Reverend Edward Williams of the Church of God of Lenoir City, Tennessee, who gave the invocation.

The following Squires were present:

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

Absent:

Boyd Duckworth

\*\*\*\*\*

MINUTES READ AND  
ADOPTED WITH ADDITION

The minutes of the April 7, 1975, session of the Quarterly Court were read. Upon motion of Squire Hudson and seconded by Squire Williams the minutes were adopted as read with the addition of Notary Publics who were erroneously excluded.

\*\*\*\*\*

RECOGNITION OF  
VISITORS IN AUDIENCE

The visitors in the audience were recognized at this time. Mr. J. Livingston of ETDD introduced himself to the Court and advised the Court that he had been assigned as Loudon County's representative as liaison between ETDD and Loudon County. He reviewed the Development District's staff relationship with the County and advised the Court that he would be available to be of any assistance that he could.

\*\*\*\*\*

APPRECIATION TO  
COURT MEMBERS FOR  
THEIR ATTENDANCE IN  
ADDITIONAL MEETINGS

Judge Russell reported to the Court that he was highly appreciative of the fact that Court members took additional time and effort to attend some additional meetings which had been recently held, in particular, the breakfast for the Citizens Advisory Committees. He pointed out that Court members sometimes are called upon to attend various meetings without compensation and all of which detracts from their already busy schedules.

REPORTS ON  
PAVING OF  
CONNECTOR ROADS

Judge Russell reported that the State Highway Department had advised that the Philadelphia Connector should be paved within the next three weeks and that the paving contracts should be let on the Sugar Limb Contracts in June. He reported that the State had advised

that the Loudon County share of the paving would be one-half of Two Hundred Fifty Thousand Dollars (\$250,000.00) which was somewhat less than had originally been anticipated.

LEVELING OPERATIONS  
NEAR JUSTICE CENTER SITE

It was further reported that substantial progress had been made in the leveling operations on the property owned adjacent to the Justice Center site. This adds both in aesthetic values, as well as, safety features for cars entering and exiting from the Sugar Limb and Route 11 roads.

\*\*\*\*\*

OLD HOSPITAL BUILDING  
REPORT

Judge Russell gave the report of the Old Hospital Building Committee. He reported that Squire Conner and Mr. Tom Foster and himself had served at the request of the Court as a committee to study the possible use of that Old Hospital Building. It was noted that after taking into consideration a report made by the planner hired by the Hospital Board and considering the engineering and safety report made by Barge, Waggoner, Sumner and Cannon that it was decided that the building could be made use of.

The original plan was to use the entire building by placing all of those agencies which were in the Old County Office Building as well as the Old High School Building. After this plan was considered the Hospital approached the committee with the fact that several doctors had considered moving to Loudon County if space could be made available. The Committee entered into negotiations with the doctors and it appears at this time that at least three and perhaps four doctors are willing to come to Loudon County to establish practice. Whereupon the Committee recommends that the doctors be rented space in the Old Hospital Building. It was further reported by the Committee that the Welfare Department, the Health Department, the County Extension Agent, the Soil Conservation and related services, the Social Security Representative, the Farmers Home Administration, and the Overlook Center, in addition to the doctors should be given space in the Old Hospital Building at this time.

It was noted that the Purchasing Department and the Central Accounting Department along with the School Department would stay in the Old High School Building in that these groups preferred not to be separated unless in that their functions are so closely related.

BACON BUILDING  
DESIGNATED NAME OF  
OLD HOSPITAL BUILDING

It was also reported to the Court and recommended that the name "Bacon Building" should be the officially designated name of the Old Hospital Building. Upon completion of the report it was moved by Squire Foster and seconded by Squire Hartsook and after full discussion the Court unanimously adopted the report and recommendations of the Old Hospital Committee.

LOUDON COUNTY PLANNING  
COMMISSION REPORT

\*\*\*\*\*

Mr. Steve Campbell of the Tennessee State Planning Office was recognized and gave the Loudon County Planning Commission general report. A complete and full copy of which is attached hereto as Exhibit A. Mr. Campbell was further recognized for consideration of re-zoning request of Mr. Joe Watson on Dry Valley Road, Parcel 15, Tax Map 52, from A-2 to A-1. Upon motion of Squire Conner and seconded by Squire Hartsook the matter was unanimously adopted and re-zoned. Attached hereto is Resolution 14-A-25 Exhibit No. HA.

GENERAL EDUCATION  
REPORT

\*\*\*\*\*

Superintendent Headlee was recognized to give the general education report. Superintendent Headlee reported that the County-wide survey being made by the University of Tennessee was substantially complete and that a rough draft of the study was being prepared. He requested that the Squire meet with the School Board for the purpose of examining the rough draft before the final report was made public. He advised he would let the Court know when the report was ready. He also reported to the Court that although the Commissioner of Education had reported that a full and complete state funding would be available this year that unless the noted discrepancies which have heretofore been brought to the attention of the Court are corrected. State funding would not be available the coming year.

PURCHASING COMMITTEE  
REPORT

\*\*\*\*\*

Squire Hamilton was recognized for the purpose of giving the Purchasing Committee report. He reported that bids were taken and given to A-1 Roofing Company for the roof on the Bacon Building.

LOUDON COUNTY LAW  
ENFORCEMENT AGENCY  
REPORT

\*\*\*\*\*

Squire Hartsook was recognized for the purpose of giving the Loudon County Law Enforcement Agency report. He reported that the Agency had met twice during the month of April and that the meetings were held at the Loudon County Justice Center. Matters discussed were the dedication ceremonies which at this time were set to be held on June 14, 1975. He reported on other related matters in connection with the Justice Center and its progress.

RECOGNITION OF  
BART IDDINS;  
LOUDON COUNTY  
INDUSTRIAL COMMITTEE

\*\*\*\*\*

Bart Iddins of the Loudon County Industrial Committee was recognized out of order in that he could report to the Court on his activities. He reported that the proposed industrial tour which was slated for May 6, 1975, be postponed until May 20, 1975, at which time more Squires could be available to attend. He explained the purposes of the tour and urged all the Squires to make the trip. He also reported that he thought progress was being



made in connection with the Genesco Building and with a prospect at the Southern Railway Building.

\*\*\*\*\*

HOSPITAL & AMBULANCE  
REPORTS

Squire Conner was recognized to give the Loudon County Memorial Hospital and Ambulance report.

\*\*\*\*\*

BUDGET COMMITTEE  
REPORT

The Budget Committee reported with its budget amendments which are attached hereto as Exhibit 13, and upon motion of Squire Hamilton and seconded by Squire Williams the amendments were unanimously adopted.

\*\*\*\*\*

MEMBERS ELECTED TO  
LOUDON COUNTY LIBRARY  
BOARD

Upon motion of Squire Blair and seconded by Squire Hartsook the following members were elected to the Loudon County Library Board:

Mrs. Graham Cooper----Greenback  
Mrs. L. C. Roberts----Lenoir City  
Mrs. John Everett-----Philadelphia

Upon due discussion the members were unanimously elected.

\*\*\*\*\*

MAYOR PEELER  
REAPPOINTED TO  
CONSERVATION BOARD

Upon motion of Squire Hudson seconded by Squire Blair, Mayor Tom Peeler was reappointed to the Loudon County Conservation Board.

\*\*\*\*\*

AMENDING OF  
GENERAL SESSIONS BILL  
OF 1959

Judge Russell reported that he had received from the Secretary of State, Chapter No. 35 the 89th General Assembly, State of Tennessee, which provided that a two-thirds vote of the Quarterly County Court was required in order for its passage.

The Court explained that this bill amended the General Sessions Court Bill of 1959 in that it allowed the Sessions Court to be held in the Loudon County Justice Center Courtroom.

Upon motion of Squire Blair and seconded by Squire Bledsoe, it was unanimously adopted by roll-call vote of those present and voting. A copy of the Bill is attached hereto as Exhibit C.

\*\*\*\*\*

APPLICATION TO  
BORROW  
\$50,000.00

Judge Russell reported to the Court that upon review of the State of Tennessee of our application to borrow Fifty Thousand Dollars (\$50,000.00) from the Farmers Home Administration he had been advised that the County would be better off if it proceeded in another direction in obtaining these funds. He reported that the State advised that to borrow such a sum over such

a long period of years would be inconsistent with good indebtedness procedures. The Director of Accounts, Mrs. Custead, reported that she had been advised that the best approach to the matter would be to borrow the money over a seven year period on capital outlay notes and a resolution of this spect was presented and upon motion of Squire Hartsook and seconded by Squire Blair was unanimously carried. Said Resolution is attached hereto as Resolution 14-25, Exhibit D.

\*\*\*\*\*

Judge Russell reported to the Court that he had been requested by Fort Loudoun Savings and Loan Association, Inc., a Lenoir City Savings and Loan institution to ask the Court's consideration for a refund in an untangible tax which had allegedly been erroneously paid. Judge Russell pointed out that he was a stockholder and attorney for this association and would prefer that Mr. Emmet Carter the Property Assessor, advise the Court as to this situation. Mr. Emmett Carter, the Property Assessor, was in the audience and advised the Court that the Association had been erroneously taxed and that he had checked with his lawyers in Nashville for the State and had been advised that the Association did not in fact owe the money and should be refunded. Upon motion of Squire Blair and seconded by Squire Hartsook the Court voted to refund the entire amount of Seven Hundred Fourteen Dollars and six cents (\$714.06) which erroneously was paid on December 3, 1974, receipt no. 530-74-14704.

\*\*\*\*\*

It was reported that Tellico Area Service System was requesting the Franchise for road use in connection with installation of their water lines in Loudon County. Upon motion of Squire Hudson and seconded by Squire Bledsoe Resolution NO. 15-74 was unanimously adopted by the Court allowing Tellico Area Service System to use the County public right-of-ways for the installation of lines under certain restrictions.

\*\*\*\*\*

The following Notary Publics were unanimously elected or re-elected as indicated:

FRANCHISE FOR  
LOUDON COUNTY ROAD USE  
BY TASS

ELECTION OF  
NOTARY PUBLICS

Robert Lewis  
Sharon W. DeFord

Motion by Squire Foster and seconded by Squire Blair was unanimously approved.

\*\*\*\*\*

COURT MEETING  
ADJOURNED

Motion by Squire Blair and seconded by Squire Hartsook that Court be adjourned.

\_\_\_\_\_  
COUNTY JUDGE

MAY 5, 1975

\_\_\_\_\_  
COUNTY COURT CLERK

RESOLUTION No. 1KA-75'

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-405 OF THE TENNESSEE CODE ANNOTATED, TO REZONE PARCEL 15, TAX MAP 52, FROM A-2, RURAL RESIDENTIAL, TO A-1, AGRICULTURE-FORESTRY

WHEREAS, the Loudon County Quarterly Court, in accordance with Chapter 4, Section 13-405 of the Tennessee Code Annotated may, from time to time amend any provision of any zoning resolution, and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendations regarding the amendment of the Zoning Map of Loudon County, Tennessee, and the necessary public hearing called for and held;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Quarterly Court that the Zoning Map of Loudon County, Tennessee, be amended as follows:

- I. That parcel 15, Tax Map 52, be rezoned from A-2, Rural Residential to A-1, Agriculture-Forestry.

BE IT FINALLY RESOLVED, that this resolution shall take effect immediately, the public welfare requiring it.

Date: \_\_\_\_\_

\_\_\_\_\_  
County Judge

Attest:

Edward Alexander  
Loudon County Court Clerk

*Ey Mark H H*

## BUDGET AMENDMENTS FOR AGENDA

May 5, 1975

SCHOOL FUND

Acct. No.		Dr.	Cr.
41	Estimated Revenue	39,677.00	
	(141) 874 Funds		
81	Appropriations		39,677.00
	(2120.9) Other contracted services	\$11,000.00	
	(2520.1) Contracts with bus drivers	23,000.00	
	(2740) Materials & repair parts	5,677.00	
	Transfer \$975.00 from Acct. 2852.04 (Workmen's Compensation to Acct. 2852.01 (Ins.on Bldgs.))		
41	Estimated Revenue	84.25	
	(114.) Misc. Local		
81	Appropriations		84.25
	(2230.1) Voc.Ed. Greenback		

HIGHWAY FUNDS

97	Unappropriated Surplus	4,000.00	
81	Appropriations		4,000.00
	(1201.2) Salaries and Wages		
	Transfer \$2,000.00 from Acct. 1208.2 (Repairs & Maintenance) to Acct. 1201.2 (Salaries & wages) - 2nd & 5th Dist.		
	Transfer \$2,000.00 from Acct. 1213.2 (Tile) to Acct. 1201.2 (Salaries & Wages) 2nd & 5th Dist.		
	Transfer \$6,540.00 from Acct. 1223.1 (Road Construction) to Acct. 1201.1 (Salaries & Wages) 1st & 4th Dist.		
	Transfer \$1,460.00 from Acct. 1213.1 (Tile) to Acct. 1201.1 (Salaries & Wages)- 1st & 4th Dist.		
	Transfer \$1,000.00 from Acct. 1212.1 (Bridge & Road Materials) to Acct. 1211.1 (Gas & Oil).		
	Transfer \$171.00 from Acct. 1209 (Office Supplies) to Acct. 1213 (Insurance).		

FEDERAL REVENUE SHARING TRUST FUND

Transfer \$300.00 from Acct. 501-02 (Salaries Deputies) to Acct. 505-01 (Juvenile Officers Salary)

SCHOOL FUND

41	Estimated Revenue	1,602.72	
	(131.91) Funds for Adult Education		
97	Unappropriated Surplus	77.50	
81	Appropriations		1,680.22
	3510 Salaries	1,095.00	
	3530 Supplies	150.00	
	35350 Fixed Charges	201.95	
	3590 Travel	233.27	

*Exhibit B*



BUDGET AMENDMENTS FOR AGENDA

May 5, 1975

Acct. No.		Dr.	Cr.
41	Estimated Revenue	2,513.31	
	(141.14) State Dental Funds	87.00	
	(151) Veteran Monument Funds	2,250.00	
	(151) Misc.E.T.D.D.Health Dept.		
	Physicals	110.00	
	(151) Misc.Tenn.Law Enforcement		
	Academy	66.31	
81	Appropriations		2,513.31
	(805.08) State Dental Program	87.00	
	(1133-14) Veterans Monument Fund	2,250.00	
	(807.1-14) Loudon County Health Dept.	110.00	
	(501-19) Other Contracted Services	66.31	
	Transfer \$250.00 from Acct. 402-46 (Equipment) Circuit Court to Acct. 401-04 (Telephone - General Sessions).		
	Transfer \$18.00 from Acct. 401-13 (Surety Bond - General Sessions) to Acct. 401-04 (Telephone - General Sessions).		
	Transfer \$150.00 from Acct. 401-02 (Other Salaries) to Acct. 401-04 (Telephone - General Sessions).		
	Transfer \$100.00 from Acct. 302-46 (Equipment - Purchasing Agent) to Acct. 302-09 (Office Supplies - Purchasing Agent)		
	Transfer \$591.81 from Acct. 1137-08 (Repairs & Maintenance - Old Hospital) to Acct. 1137-04 (Utilities - Old Hospital).		
	Transfer \$547.85 from Acct. 1135-14 (Co.Conservation Board) to Acct. 1102-14 (Soc.Sec. - County Share)		
	Transfer \$300.00 from Acct. 202-03 (Travel - County Judge) to Acct. 202-46 Equipment		
	Transfer \$165.27 (Temporary Salaries - County Judge) to Acct. 202-46 (Equipment - County Judge).		
	Transfer \$150.00 from Acct. 204.2 (Equipment - County Office Building) to Acct. 202-46 (Equipment - County Judge)		
	Transfer \$377.88 from Acct. 1135-14 (County Conservation Board) to Acct. 202-46 (Equipment - County Judge).		





STATE OF TENNESSEE  
SECRETARY OF STATE  
NASHVILLE, TENNESSEE 37219

JOE C. CARR  
SECRETARY OF STATE  
CAPITOL BLDG. 741-2816

JAMES P. BRADLEY  
EXECUTIVE ASSISTANT  
CAPITOL BLDG. 741-2816

ADMINISTRATIVE PROCEDURES	
976 CAPITOL HILL BLDG.	741-2078
CORPORATIONS	
CI-101 CENTRAL SERVICE BLDG.	741-2286
ELECTIONS	
904 CAPITOL HILL BLDG.	741-2650
TRADEMARK SECTION	
CAPITOL BLDG.	741-2817
UNIFORM COMMERCIAL CODE	
CI-101 CENTRAL SERVICE BLDG.	741-3276

Secretary of State  
First Floor-State Capitol  
Nashville, TN 37219

Dear Sir:

The Quarterly County Court, London  
County, met on May 5 1975, and considered  
Private (Public or Private) Act No. \_\_\_\_\_,  
Chapter No. 35 of the 89th General Assembly.

This Act was approved ☒

This Act was not approved ☐

No Action taken ☐

Sincerely,

Edward A. Clefand  
County Court Clerk

London  
County

May 5, 1975  
Date

Exp. Subst. C

53



STATE OF TENNESSEE  
SECRETARY OF STATE  
NASHVILLE, TENNESSEE 37219

JOE C. CARR  
SECRETARY OF STATE  
CAPITOL BLDG. 741-2816

JAMES P. BRADLEY  
EXECUTIVE ASSISTANT  
CAPITOL BLDG. 741-2816

April 15, 1975

ADMINISTRATIVE PROCEDURES	
976 CAPITOL HILL BLDG.	741-2075
CORPORATIONS	
C1-101 CENTRAL SERVICE BLDG.	741-2285
ELECTIONS	
904 CAPITOL HILL BLDG.	741-2650
TRADEMARK SECTION	
CAPITOL BLDG.	741-2817
UNIFORM COMMERCIAL CODE	
C1-101 CENTRAL SERVICE BLDG.	741-3275

County Judge William Russell  
Loudon County Courthouse  
Loudon, TN 37774

Dear Judge:

Chapter Number 35 of the 89th  
General Assembly of the State of Tennessee provides that this  
particular chapter would have no effect unless it is approved  
by 2/3 vote of the Quarterly County Court of your county.

The Secretary of State of Tennessee shall be notified  
of the action taken by the County Court, whether approved,  
disapproved, or whether any action at all is taken.

We are enclosing a copy of private Chapter Number  
35 of the 89th General Assembly and ask that we be  
notified as soon as possible by the County Court Clerk.

If you have any questions concerning this matter, please  
do not hesitate to contact this office at 741-2816.

Sincerely yours,

J.P. Bradley  
Executive Assistant



# State of Tennessee



## Department of State

*To all to whom these Presents shall come, Greeting:*

*I Joe C. Carr, Secretary of State of the State of Tennessee, do hereby certify, that the annexed is a true copy of*

CHAPTER NO. 35

HOUSE BILL NO. 422

PRIVATE ACTS OF 1975

*the original of which is now on file and a matter of record in this office.*

*In Testimony Whereof, I have hereunto subscribed my Official Signature and by order of the Governor affixed the Great Seal of the State of Tennessee at the Department, in the City of Nashville, this 15th day of April*

*A.D. 19 75*



*Joe C. Carr*  
Secretary of State

**HOUSE BILL NO. 422****By Stafford, O'Brien****Substituted for: Senate Bill No. 320****By Koella**

AN ACT to amend Chapter 57 of the Private Acts of 1959 entitled: AN ACT to create and establish a Court of General Sessions in and for Loudon County, Tennessee, and to define and specify its powers, prerogatives and jurisdiction; to provide for the election, qualification, tenure of office and compensation of the Judge of said Court, and for the filling of a vacancy in said office; to divest the Justices of the Peace of Loudon County of Jurisdiction and authority in all civil and criminal matters, cases, causes and litigation; to divest the County Judge of Loudon County of jurisdiction in juvenile cases and causes, and in said matters only; to provide for a Clerk of Said Court, and to fix the compensation and define the duties and authority of said Clerk; to set the fees and define the costs of Said Court, and to provide for the collection and disposition thereof; to exclude and except Loudon County from the application of all laws and parts of laws in conflict with this Act, and to repeal the same to said extent; and to require the approval or rejection of this Act by a plurality of the votes cast by the qualified voters of Loudon County in an election to be called for said purpose by the Election Commission of said County.

**SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE,** That Section I of Chapter 57 of the Private Acts of the General Assembly for the State of Tennessee for the year 1959 be and the same is hereby amended by striking therefrom the words, "This Loudon County Court of General Sessions shall be held in the Courtroom of the County Courthouse except during sessions of the County, Chancery, Circuit, and Criminal Courts, and in the City of Lenoir City, Tennessee, twice weekly for hearing civil cases in which a party defendant resides within the Second Civil District of said County, or in which no objection or exception is taken to venue by a litigant or counsel before pleading to the merits of the action", wherever the same may appear and inserting in lieu thereof the following: "This Loudon County Court of General Sessions shall be held in the Courtroom of the Loudon County Justice Center."

**SECTION 2. BE IT FURTHER ENACTED,** That the following words be stricken from Paragraph Two, Section I, of Chapter 57 of the Private Acts of 1959. "However, the County shall not be held liable for any expenses incurred by the Court's hearing civil cases elsewhere than at the County Courthouse. Therefore, no valid demand may arise for rent of premises or mileage of witnesses, clerk, or judge held at premises other than the County Courthouse.



SECTION 3. BE IT FURTHER ENACTED,  
That Paragraph Three, Section I, of the Private Acts  
of 1959 be stricken in its entirety.

SECTION 4. BE IT FURTHER ENACTED,  
That this Act shall have no effect unless the same  
shall have approval by a  $\frac{2}{3}$  vote of the Quarterly  
County Court of Loudon County, Tennessee. Its  
approval or non-approval shall be proclaimed by the  
County Judge and counter-signed by the County  
Court Clerk, and shall be certified by them to the  
Secretary of State.

SECTION 5. BE IT FURTHER ENACTED,  
That this Act insofar as the General Assembly of  
Tennessee is concerned shall take effect from and  
after its passage, the public welfare requiring it.

HOUSE BILL NO. 422

PASSED: April 7, 1975

Ned R. Munter

SPEAKER OF THE HOUSE OF REPRESENTATIVES

John Mulder

SPEAKER OF THE SENATE

APPROVED this 10<sup>th</sup> day of April 19 75

Ray Blanton

GOVERNOR

14-75

RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$33,333.33 CAPITAL OUTLAY NOTES OF LOUDON  
COUNTY, TENNESSEE, PROVIDING THE DETAILS  
THEREOF AND AUTHORIZING THE SALE THEREOF.

WHEREAS, it has been determined by this Quarterly County Court that it is necessary and desirable to purchase a site to provide proper facilities for a vocational school to be constructed by the State of Tennessee; and

WHEREAS, Tennessee counties are authorized by Section 5-1031 of the Tennessee Code Annotated to issue notes, for a period not to exceed seven years from the date of issuance, for the purposes of acquiring land upon the approval of said issuance of notes by the State Director of Local Finance; and

WHEREAS, it appears advantageous to Loudon County at this particular time to issue Capital Outlay Notes to pay for its share of the acquisition cost of said land rather than to issue bonds; and

WHEREAS, Loudon County has no funds available in its treasury for said purposes, but authority exists under the provisions of Section 5-1031 to 5-1038 of the Tennessee Code Annotated, as amended, for the issuance and sale of notes to provide the necessary funds therefor:

NOW, THEREFORE, BE IT RESOLVED BY the Quarterly County Court of Loudon County, Tennessee, as follows:

Section 1. For the purpose of providing funds for Loudon County's share of the cost of the land acquisition for a vocational school site, pursuant to authority granted by Section 5-1031 of the Tennessee Code Annotated, as amended, there shall be issued the negotiable coupon notes of said County in the principal total amount of \$33,333.33. Said notes shall be designated "Capital Outlay Notes", shall be dated or from the date the notes are executed, and shall be numbered serially beginning with the number 1. Said notes shall be in the denomination of \$4,761.90 with the exception of the note designated number seven (7), which shall be in the denomination of \$4,761.93. Said notes shall bear interest from the date thereof until paid at a rate not exceeding ~~7~~ per cent per annum, to be determined at the time of sale thereof, payable in one, two, three, four,

Exhibit D

five, six and seven years respectively. Both principal and interest on said notes shall be payable in lawful money of the United States of America, at Loudon, County Trustee  
Loudon, Tenn.

Section 2. Said notes shall be signed by the County Judge, countersigned by the County Court Clerk, and sealed with the Official seal of the County

Section 3. Said notes shall be in substantially the following form, the omissions to be approximately completed when the notes are printed:

(FORM OF NOTE)

UNITED STATES OF AMERICA

STATE OF TENNESSEE

COUNTY OF LOUDON

CAPITAL OUTLAY NOTE

Number \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS: That the County of Loudon, in the State of Tennessee, hereby acknowledges itself to owe, and for value received hereby promises to pay, to bearer the sum of \_\_\_\_\_ on the first day of \_\_\_\_\_ with interest at the rate of \_\_\_\_\_ per cent (\_\_\_\_%) per annum from the date hereof until the principal amount shall have been fully paid, such interest being payable annually. Both principal hereof and interest hereon are payable in lawful money of the United States of America at \_\_\_\_\_

For the prompt payment of this note, both principal and interest at maturity, and for the levy and collection of sufficient taxes for that purpose, the full faith, credit and resources of said County of Loudon are irrevocably pledged.

This note is one of an issue of notes of like date aggregating \$33,333.33 issued under authority of, and in full compliance with, the Constitution and Statutes of Tennessee, including Section 5-1031 of the Tennessee Code Annotated, as amended, and under authority of a resolution duly adopted by the Quarterly County Court of said County on \_\_\_\_\_, for

the purpose of providing funds for the acquisition of a site for a vocational school. It is hereby certified, recited and declared that all acts, conditions and things required to be done, exist and be performed, precedent to and in the issuance of this note in order to make this note a legal, valid and binding obligation of Loudon County have been done, exist and be performed in regular and due time, form and manner as required by law, and that this note and the issue of which it is a part does not exceed any constitutional or statutory limitation.

Section 5-1039 provides that neither the principal nor the interest of Tax Anticipation Notes issued pursuant to the provisions of Section 5-1031 to 5-1039, inclusive of the Tennessee Code Annotated, as amended, shall be taxed by the State of Tennessee or by any county or municipality therein.

IN WITNESS WHEREOF, the County of Loudon, by its Quarterly County Court, has caused this note to be signed by its County Judge, countersigned by its County Court Clerk and sealed with the official seal of the County, all as of the \_\_\_\_ day of \_\_\_\_\_, 1975.

\_\_\_\_\_  
COUNTY JUDGE

Countersigned:

\_\_\_\_\_  
COUNTY COURT CLERK



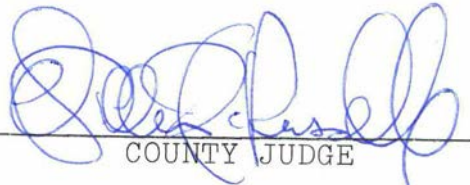
Section 4. For the purpose of providing funds with which to pay interest accruing on said notes and the principal thereof at maturity, there shall be levied upon all taxable property in said Loudon County, in addition to all other taxes, a direct annual tax for each of the years while said note is outstanding, in amounts sufficient for that purpose. Principal or interest coming due at any time when taxes provided for that purpose shall have been collected.

Section 5. Said notes shall be sold by the County Judge for not less than par and accrued interest, if any, to date of delivery. The action of the County Judge in consummating such sale and fixing the interest rate shall be conclusive and no further action shall be necessary on the part of this Court.

Section 6. The proceeds of said notes shall be turned over to the County Trustee of Loudon County and shall be paid out for the purposes and distributed in the manner required by law and this resolution.

Section 7. All orders or resolutions in conflict herewith be and the same are hereby repealed insofar as such conflict exists, and this resolution shall be come effective immediately upon its passage.

PASSED and approved this 5<sup>th</sup> day of May, 1975.

  
COUNTY JUDGE

Countersigned:

  
COUNTY COURT CLERK

LOUDON COUNTY QUARTERLY COURT

RESOLUTION NO. 15-75

RESOLUTION GRANTING WATER LINE FRANCHISE RIGHTS TO  
TELLICO AREA SERVICES SYSTEM

WHEREAS, the Loudon County and Monroe County Courts under the provisions of the local Intergovernmental Cooperation Act each have formed Boards of Public Utilities which have contracted together to form the Tellico Area Services System for the purpose of providing a public water system for the U. S. 411 corridor, and surrounding areas; and

WHEREAS, funding for the construction of said system has now been obtained, bids have been let and the construction contract awarded, and it is necessary that an agreement and understanding be reached as to the rights and responsibilities involved in laying water lines along the County roads and highways in Loudon County;

NOW, THEREFORE, BE IT RESOLVED by the Quarterly County Court of Loudon County, Tennessee, that the Tellico Area Services System, a joint governmental operation of Loudon County and Monroe County Boards of Public Utilities, hereinafter sometimes referred to as System, under the authority of TCA 5-1601 et. and TCA 5-1114, its assigns and successors, is hereby granted a franchise for a period of 40 years from this date, subject to the exceptions conditions, and reservations herein contained, for the right and privilege of laying and maintaining water lines off the pavement and maintaining water lines and pipes along, over, across, and under the roads and highways of said County, and to use the same for the transportation of water to and into various residences, commercial establishments, industrial plants, barns, and other locations, subject to the following exceptions, conditions, and reservations, to-wit:

*Exp Tellico S*

1. Said pipelines shall be placed a sufficient distance under the ground so that safety of the public shall not be in danger, and the lines will be properly protected.

2. All excavations and disturbances of the right of way for the installation of said pipelines by the System shall be restored as soon as possible and in as good condition as before excavations were made.

3. In the event of a widening or changing of any of the roads, if it should be necessary to change such water lines, the expense of such changes shall be borne and paid for by the System and not by the County.

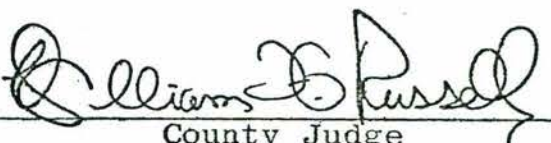
4. Lines will be laid outside the ditch line where practical, and may be laid in the ditch line where necessary; but

Grantee is prohibited from burying lines under the pavement or in or under the actual road bed where pavement or a hard-surface might later be placed, with the exception that lines may be so laid when it is necessary to cross the road or right of way.

5. Grantee will be responsible for injuries or damages to anyone or any property as a result of and during the construction of water lines.

BE IT FURTHER RESOLVED, that the Tellico Area Services System by its application to the Quarterly Court for this franchise and its understanding of this resolution and the privileges and conditions involved, does accept this franchise and the rights and privileges herein granted with full understanding of and in consideration of the exceptions, conditions, and reservations hereinabove listed and defined.

This the 5th day of May, 1975.

  
County Judge

Attest:

  
County Court Clerk

Applicant:

TELLICO AREA SERVICES SYSTEM

By: \_\_\_\_\_