

BE IT REMEMBERED that the Hamblen County LEgislative Body Session for Hamblen County, Tennessee met at its regular monthly meeting on October 17,1994 at 5:00 p.m. in the Hamblen County Courthouse with the Honorable Stancil Ford presiding.

The Legislative Body SEssion was opened by Sheriff Charles Long.

Invocation was given by Commissioner Herbert HARville.

Upon roll call the following members were present:

Larry Baker	Keith Horner
Maudie Briggs	Bud Jones
Eldridge Bryant	Roy Noe
Guy Collins	Willie Osborne
Stancil Ford	Frank Parker
Doyle Fullington	Bobby Reinhardt
Herbert Harville	Joe Spoone

MINUTES APPROVAL

Motion by Guy Collins, seconded by Frank Parker that the minutes of the previous meeting be approved.

Voting for: all  
Voting against: none

ELECTION OF CHAIRMAN PRO-TEMPORE

Roy Noe nominated Joe Spoone to serve a one year term as chairman pro-tempore.

Larry Baker nominated Guy Collins to serve a one year term as chairman pro-tempore.

Voting for Spoone	Voting for Collins
Maudie Briggs	Larry Baker
Kieth Horner	Eldridge Bryant
Bud Jones	Guy Collins
Roy Noe	Stancil Ford
Willie Osborne	Doyle Fullington
Frank Parker	Herbert Harville
Joe Spoone	Bobby Reinhardt

ELECTION OF CHAIRMAN

Motion byGuy Collins, seconded by Larry Baker that Herbert Harville be elected to a one year term as chairman.

Motion by Willie Osborne, seconded by Bud Jones that Maudie Briggs be elected to a one year term as chairman.

<u>Voting for Harville</u>	<u>Voting for Briggs</u>
Larry Baker	Maudie Briggs
Eldridge Bryant	Keith Horner
Guy Collins	Bud Jones
Stancil Ford	Roy Noe
Doyle Fullington	Willie Osborne
Herbert Harville	Frank Parker
Bobby Reinhardt	Joe Spoone

BEER BOARD

Motion by Larry Baker, seconded by Frank Parker that David E. Hankins of Cedar Hill Grocery be approved for a beer permit.

Voting for: all except Doyle Fullington and Eldridge Bryant who  
Voted NO

NOTARIES AND BONDSMEN . .

Motion by Willie Osborne, seconded by Maudie Briggs that the following notaries and their bondsmen be approved.

Voting for: all  
Voting against: none



BILLS

Motion by Eldridge Bryant, seconded by Herbert HARville that all of the following bills be approved and paid.

Voting for: all  
Voting against: none

BILLS RECOMMENDED FOR PAYMENT - OCTOBER 17, 1994

Acme Printing (RD)	140.00	Morristown Hamblen Hospital(JUV)	402.90
Adrian Hale Pest Control (CH)	118.00	Murrell Burglar (HD)	20.00
(JC)	76.00	(CH)	20.00
(HD)	38.00	Jim Newman (T)	112.32
American Red Cross (THF)	40.00	Otis Elevator (CH)	251.13
Bob Barker Co. (THF)	27.86	Owens & Minor, Inc. (HD)	378.10
Bradley's (HD)	5.88	PBCC (CNC)	74.00
Citizen Tribune (CE)	9.60	Pitney Bowes (CRC)	125.25
Crescent Center Drug (THF)	12.00	Rental Uniforms (JC)	145.40
Dial Page (THF)	61.89	(CH)	130.40
(JUV)	56.00	Rogersville Office Supply (INV)	85.02
(EMA)	39.00	Schwaab (T)	81.60
(CRC)	158.31	Smithkline Bio-Labs (HD)	9.00
Elek-Tek, Inc. (INV)	7.03	Hamblen County Bd. of Ed. (EMA)	72.07
(EC)	33.96	Sunrise Beverage (THF)	43.55
Evans Office City (HD)	60.65	Tidi Waste (HD)	25.00
(CNC)	175.96	Trustee of Hamblen County (JUV)	2.32
(RD)	21.50	(EMA)	91.46
(WP)	66.95	(JUV)	33.49
(EC)	56.80	Uarco (INV)	17.71
(JUV)	86.88	Veteran's Info Service (VSO)	22.00
(CE)	16.72	Visible Computer Supply (A)	11.18
Food City (THF)	49.89	Wal-Mart (CRC)	3.60
G & C Supply Co. (HC)	27.90	(HD)	85.90
Hayter Printing (T)	203.00	(EXT)	1.77
(CM)	892.77	(CE)	17.10
K-Chemicals (INV)	323.05	(THF)	35.44
Lanier Worldwide, Inc. (T)	172.14	Ward Printing (CRC)	108.00
Letter Shop (CNC)	355.00	(PC)	42.00
McQuiddy Printing Co. (EC)	465.00	(CH)	288.00
Michie Co. (CE)	366.81	Welding Supply (JC)	95.00
Mitchell Hodge Electric (JUV)	9.95	West Publishing (GS)	48.50
(JC)	366.49		
M'town Electric Whls. (INV)	368.24		

BILLS RECOMMENDED FOR PAYMENT - OCTOBER 17, 1994

Western Sizzlin (CRC)	232.50
Lowe's (WP)	58.69
(THF)	23.07

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OVER \$1,000

Bridge Computer (EC)	1,800.00
(CE)	1,235.00
Capps, Cantwell & Capps (HC)	3,533.68
Dept. of Econ. & Com. Dev. (PC)	1,637.00
Hiram H. Jones (HC)	3,975.00
Paper Supply (INV)	7,444.84
Risk Management (HC)	4,914.00

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GARBAGE DEPARTMENT BILLS

Ace Hydraulics (G)	75.00
Alpha-Talbott Utility (G)	17.95
Freightliner of Knoxville (G)	914.37
Free Service Tire Co. (G)	1,144.39
Jimmy's Auto Parts (G)	285.37
Lakeway Recycling (G)	4,115.80
NAPA Auto Supply (G)	91.46
Pioneer Petroleum (G)	83.85
Ted Russell Ford (G)	27.46
Wayne's Boot Store (G)	184.00

BILLS RECOMMENDED FOR PAYMENT - SHERIFF'S DEPT. - OCTOBER 17, 1994

Sams, Booker, & Payne M.D.	28.00	Price & Price Mechanical	213.00
Camera Castle	110.54	PYA/Monarch	426.01
Davis, Eddie R.	125.00	Quinlan Publishing	49.00
Doka, Steve D.D.S.	48.00	Sherwin-Williams	992.36
Doyle's	45.00	Sunrise Beverage	789.30
Evans Office City	210.06	Town & Country Lock	21.90
Express Lane Oil	260.00	Wal-Mart	423.19
Flav-O-Rich	314.25	Ward Printing	108.00
Flowers Bakery	293.89		
Free Service Tire	495.99		
Hale Brothers	755.26		
Hasson Bryan Hardware	274.54		
Hill, Robert	275.00		
Hovis Orthopaedic	666.00		
Institutional Distributors	970.15		
Jerry's Automotive	37.15		
Jimmy's Auto Parts	213.52		
King's Auto Glass	228.82		
Lakeway Towing, Inc.	691.98		
Leonard's Office Equip.	136.40		
Long, Charles E.	62.10		
Lowe's	736.30		
Michie Co.	335.71		
Mitchell Hodge Electric	409.04		
Morristown Emergency Group	218.00		
Pioneer Petroleum	893.70		
Polaroid	505.95		

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OVER \$1,000

		Clevenger's Meat Market	1,080.78
		Gall's	1,080.87
		King's Food Service	1,158.32
		Kustom Signals	2,499.00
		R&R Uniforms	2,808.97
		Tennessee Two-Way	1,350.02

BILLS NOT REVIEWED BY COMMITTEE  
(Received After Meeting)

As Is (SD) Counter Tops	111.00	Video Security (SD) Equipment Repair	364.00
Booker & Sams, MD's (SD) Medical Services - Inmates	44.00	Wheels & Brakes (G) Vehicle Maintenance	122.75
Central Drug Store (SD) Medical Supplies - Inmate	41.83	Tower BP (SD)	7,247.70
Doctors Hospital Pharmacy (SD) Medical Supplies - Inmates	3,127.53		
Home Lumber (SD) Lumber	115.26		
Hovis Orthopaedic (SD) Medical Services - Jail Inmate	570.00		
Kinser, John, MD (SD) Medical Services - Jail Inmates	4,208.73		
McDowell, Connie (PC) Travel Reimbursement	20.64		
Morristow-Hamblen Hospital (SD) Medical Services - Jail Inmates	197.38		
ProComp (WP) Computer Programming	200.00		
Purkey, Joseph (PC) (VSO) Travel Reimbursement	84.72 299.27		
Radio Communications (EMA) Radio Repair	190.87		
Red Food (Ext) Groceries	9.34		
Sams & Booker, MDs (SD) Medical Services - Jail Inmates	44.00		
Schwaab, Inc. (RD) Seals	29.09		
Supreme Court (HC) Legal Expenses	611.00		
Trustee (EMA) Gasoline	46.44		

ABBREVIATIONS

A Assessor  
AG Attorney General  
CC County Coroner  
CE County Executive  
CH Courthouse  
CM Clerk & Master  
CnC County Court Clerk  
Com Commission  
CRC Circuit Court Clerk  
CRDP Community Resource Development Person  
EC Election Commission  
EMA Emergency Management  
EXT Extension Office  
G Garbage  
GS General Sessions  
HC Hamblen County  
HD Health Department  
IMP Impact  
INV Inventory  
J Jail  
JC Justice Center  
Juv Juvenile Court  
ME Medical Examiner  
PC Planning Commission  
RD Register of Deeds  
S Sheriff  
T Trustee  
THF Temporary Holding Facility  
VSO Veterans Service Office  
WP Work Program

QUARTERLY REPORTS . .

Motion by Herbert Harville, seconded by Guy Collins that the quarterly reports of the County Executive, Trustee, Schools, Garbage Collection, Road Department, Volunteer Fire Department and Sheriff Patrol Car Fund be approved filed.

Voting for: all  
Voting against: none

BUDGET AMENDMENT-BOARD OF EDUCATION . .

Motion by Willie Osborne, seconded by Frank Parker to approve the following budget amendment .

Voting for: all  
Voting against: none

AMENDMENT #3 GENERAL PURPOSE SCHOOL BUDGET HAMBLEN COUNTY SCHOOLS 1994-1995 GENERAL PURPOSE

REVENUES CODE	TITLE	BUDGET	INCREASE	DECREASE	ACTUAL	
40210	LOCAL OPTION SALES TAX	5788418.00	636640.00		6425058.00	TO MEET STATE FINANCIAL TESTS 636640
43990	OTHER CHARGES FOR SERVICES	23048.00	9000.00		32048.00	REIMBURSEMENT FROM TRW 9000
46990	OTHER STATE GRANTS	43211.00	109000.00		152211.00	FAMS GRANT 6000 EDUCATION TECHNOLOY GRANT 100000 NET GRANT 3000
47131	VOCATIONAL PROGRAM IMPROVEMENT	0.00	5000.00		5000.00	APPRENTICESHIP GRANT 5000
47590	OTHER FEDERAL THRU STATE	0.00	5000.00		5000.00	DARE GRANT 5000
39000	FUND BALANCE	1850396.00	72000.00	636640.00	1285756.00	WITT FURNACE 20000 FAIRVIEW WALL 10000 Textbooks 32000 gym floors 10000 REDUCTION TO MEET STATE FINANCIAL TESTS (636640)
	NET INCREASE	7705073.00	836640.00 200000.00	636640.00	7905073.00	

AMENDMENT #3 GENERAL PURPOSE SCHOOL BUDGET HAMBLEN COUNTY SCHOOLS 1994-1995 GENERAL PURPOSE

EXPENDITURES CODE	TITLE	BUDGET	INCREASE	DECREASE	ACTUAL	
71100-195	SUBSTITUTE TEACHERS	209250.00	150.00		209400.00	NET GRANT 150
71100-399	OTHER CONTRACTED SERVICES	68375.00	11610.00		79985.00	COST OF PLATO FOR TRW 9000 DARE GRANT 2610
71100-429	SUPPLIES AND MATERIALS	262140.00	2575.00		264715.00	NET GRANT 1425 EDUCATION TECHNOLOGY GRANT 250 DARE GRANT 900
71100-449	TEXTBOOKS	437000.00	32000.00		469000.00	SHORTAGE OF TEXTBOOKS 32000
71100-499	OTHER SUPPLIES AND MATERIALS	12750.00	500.00		13250.00	NET GRANT 500
71100-722	REGULAR INSTRUCTIONAL EQUIPMENT	1015822.00	89383.00		1105205.00	EDUCATION TECHNOLOGY GRANT 89383
71300-429	SUPPLIES AND MATERIALS	65000.00	4000.00		69000.00	FAMS GRANT 4000
72210-308	CONSULTANTS	0.00	725.00		725.00	NET GRANT 725
72210-355	TRAVEL INSTUCTIONAL	7700.00	1690.00		9390.00	NET GRANT 200 DARE GRANT 1490
72230-308	CONSULTANTS	0.00	1000.00		1000.00	APPRENTICESHIP GRANT 1000
72230-355	TRAVEL	12000.00	3500.00		15500.00	APPRENTICESHIP GRANT 1500 FAMS GRANT 2000
72230-457	IN SERVICE STAFF DEVELOPMENT	2000.00	2500.00		4500.00	APPRENTICESHIP GRANT 2500
72410-307	COMMUNICATION	81896.00	10367.00		92263.00	EDUCATION TECHNOLOGY GRANT 10367
72610-407	COAL	3000.00		3000.00	0.00	MOVED TO CAPITAL OUTLAY
76100-707	BUILDING IMPROVEMENTS	62000.00	43000.00		105000.00	RETROFIT WITT FURNACE 20000 STRUCTURAL DAMAGE FAIRVIEW 10000 REPLACE GYM FLOORS WITT AND RUSSELLVILLE 13000
	NET INCREASE	2238933.00	203000.00 200000.00	3000.00	2438933.00	

COPIER .CIRCUIT .COURT .CLERK

Motion by Bud Jones, seconded by Herbert HARville that the circuit court clerk be approved to purchase a Reco copier from Evans Office Supply at a cost not to exceed \$6,797.00

Voting for: all  
Voting against: none

The Chairman referred to the county attorney for an opinion on installing a tile on the Bishop property on Cherokee Drive.

REZONING .REQUESTS .

Motion by Joe Spoone, seconded by Roy Noe that the following rezoning requests be approved.

Voting for: all  
Voting against: none

HAMBLEN COUNTY ZONING OFFICE  
Room 102, Courthouse, 581-1373

RE ZONING REQUEST

NOTICE TO APPLICANTS: Prior to a rezoning request being placed on the agenda for Planning Commission consideration, the applicant shall furnish to the Planning Department the following information a minimum of fourteen (14) days prior to the next meeting date.

1. Date 25 Aug 94
2. Name of Property Owner JOE E. CARTER & N.C. WHITSEL Prop.  
Mailing Address 7550 E. ANDREW JOHNSON HWY., WHITESBURG, IN 37891  
Telephone #: Home 235-2541 Business ~~586~~ 586-2232
3. Name of Applicant JACK FAUBUSH / EXECUTOR EST. OF JOE E. CARTER  
Mailing Address SAME AS ABOVE  
Telephone #: Home SAME Business \_\_\_\_\_
4. Name of Agent (if applicable) NA  
Mailing Address \_\_\_\_\_  
Telephone #: Home \_\_\_\_\_ Business \_\_\_\_\_
5. Location of Property Involved: County Tax Map No. DIST 03 MI, Group B,  
PART OF Parcel No. 11.00, Approximate Parcel Size .047 ACRE,  
Street Name and Number 6203 OLD RUSSELLVILLE PIKE 37860
6. Nature of Request:  
Zoning Change: FROM R-1 TO C-1  
Proposed Use WAREHOUSE

Jack Faubush EX  
APPLICANT

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Planning Department Use Only

Deadline date to return to Planning Commission office AUG 26, 1994

Date of Planning Commission Meeting 6 SEPT 94 Time 5:00 P.M.

Motion by Herbert Harville, seconded by Maudie Briggs that the following resolution be approved. Voting for: all Voting against: none

RESOLUTION OF THE GOVERNING BODY OF HAMBLEN COUNTY, TENNESSEE, AUTHORIZING THE ISSUANCE, SALE, AND PAYMENT OF INTEREST-BEARING HEALTH DEPARTMENT AND EQUIPMENT CAPITAL OUTLAY NOTES NOT TO EXCEED \$141,625.00.

WHEREAS, the Governing Body of Hamblen County, Tennessee, (the "Local Government") has determined that it is necessary and desirable to construct a health department building and purchase computer equipment (the "Project") for the benefit of the citizens of the Local Government; and

WHEREAS, the Governing Body has determined that the Project will promote or provide a traditional governmental activity or otherwise fulfill a public purpose; and

WHEREAS, under the provisions of Parts I, IV and VI of 1986 Tennessee Public Acts, Chapter 770 (the "Act"), local governments in Tennessee are authorized to finance the cost of this Project through the issuance and sale of interest bearing capital outlay notes upon the approval of the State Director of Local Finance; and

WHEREAS, the Governing Body finds that it is advantageous to the Local Government to authorize the issuance of capital outlay notes to finance the cost of the Project;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of Hamblen County, Tennessee, as follows:

Section 1. That, for the purpose of providing funds to finance the cost of the Project in and for the Local Government, the County Executive of the Local Government is hereby authorized in accordance with the terms of this resolution to issue and sell interest-bearing capital outlay notes in a principal amount not to exceed One Hundred Forty One Thousand Six Hundred Twenty Five and no/100 Dollars (141,625.00) (the "Notes") at either a competitive public sale or at a private negotiated sale upon approval of the State Director of Local Finance pursuant to the terms, provisions, and conditions of the Act. The Notes shall be designated "Hamblen County Health Department and Equipment Capital Outlay Notes, Series 1994"; shall be numbered serially from 1 upwards; shall be dated as of the date of issuance; shall be in denomination(s) as agreed upon with the purchaser; shall be sold at not less than 99% of par value and accrued interest; and shall bear interest at a rate or rates not to exceed six per cent (6%) per annum, and in no event shall the rate exceed the legal limit provided by law.

Section 2. That, the Notes shall mature not later than three (3) years after the date of issuance and that the Notes and any extension or renewal notes shall not exceed the reasonably expected economic life of the Project, which is hereby certified by the Governing Body to be at least seven years. Provided, however, that each year the Notes are

outstanding, one-third (1/3), but in no event not less than one-sixth (1/6th) of the original principal amount of the Notes shall mature without renewal but subject to prior redemption.

Section 3. That, the Notes shall be subject to redemption at the option of the Local Government, in whole or in part, at any time, at the principal amount and accrued interest to the date of redemption, without a premium, or, if sold at par, with or without a premium of not exceeding one percent (1%) of the principal amount.

Section 4. That, the Notes shall be direct general obligations of the Local Government and the Local Government hereby pledges its taxing power as to all taxable property in the Local Government for the purpose of providing funds for the payment of principal of and interest on the Notes. The Governing Body of the Local Government hereby authorizes the levy and collection of a special tax on all taxable property of the Local Government over and above all other taxes authorized by the Local Government to create a sinking fund to retire the Notes with interest as they mature in an amount necessary for that purpose.

Section 5. That the Notes shall be executed in the name of the Local Government and bear the manual signature of the chief executive officer of the Local Government and the manual signature of the County Clerk with the Local Government seal affixed thereon; and shall be payable as to principal and interest at the office of the Trustee of the Local Government or the paying agent duly appointed by the Local Government. Proceeds of the Notes shall be deposited with the Trustee of the Local Government and shall be paid out for the purpose of financing the Project pursuant to this Resolution and as required by law.

Section 6. That, the Notes will be issued in fully registered form and that at all times during which any Note remains outstanding and unpaid, the Local Government or its agent shall keep or cause to be kept at its office a note register for the registration, exchange or transfer of the Notes. The note register, if held by an agent of the Local Government, shall at all times be open for inspection by the Local Government or any duly authorized officer of the Local Government. Each Note shall have the qualities and incidents of a negotiable instrument and shall be transferable only upon the note register kept by the Local Government or its agent, by the registered owner of the Note in person or by the registered owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent together with a written instrument of transfer satisfactory to the Local Government duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the transfer of any such Note, the Local Government shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the

surrendered Note. The Local Government shall not be obligated to make any such Note transfer during the fifteen (15) days next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Section 7. That, the Notes shall be in substantially the form attached hereto and shall recite that the Notes are issued pursuant to the Act.

Section 8. That the Notes shall be sold only after the receipt of the written approval of the State Director of Local Finance for the sale of the Notes.

Section 9. That, after the issuance and sale of the Notes, and for each year that any of the Notes are outstanding, the Local Government shall submit its annual budget to the State Director of Local Finance for approval immediately upon the Local Government's adoption of the budget.

Section 10. That, if any of the Notes shall remain unpaid at the end of three (3) years from the issue date, then the unpaid Notes shall be renewed or extended as permitted by law, or retired from the funds of the Local Government or be converted into bonds pursuant to Chapter 11 of Title 9 of the Tennessee Code Annotated, or any other law, or be otherwise liquidated as approved by the State Director of Local Finance.

Section 11. That, all orders or resolutions in conflict with this Resolution are hereby repealed insofar as such conflict exists and this Resolution shall become effective immediately upon its passage.

Duly passed and approved this 17th day of October, 1994.

\_\_\_\_\_  
Chairman  
Hamblen County Board of Commissioners

ATTEST:

\_\_\_\_\_  
County Clerk

Approved:

\_\_\_\_\_  
County Executive

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

REGISTERED

Hamblen County  
of the  
State of Tennessee

REGISTERED



\$ \_\_\_\_\_

HAMBLLEN COUNTY HEALTH DEPARTMENT AND EQUIPMENT CAPITAL OUTLAY NOTES, SERIES 1994

<u>DATED</u>	<u>INTEREST</u> <u>RATE</u>	<u>MATURITY</u> <u>DATE</u>
_____, ___, 1994	_____ %	_____, ___, 1997

Registered Owner:	_____
Principal Sum:	_____

The County of Hamblen (the Local Government) of the State of Tennessee hereby acknowledges itself indebted, and for value received hereby promises to pay to the Registered Owner hereof (name above), or registered assigns, the Principal Sum (specified above) on the Maturity Date (specified above) (unless this note shall have been duly called for prior redemption and payment of the redemption price shall have been duly made or provided for), upon presentation and surrender to the Local Government or its agent, and to pay interest on the unpaid Principal Sum on \_\_\_\_\_, \_\_\_, 199\_\_ and semi-annually thereafter from the date of issuance at the Interest Rate per annum (specified above), by check, draft, or warrant mailed to the Registered Owner, at the address of the Registered Owner as it appears on the fifteenth (15th) calendar day of the month next preceding the applicable payment date in the note register maintained on or behalf of the Local Government. Both principal of and interest on this note are payable at the office of the County Trustee or paying agent appointed by the Local Government in lawful money of the United States of America.

This note is a direct obligation of the Local Government for the payment of which as to both principal and interest the full faith and credit of the Local Government is pledged.

This note is subject to redemption prior to its stated maturity in whole or in part at any time at the option of the Local Government upon payment of the principal amount of the note together with the interest accrued thereon to the date of redemption with a premium of 0% of par value.

This note is issued under the authority of Parts I, IV, and VI of 1986 Tennessee Public Acts, Chapter 770, and a Resolution duly adopted by the Governing Body of the Local Government meeting in regular session on the 17th day of October, 1994, (the "Resolution") to finance some or all of the cost of the Health Department construction and computer equipment.

This note shall have the qualities and incidents of a negotiable instrument and shall be transferable upon the note register kept by the Local Government or its agent, by the Registered Owner of the note in person or by the Registered Owner's attorney duly authorized in writing, upon presentation and surrender to the Local Government or its agent of the note together with a written instrument of transfer satisfactory to the Local Government duly executed by the Registered Owner or the registered Owner's duly authorized attorney but only in the manner as provided in the Resolution of the Local Government authorizing the issuance of this note and upon surrender thereof for cancellation. Upon the transfer of any such note, the Local Government or its agent shall issue in the name of the transferee a new registered note or notes of the same aggregate principal amount and maturity as the surrendered note. The Local Government shall not be obligated to make any such Note transfer during the fifteen days (15) next preceding an interest payment date on the Notes or, in the case of any redemption of the Notes, during the forty-five (45) days next preceding the date of redemption.

Part I, Section of the Act provides that this note and interest thereon are exempt from taxation by the State of Tennessee or by any county, municipality or taxing district of the State, except for inheritance, transfer and estate taxes and except as otherwise provided under the laws of the State of Tennessee.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this note exist, have happened and have been performed in due time, form and manner as required by the Constitution and laws of the State of Tennessee, and that the amount of this note, together with all other indebtedness of the Local Government, does not exceed any constitutional or statutory limitation thereon, and that this note is within every constitutional and statutory limitation.

IN WITNESS WHEREOF, the Governing Body of the Local Government has caused this note to be executed in the name of the Local Government by the manual signature of the County Executive, and countersigned and attested by the manual signature of the County Clerk, with the Seal of the Local Government, affixed hereto or imprinted hereon, and this note to be dated as of the \_\_\_ day of \_\_\_\_\_, 1994.

\_\_\_\_\_  
County Executive

ATTESTED:

\_\_\_\_\_  
County Clerk

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

Please insert social security or other tax identifying number of assignee

[Empty rectangular box for assignee identification]

\_\_\_\_\_  
(name and address of assignee)

the within-mentioned note and hereby irrevocably constitutes and appoints

\_\_\_\_\_  
\_\_\_\_\_  
attorney-in-fact, to transfer the same on the note register in the office of the \_\_\_\_\_ or the agent of the Local Government with full power of substitution in the premises.

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

\_\_\_\_\_  
(name of assignor)

\_\_\_\_\_  
(address of assignor)

Signature Guaranteed:  
\_\_\_\_\_  
\_\_\_\_\_

NOTE: The signature as to this assignment must correspond with the name as written on the face of the within note in every particular, without alternation, enlargement or any change whatsoever.



ELECTION OF CHAIRMAN PROTEMPORE . .

Joe Spooone nominated Maudie Briggs to serve a one year term as chairman pro tempore.

Larry Baker nominated Guy Collins to serve a one year term as chairman protempore.

Voting for Briggs

Maudie Briggs  
Keith Horner  
Bud Jones  
Roy Noe  
Willie Osborne  
Joe Spooone  
Frank Parker

Voting for Collins

Larry Baker  
Eldridge Bryant  
Guy Collins  
Stancil Ford  
Doyle Fullington  
Herbert Harville  
Bobby Reinhardt

ELECTION OF CHAIRMAN . .

Motion by Roy Noe, seconded by Willie Osborne that Bud Jones be elected to a one year term as chairman.

Motion by Larry Baker, seconded by Guy Collins that Herbert Harville be elected to a one year term as chairman.

Voting for Jones

Maudie Briggs  
Keith Horner  
Bud Jones  
Willie Osborne  
Joe Spooone  
Roy Noe

Voting for Harville

Larry Baker  
Eldridge Bryant  
Guy Collins  
Stancil Ford  
Doyle Fullington  
Herbert Harville  
Frank Parker  
Bobby Reinhardt

RESIGNATION OF ROY NOE . . .

Motion by Maudie Briggs, seconded by Joe Spooone to accept the following conditional resignation of Roy Noe.

Voting for

Maudie Briggs  
Keith Horner  
Bud Jones  
Roy Noe  
Willie Osborne  
Frank Parker  
Bobby Reinhardt  
Joe Spooone

Voting against

Larry Baker  
Eldridge Bryant  
Guy Collins  
Stancil Ford  
Doyle Fullington  
Herbert Harville

BEFORE THE HAMBLLEN COUNTY COMMISSION

IN RE:

ROY LEE NOE  
County Commissioner District 2

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CONDITIONAL SURRENDER OF HAMBLLEN COUNTY COMMISSION SEAT  
FOR DISTRICT 2

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I, **Roy Lee Noe**, through my attorney, Paul G. Whetstone, hereby surrender my seat on the Hamblen County Commission, District 2, conditioned upon the final resolution of my lawsuit challenging **T.C.A. §40-11-313 (1959)** which has been filed in the Chancery Court for Hamblen County, Tennessee at Morristown under the style of Roy Lee Noe, Plaintiff, vs. Ned Ray McWherter, Governor, et al., case number 94-327.

If and when I prevail in the above-styled cause of action, I will recommence my service as Hamblen County Commissioner for District 2.

I specifically authorize the appointment of a Hamblen County Commissioner pro tem during my absence.

I am conditionally surrendering my seat upon the Hamblen County Commission for the following reason:

On or about October 5, 1994, I received information that a very old statute existed which provided that it was unlawful for any person while serving as a duly elected county official to act as a professional bondsman, directly or indirectly. Upon being further advised that this was a penal statute, I immediately ceased operating as a professional bondsman either directly or indirectly.

I have not violated this very old statute since I became aware of it. I have never knowingly violated this statute.

I immediately contacted an attorney and a Complaint for Declaratory Relief has been filed with the Chancery Court for Hamblen County, Tennessee at Morristown challenging this statute as it affects me and perhaps others similarly situated as myself.

I must conditionally surrender my seat on the Hamblen County Commission because my underwriting of appearance bonds is my livelihood. I simply must place my financial responsibilities toward my family first.

I regret having to make this decision. I feel confident that my situation will be remedied through the lawsuit previously filed and that I will be able to return to serve members of District 2 of Hamblen County.

  
Roy Lee Noe

THEREUPON, MEETING ADJOURNED.