

COUNTY LEGISLATIVE BODY

September 8, 1980

Be it remembered that the County Legislative Body met in regular session on September 8, 1980 at 7:00 p.m. with the Honorable William H. Russell, County Judge, presiding and Riley D. Wampler, County Clerk of said county, was present; Whereupon Sheriff Joe Sims opened Court, led the Pledge of Allegiance to the Flag, and introduced Roy Bledsoe, who gave the Invocation.

The following Commissioners were present:

J.J. Blair	Glenn Luttrell
Roy Bledsoe	James Hartsook
Richard Hawk	J. Will Jones
J.G. Hudson	Bart Eldridge

*Note: A vacancy exists on the Commission due to the resignation of Doyle Arp.

Minutes Approved It was moved by Commissioner Hudson and seconded by Commissioner Luttrell that the minutes be approved as presented. The vote was unanimous.

Capital Outlay Notes After some discussion, it was moved by Commissioner Jones and seconded by Commissioner Eldridge that the Resolution authorizing the issuance of \$576,000 Capital Outlay Notes of Loudon County concerning Staley be approved. All Commissioners voted Yea except Commissioner Blair, who did not vote nor take part in any of the discussion because of his affiliation with the matter. The Resolution is attached hereto as Resolution No. 99-80 and Exhibit No. A.

Planning Comm. Mr. Dave Folz of the Loudon County Planning Commission gave the General Report, which is attached hereto as Exhibit No. B.

It was moved by Commissioner Jones and seconded by Commissioner Hudson that the rezoning request for approximately three (3) acre tract west of Simpson Road, adjacent to the Ezell Mobile Homes, from R-1. Suburban-Residential to C-2, General Commercial, 5th District, be approved. All voted Yea, with the exception of Commissioner Luttrell, who did not vote nor take part in any of the discussion, because of his involvement. The Resolution being attached hereto as Resolution No. 100-80 and Exhibit No. C.

It was moved by Commissioner Eldridge and seconded by Commissioner Jones that the rezoning request - Parcel #44-Map #29 - From R-1, Suburban-Residential to C-2, General Commercial - 5th District - be approved. The vote was unanimous. It being attached hereto as Resolution No. 101 Exhibit No. D.

Mr. Doug Lawrence gave the Building Commission Report:

39 Permits	Total Value	\$797,878.00
Fees Collected		\$1,714.00

Dr. Guider After hearing the Hospital Report, it was moved by Commissioner Blair and seconded by Commissioner Luttrell that the Loudon County Memorial Hospital together with the County Court of Loudon County authorize the Chairman and the Administrator to take whatever steps necessary to guarantee and/or procure funds and to loan funds to Dr. Guider to establish his medical practice. The vote was unanimous. The Resolution being attached hereto as Resolution 102-80 and Exhibit No. E.

Critical Care Facility It was moved by Commissioner Hawk and seconded by Commissioner Hudson that the County Commission authorize Directors of the Loudon County Memorial Hospital to borrow \$300,000 to build and equip a Critical Care Facility at the Hospital. The vote was unanimous. The Resolution being attached hereto as Resolution No. 103-80 and Exhibit No. F.

Budget Amd.
Approved

It was moved by Commissioner Bledsoe and seconded by Commissioner Blair that the Budget Amendments be approved as presented. The vote was unanimous, and it being attached hereto as Exhibit 2.

Extension of new
95 for County
acceptance of
of old 95

After discussion concerning a proposal for the State of Tennessee to construct a road - State Route #95 from 1+ mile North of Eaton's Crossroads to I-40. It was moved by Commissioner Jones and seconded by Commissioner Eldridge that it be approved with the Resolution being attached hereto as Resolution No. 104-80 Exhibit No. H.

Tax refund
Bank of Loudon
County

It was moved by Commissioner Luttrell and seconded by Commissioner Hartsook that Trustee J.D. Click check the request for tax refund to the Bank of Loudon County in the amount of \$10,382.90 and if the County had made an error, that Mr. Click make the refund to the Bank. The vote was unanimous.

Tax refund
Kenneth Boone

It was moved by Commissioner Hawk and seconded by Commissioner Hudson that the request for a tax refund in the amount of \$206.74 to Kenneth Boone, Greenback be approved. The vote was unanimous.

Notary Publics

Upon motion by Commissioner Hartsook and second by Commissioner Blair the following Notary Publics were elected:

W.G. Tatum
Lillian Hodge
Paul L. Denton

Joan Hartline
Frank J. Eldridge

Adjournment

There being no further business, Court was adjourned.

RESOLUTION AUTHORIZING THE ISSUANCE OF
\$576,500 CAPITAL OUTLAY NOTES OF LOUDON
COUNTY, TENNESSEE, PROVIDING THE DETAILS
THERE OF AUTHORIZING THE SALE THEREOF.

99-80

WHEREAS, it has been determined by this Quarterly County Court that it is necessary and desirable to purchase land for industrial purposes; and

WHEREAS, Tennessee counties are authorized by Section 5-10-501 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 purchasing land for industrial purposes 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 purchase of land for industrial purposes, rather than to issue bonds; and

WHEREAS, Loudon County has not funds available in this treasury for said purposes, but authority exists under the provisions of Sections 5-10-501 to 5-10-509 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 matching share of the purchase of land, pursuant to authority granted by Section 5-10-501 of the Tennessee Code Annotated, as amended, there shall be issued the negotiable coupon notes of said county in the principal total amount of \$576,500. Said notes shall be designated "Capital Outlay Notes", shall be dated _____, 1980, or from the date the notes are executed, shall be in the denomination of \$82,357.15 each, and shall be numbered serially beginning with the Number 1. Said note shall bear interest from the date thereof until paid at a rate not exceeding _____ per cent per annum, to be determined at the time of sale thereof, payable not to exceed seven years. Both principal and interest on said notes shall be payable in lawful money of the United States of America, at _____

Section 2. Said Notes shall be signed by the County Judge, countersigned by the County Clerk, and sealed with the official seal of the County.

Exhibit A

322

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 STATE OF AMERICA

STATE OF TENNESSEE

COUNTY OF LOUDON

CAPITAL OUTLAY NOTE

Number _____

\$82,357.15

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 Eighty-two thousand three hundred fifty-seven dollars and fifteen cents on the _____ day of _____, 19____, 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 and interest hereon are payable in lawful money of the United State of America at _____.

For 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.

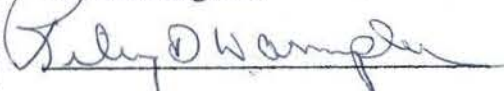
This note is one of an issue of notes of like date aggregating \$576,500, issued under authority of _____, and in full compliance with, the Constitution and Statutes of Tennessee, including Section 5-10-501 of the Tennessee Code Annotated, as amended, and under authority of a resolution duly adopted by the Quarterly County Court of said County on September 8, 1980, for the purpose of providing funds for the purchase of land. 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 5-10-509 provides that neither the principal nor the interest of Tax Anticipation Notes issued pursuant to the provisions of Sections 5-10-501 to 5-10-509 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 Clerk and sealed with the official seal of the County, all as of the _____ day of _____, 1980.

County Judge

Countersigned:



County 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 to the years which said note is outstanding, in amounts sufficient for that purpose. Principal or interest come due at any time when there shall be insufficient funds on hand to pay the same shall be promptly apaid when due from the general fund or other available funds of said Loudon County, and reimbursement shall be made to such funds or funds in the amount of the sums thus advanced when taxes provided for the purpose shall have been collected.

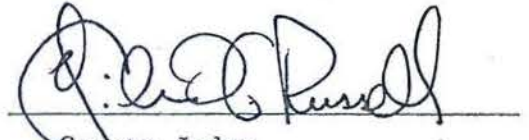
Section 5. Said notes shall be sold by the County Judge for not less than par and accrued interest, if any, to date of delivery. The action of the County Judge in consumating such sale and fixing the interest rate shall be conclusive and no further action shall be necessary on the part of this Court.

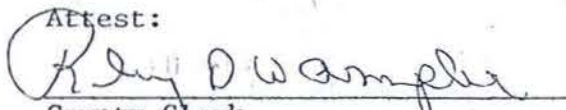
Section 6. The proceeds of said notes shall be turned over to the County Trustee of Loudon County and shall be paid out for the purposes

and distributed in the manner required by law and this resolution.

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

PASSED and approved this 8th day of September, 1980.


County Judge

Attest:

County Clerk



Local Planning Division

East Tennessee Region
P.O. Box 1069
1114 West Clinch Ave.
Knoxville, Tennessee 37901

Tennessee State Planning Office

615-522-2185

MEMORANDUM

TO: Members of the Loudon County Regional Planning Commission
FROM: David Folz, Staff Planner
DATE: August 21, 1980
SUBJECT: Determination of the Value of Structures Under the Building Permit System in Loudon County

Nature of the Issue

The issue at hand, in essence, is a question of fairness and equity in the matter of determining the valuation of structures proposed for construction in Loudon County. The crux of the problem occurs when the Building Commissioner is presented with a building permit application on which the applicant has indicated an "estimated cost of improvements to the property" which is far below what common sense and a general knowledge of the cost of buildings would dictate the actual cost of improvements would be to the property in question. A definite inequity occurs when the more honest and conscientious person or firm indicates a more realistic cost on the application for a similar type structure and pays a higher fee.

Thus, in those situations where there is a substantial difference between the estimated cost of improvements for similar structures or when the cost of structures is consistently underestimated in contravention to what common sense (at the least) would indicate, an unfair situation is present which apparently penalizes honesty and rewards dishonesty.

Recommended Solution

In order to solve this problem and to make the life of the Building Commissioner somewhat easier, staff recommends that the resolution (attached) which established the schedule of building permit fees, be amended to give the Building Commissioner the authority to deny the issuance of a building permit if it is his determination that the value of the improvements to the property are underestimated by the appli-

Exhibit B

336

cant. In staff's opinion, the thrust of this amendment should accomplish the twin goals of making the permit system more fair from a fee cost standpoint while not transforming the Building Commissioner's position into that of a county appraiser's office which must follow a rigid formula that most likely will not cover every circumstance which will arise. (One can imagine the difficulties in appraising the value of a structure which has not yet been constructed.) It must be kept in mind that while the permit fee system should be as fair to everyone as possible, the primary purpose of the fee structure system is not to become a primary source of revenue for the county. The primary purpose of the permit system is to administer the Zoning Ordinance which in turn serves as one of the important implementation mechanisms for the county's Land Use Planning Program. Therefore, a fair system must be developed which not only treats everyone in similar circumstances equally in terms of the amount of fee collected, but also is flexible enough to serve as a workable tool in every foreseeable circumstance with which the Building Commissioner will be faced.

Proposed Amendment

BE IT FURTHER RESOLVED, that if, in the opinion of the Building Commissioner, the valuation of the building, alteration, or structure appears to be underestimated on the building permit application, the permit shall be denied, unless the applicant can show detailed estimated cost to meet the approval of the Building Commissioner. All building permit valuations shall include the total cost of the building, alteration, or structure, including such elements as plumbing, electrical, mechanical equipment, and other systems. Further, the Building Commissioner shall inspect or cause to be inspected at various intervals, all construction or work for which a permit is required, and upon completion of the structure shall not issue a Certificate of Occupancy unless the building, alteration, or structure meets all of the requirements of the Loudon County Zoning Resolution and is satisfied that the completed work corresponds to the valuation and other information contained on the building permit application.

In order to facilitate the determination of the accuracy of the valuations placed by applicants on the building permit

applications, the Building Commissioner should make (as a matter of policy) periodic surveys (no less than quarterly) of local contractors, builders, bankers, appraisers, insurance agents, and realtors to help him determine current prices and/or ranges per square foot of residential, commercial, and industrial construction costs. Such information also should be relayed to the planning commission on a regular basis. This type of amendment should give the Building Commissioner more authority while preserving his flexibility in dealing with special circumstances such as the individual who does all of his own work on a structure.

PROPOSED AMENDMENTS TO THE LOUDON
COUNTY ZONING RESOLUTION

Section 5.041.C
Page 73.

12. On-site tenant houses for farm workers who are of a seasonal or permanent nature provided the applicant produces a written statement by the Loudon County Sanitarian (environmentalist) approving the sewage disposal system of the structure(s) and provided the applicant establishes sufficient evidence as to the need for such tenant house(s).

Section 2.020
Page 10.

- J. Tenant House - means a residential structure and accessories thereto principally used, designed, or adapted to provide living accommodations for not more than two families who work on the operating farm on which the structure is located.

MEMORANDUM

TO: Judge William H. Russell and Members of the
Loudon County Commission
FROM: David H. Folz, Staff Planner
DATE: September 8, 1980
SUBJECT: General Report, Loudon County Regional Planning
Commission

At the August 21st meeting, the planning commission considered the following:

1. A rezoning request by Mr. James W. Collins for Parcel 44, Map 29 from R-1, Suburban Residential to C-2, General Commercial. On a split vote, the planning commission did not recommend the rezoning of this parcel located on U.S. 11, west of Lenoir City.
2. A rezoning request by Mr. Glenn Luttrell for an approximate 3 acre tract off Simpson Road from R-1 to C-2, was considered. The planning commission recommended that the property be rezoned to C-2.
3. The planning commission also recommended that the Zoning Resolution be amended to permit tenant houses in the A-1, Agricultural District. (A copy of this proposed amendment is attached).
4. The commission recommended that the attached amendment to the resolution establishing the building permit system be adopted by the county commission. The commission felt that this amendment would result in a more efficient and fair system of determining the valuation of the estimated cost of improvements to property.
5. The planning commission also heard staff reports from the Road Engineer, Building Commissioner and planner.

RESOLUTION NO. 100-80

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-405 OF THE TENNESSEE CODE ANNOTATED, TO REZONE A CERTAIN 2.78 ACRES PARCEL OF LAND OFF SIMPSON ROAD AND HEREIN DESCRIBED, FROM R-1, SUBURBAN RESIDENTIAL TO C-2, GENERAL COMMERCIAL.

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-405 of the Tennessee Code Annotated may, from time to time, amend the number, shape, boundary, area or any regulation of or within 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 Commission that the Zoning Map of Loudon County, Tennessee, be amended as follows:

Beginning at an iron pin in the Western right-of-way of Simpson Road, corner to the property of Johnson; thence North 87 deg. 34 min. West 510.59 feet to an iron pin; thence North 87 deg. 34 min. West 350 feet to an iron pin; thence South 2 deg. 04 min. West 303.19 feet to an iron pin; thence South 87 deg. 18 min. East 350 feet to an iron pin; thence North 2 deg. 04 min. East 273 feet, more or less, to a point; thence South 87 deg. 34 min. East 525 feet, more or less, to an iron pin in the western right-of-way of Simpson Road, North 20 deg. 23 min. West 30 feet, more or less to the point of beginning, and containing 2.78 acres, more or less, according to survey of Joe Paul Harvey, Tennessee Licensed Surveyor # 009, dated May 15, 1978.

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

DATE: _____

LOUDON COUNTY JUDGE

ATTEST: _____

Exhibit C

340

RESOLUTION NO. 101-80

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 44, MAP 29, FROM R-1, SUBURBAN RESIDENTIAL, TO C-2, GENERAL COMMERCIAL. . .

WHEREAS, the Loudon County Commission, in accordance with Chapter Four, Section 13-405 of the Tennessee Code Annotated may, from time to time, amend the number, shape, boundary, area, or any regulation of or within 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 Commission that the Zoning Map of Loudon County, Tennessee, be amended as follows:

- I. That Parcel 44, Map 29, said property being located in the 5th Civil District on U.S. 11, be rezoned from R-1, Suburban Residential to C-2, General Commercial.

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

DATE _____

LOUDON COUNTY JUDGE

ATTEST: _____

E. L. L. D.

RESOLUTION

102-80

WHEREAS, Loudon County Memorial Hospital has adopted a policy of furtherance of medical education for worthy and deserving students from Loudon County for the purpose of obtaining needed and qualified health care services for the citizens of Loudon County and;

WHEREAS, James P. Guider entered into a contract with Loudon County Memorial Hospital to obtain funds for his medical education and;

WHEREAS, the said Dr. Guider has completed his courses of study and is now ready, willing, and able to complete the performance part of the contract by practicing medicine in Loudon County, Tennessee, and;

WHEREAS, in furtherance of this Board's policy to aid and to assist Dr. Guider in establishing his medical practice for the benefit of the citizens of Loudon County and the Loudon County Memorial Hospital,

BE IT THEREFORE RESOLVED that Loudon County Memorial Hospital together with the County of Loudon hereby authorizes the Chairman of the Board and the Administrator to take whatever steps are necessary to guarantee and/or procure funds and to loan said funds to Dr. Guider to establish his medical practice.

BE IT FURTHER RESOLVED that the Chairman of the Board and the Administrator are authorized and directed to sign any and all necessary notes and documents to effectuate this purpose.

This the _____ day of _____, 1980.

Chairman

Secretary

Exhibit E

3K2

RESOLUTION OF THE LEGISLATIVE BODY OF Loudon
COUNTY, TENNESSEE, AUTHORIZING THE ISSUANCE OF INTEREST
BEARING Critical Care Unit construction CAPITAL
OUTLAY NOTES NOT TO EXCEED \$300,000, AND
PROVIDING FOR THE PAYMENT OF SAID NOTES.

Resolution 103-80

WHEREAS, it has been determined by this Legislative Body that it is necessary and desirable to construct a Critical Care Unit at Loudon County Memorial Hospital in and for said County; and

WHEREAS, sufficeint funds are not now available for this purpose and it will be necessary for the Legislative Body to authorize the issuance of notes to finance this transaction; and

WHEREAS, under the provisions of Sections 5-10-501 through 5-10-509, inclusive, Tennessee Code Annotated, counties in Tennessee are authorized through their respective Legislative Bodies, upon approval by the State Director of Local Finance, to issue interest bearing capital outlay notes to finance the cost thereof; and

WHEREAS, it appears advantageous to said County at this particular time to issue capital outlay notes to finance the cost thereof:

NOW, THEREFORE, BE IT RESOLVED, by the Legislative Body of Loudon County, Tennessee, as follows:

SECTION 1. That, for the purpose of providing funds to finance the cost of construction of a Critical Care Unit at Loudon County Memorial Hospital in and for said County, there shall be issued its negotiable interest bearing capital outlay notes in a principal amount not to exceed \$300,000. That, said notes shall be designated "Critical Care Unit construction Capital Outlay Notes" and shall be numbered serially beginning with the number 1. Each of said notes shall be dated as of the date of issuance thereof, shall mature not later than three (3) years thereafter and shall be of such denomination as may be agreed upon by the County Judge and the purchaser of said notes.

SECTION 2. That, said notes shall bear interest at a rate not to exceed ten percent (10 %) per annum, payable in such manner as shall be determined by the County Judge and the purchaser of said notes. Both principal and interest on said notes shall be payable in lawful money of the United States of America at the office of the County Trustee of Loudon County, Tennessee.

SECTION 3. That, said notes shall be subject to redemption at the option of the County, in whole or in part, at any time at the principal amount thereof and accrued interest to the date of redemption.

Ey Hunt

SECTION 4. That, said notes shall be executed in the name of Loudon County, Tennessee, signed by the County Judge and attested by the County Clerk with the seal of the County attached thereto.

SECTION 5. That, said notes shall be in substantially the form attached hereto.

SECTION 6. That, for the purpose of providing funds with which to pay the principal and interest accruing on said notes at maturity, there shall be levied upon all taxable property in Loudon County, in addition to all other taxes, a direct annual tax for each of the years while said notes, or any of them, are outstanding, in amounts sufficient for that purpose.

SECTION 7. That, the Capital Outlay Notes herein described shall not be issued until approval by the State Director of Local Finance shall have been obtained as required by Section 5-10-501, Tennessee Code Annotated.

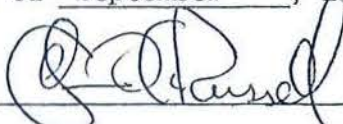
SECTION 8. That, the Capital Outlay Notes herein described shall not be sold for less than par and accrued interest.

SECTION 9. That, if any of said Capital Outlay Notes shall remain unpaid at the end of three (3) years from the date of issuance of same, the balance of said note or notes shall be converted to bonds as provided by Sections 9-11-101 to 9-11-119, inclusive, Tennessee Code Annotated, or otherwise liquidated in such manner as approved by the State Director of Local Finance in compliance with statutes relating to the issuance and redemption of bonds and notes.

SECTION 10. That, the proceeds of said notes shall be turned over to the County Trustee of said County and shall be paid out for the purposes and in the manner required by law and this Resolution.

SECTION 11. That, all orders or resolutions in conflict herewith be and the same are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 8th day of September, 19 80.


County* Judge

Attested:

County Clerk

GENERAL PURPOSE SCHOOL

Budget Amendments

9/8/80

Acct. No.		Dr.	Cr.
161 17100	Estimated Revenue	\$2,140.69	
	Title IV C 80-11		
	Indirect Cost		
161 24100	Appropriations		\$2,140.69
	2290.1 Testing & Eval. \$200.00		
	2244 Instructional Mat. \$1,740.69		
	3920 Indirect Cost \$200.00		

Transfer of Indirect Cost Funds to General Purpose School Fund.

Transfer \$4,950.15 from Account 161 27100 (Fund Balance) to Account 161 26350 (Reserve for Food Service).

Transfer \$6,310.00 from Account 3710.31(Salaries- Voc. Teachers) to Account 3273.6 (Equipment- Plant Operations)-\$2,000.00; Account 2550.2 (Trans. Vehicle Insurance)-\$1,310.00; Account 2730 (Materials & Supplies- Plant Maintenance)- \$2,000.00; Account 2630.9 (Materials & Supplies- Plant Operations)- \$1,000.00.

GENERAL FUND

Budget Amendments

9/8/80

Transfer \$40.00 from Account 110 41215 901 (Equipment- General Sessions) to Account 110 41212 901 (Equipment- Circuit Court)

TITLE IVC L.E.A.P. 80-11

Budget Amendments

9/8/80

Acct. No.		Dr.	Cr.
17100	Estimated Revenue	\$17,048.00	
	Title IVC L.E.A.P. 80-11		
24100	Appropriations		\$17,048.00
	2210.1 Principals \$ 240.00		
	2210.31 Salaries-Tchrs. 2,400.00		
	2220.11 Travel 2,690.00		
	2220.9 Contracted Serv. 600.00		
	2230.1 Inst. Supplies 5,970.28		
	2290.1 Testing 565.48		
	2210.32 Sub.Teachers 1,800.00		
	3920 Indirect Cost 2,140.69		
	2851.21 Soc. Sec. 200.92		
	2851.4 Retirement 440.63		

To set up Title IV-C L.E.A.P. 80-11 Budget

E. L. L. L.

344

C O U N T Y
P R O P O S A L

OF THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF TENNESSEE TO
TO THE COUNTY OF LOUDON, TENNESSEE:

The DEPARTMENT OF TRANSPORTATION of the State of Tennessee, hereinafter called "DEPARTMENT", proposes to construct a project designated as No. F-16(2) (53010-2207-14), State Route 95 from 1 \pm Mile North of Eaton Crossroads to I-40 (Right-of-way Length 2.894 Miles) in the COUNTY of LOUDON, provided the COUNTY agrees to cooperate with the DEPARTMENT as set forth in this proposal, so that the general highway program be carried out in accordance with the intent of the General Assembly of the State.

Accordingly, if the COUNTY will agree:

1. That in the event any civil actions in cross-eminent domain or for damages are instituted by reason of the DEPARTMENT, or its contractor, going upon the right of way and easements, and constructing said project in accordance with the plans and as necessary to make the completed project functional, it will notify in writing the Attorney General of the State, whose address is Room 230, 450 James Robertson Parkway, Nashville, Tennessee 37219, of the institution of each civil action, the complaint and all subsequent pleadings, within seven (7) days after the service of each of the same, under penalty of defending such actions and paying any judgments which result therefrom at its own expense; and

2. To close or otherwise modify any of its roads, or other public ways as indicated on the project plans, as provided by law; and

By Lulu H.

345

3. To transfer or cause to be transferred to the DEPARTMENT without cost to it, all land owned by the COUNTY or by any of its instrumentalities as required for right of way or easement purposes, provided such land is being used or dedicated for road or other public way purposes; and

4. Where privately, publicly or cooperatively owned utility lines, facilities and systems for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil, crude products, water, steam, waste, storm water not connected with highway drainage, and other similar commodities, including publicly owned facilities such as fire and police signal systems and street lighting systems are located within the right of way of any road or other public way owned by the COUNTY, or any of its instrumentalities, the COUNTY agrees that it will take any action necessary to require the removal or adjustment of any of the above described facilities as would conflict with the construction of the project. But the foregoing may not be a duty of the COUNTY since it shall become operative only after the DEPARTMENT has been unsuccessful in its efforts to provide for said removals or adjustments for the benefit of the COUNTY.

The foregoing does not apply to those utility facilities which are owned by the COUNTY or one of its instrumentalities, it being understood that the COUNTY has the duty to relocate or adjust such facilities, if required, provided the COUNTY is notified to do so by the DEPARTMENT with detailed advice as to this duty of the COUNTY; and

5. That after the project is completed and open to traffic, such parts of the existing highway(s) that will be replaced by the project, as shown on the attached map, will be accepted by the COUNTY for future maintenance; and

The project plans hereinbefore identified by number and description are incorporated by reference thereto and shall be considered a part of this proposal, including any revisions or amendments thereto, provided a copy of each is furnished the COUNTY.

The acceptance of this proposal shall be evidenced by the passage of a Resolution which shall incorporate the same verbatim, or by reference thereto.

Following the acceptance of this proposal, the DEPARTMENT will acquire the rights of way and easements, construct the project and defend any cross-eminent domain or damage civil actions of which the Attorney General has received the pleadings provided for herein.

IN WITNESS WHEREOF, the DEPARTMENT has caused this instrument to be executed by its duly authorized officials on this the 15 day of August, 1980.

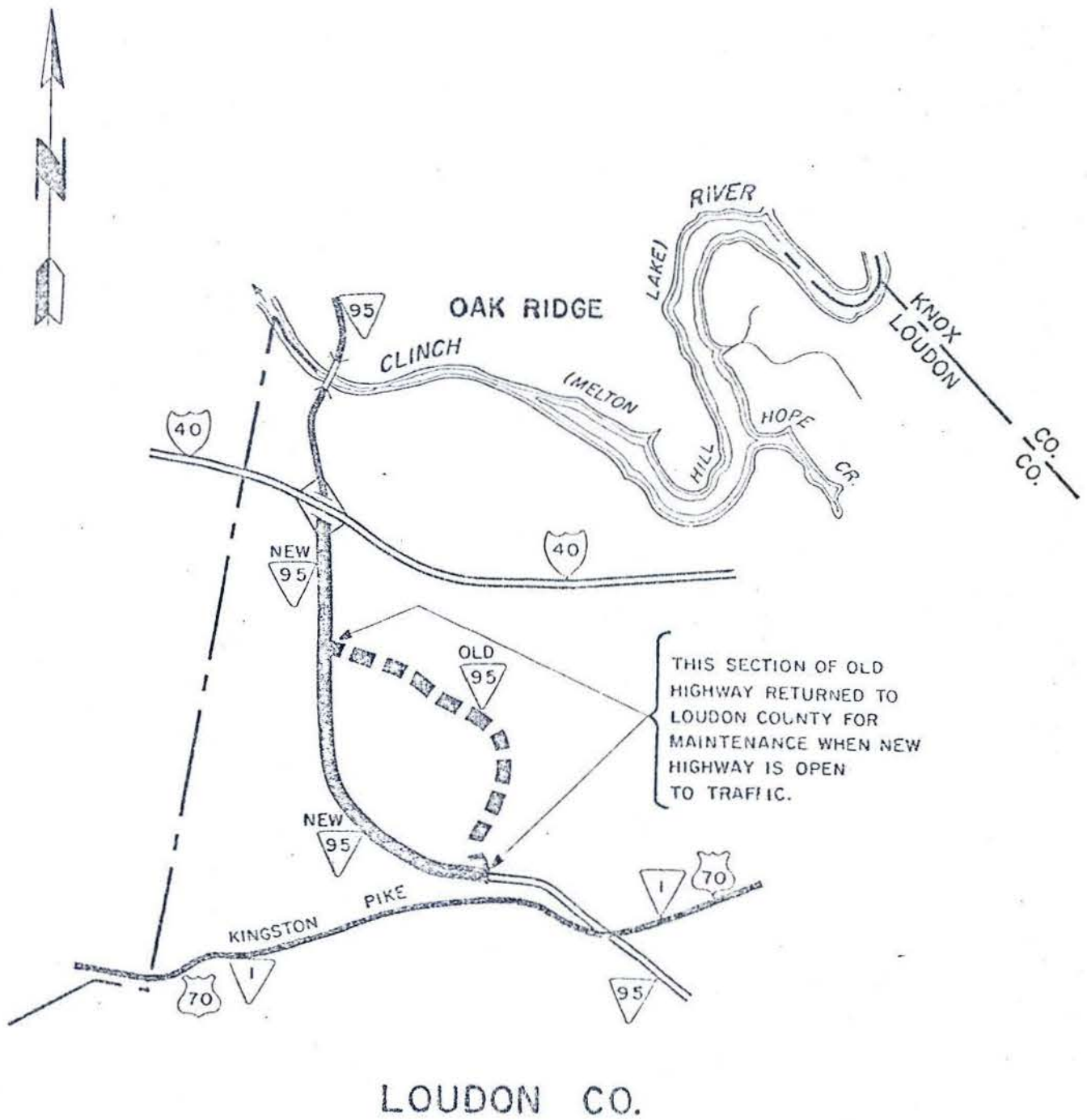
STATE OF TENNESSEE
DEPARTMENT OF TRANSPORTATION

By: William B. Sansom
Commissioner

By: Samuel R. Brown
Director, Bureau of Highways

APPROVED:

Nancy L. King
Staff Attorney



LEGEND

-  NEW HIGHWAY
-  OLD HIGHWAY

Note: Map Not To Scale