

Carter County Commission Meeting  
Regular Session  
July 15, 2013  
9:00 AM

APPROVED

Chairman, Tom Bowers called the meeting to order at 9:05 AM.

**Roll Call as follows:**

Present: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble. (23 Present)  
(\*Please note that Gebe Ritchie arrived later during the meeting.)

Absent: Gebe Ritchie (1 Absent)

Quorum Present.

Prayer was led by Lawrence Hodge, followed by Ronnie Trivett leading the pledge to the American flag.

**Public Comments** were voiced by the following on various issues.

Jimmy McKinney: Disappointment in Commissioners and lack of Carter County taxpayers being present during today's Public Hearing.

Roy Livingston: Issues concerning the Landfill Private Act.

Jamie Oliver: (A Carter County School System Teacher) Tax Rates are not set by the Carter County School System. "I am here to support Carter County School."

Richard Winters: (Commissioner) Budget issues and tax issues.

**Motion** was made by Ken Arney, seconded by JoAnn Blankenship to accept the minutes of the last meeting, June 17, 2013 with corrections as noted on page 102 under Financial Management.

By majority voice vote, all ayes, **motion carried.**

**Motion** was made by Sonja Culler, seconded by Steve Chambers, to accept the following Notaries/Bonds as presented.

Rebecca D. Roberts-McKeehan	Johnny Julian
Tina Bowers	Kevin Ward (Director of Schools - Bond)

By majority voice vote, all ayes, **motion carried.**

**Appointed Officials, Elected Officials, and Guests** present were recognized and thanked for their service.

Chairman Bowers requested a ten (10) minute recess. There was no opposition, therefore court entered into a ten (10) minute recess as this time.

Following the recess, Chairman Bowers called the meeting back to order.

Chairman Bowers welcomed at this time, Commissioner Gebe Ritchie, who had been absent due to health problems. Mr. Ritchie was welcomed by a standing ovation.

Commissioner Ritchie stated, "I want everyone to know that there is a God. If it wasn't for Him, and His tender loving mercy, I would not be here this morning. The road I've been down, has not been easy."

Commissioner Ritchie thanked everyone for the cards, telephone calls, and prayers and asked that everyone continue to keep him in their thoughts and prayers.

**RATIFICATION OF PRIVATE ACT – LANDFILL** was presented for consideration.

**Motion** was made by Sonja Culler, seconded by Ken Arney to **waive the reading** of the Private Chapter No. 17, Senate Bill 1412, House Bill 1357, AN ACT relative to the operation of the landfill in Carter County and supervision of the Carter County landfill director, as presented.

By majority voice vote, **motion carried.**

**Motion** was made by Sonja Culler, seconded by Joel Street to **accept Private Chapter No. 17, Senate Bill 1412, House Bill 1357, AN ACT relative to the operation of the landfill in Carter County and supervision of the Carter County landfill director, as presented.**  
Recorded on pages 131-132.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, and Pat Hicks, (18 Ayes)

Nays: Nancy Brown, Ronnie Trivett, Charles VonCannon, John Lewis, Scott Sams, and Robert Gobble. (6 Nays)

By majority roll call vote, **motion carried.**

#### **RESOLUTIONS**

##### **A. Tax Rate Resolution**

"A Resolution Fixing the Tax Levy in Carter County, Tennessee, For the Fiscal Year Beginning July 1, 2013 (2013-2014)". Mrs. Ingrid Deloach, Finance Director presented the rates as shown on the Resolution for consideration. (.25 cent increase)

FUND RATE	
General Purpose/Schools	\$1.040
County General Fund	1.015
Debt Service	0.215
County Road Fund	<u>0.130</u>
Total	\$ 2.40

**APPROVED**

**Motion** was made by Harry Sisk, seconded by Steve Chambers to **accept as presented, the above Resolution Fixing the Tax Levy in Carter County, Tennessee (.25 cent increase).**

Chairman Bowers called for a Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, Tom Bowers, Steve Chambers, Bill Armstrong, and Pat Hicks. (9 Ayes)

Nays: Nancy Brown, Joel Street, Ronnie Trivett, Charles VonCannon, L.C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, and Robert Gobble. (15 Nays)

By majority roll call vote, **motion failed.**

**Motion** was made by Charlie Bayless, seconded by Jo Ann Blankenship to **set the Tax Levy in Carter County, Tennessee at a 3.5 cents additional tax increase (to balance the General Fund).**

Ayes: Richard Winters, Harry Sisk, Jo Ann Blankenship, Charlie Bayless, Russell Kyte, and Bill Armstrong. (6 Ayes)

Nays: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Ronnie Trivett, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Scott Sams, Pat Hicks, and Robert Gobble. (17 Nays)

Passing: Bobbie Gouge-Dietz (1 Passing)

By majority roll call vote, **motion failed.**

**Motion** was made by Ken Arney, seconded by Lawrence Hodge to set the **Tax Levy in Carter County, Tennessee at \$2.35.**

Roll Call Vote as follows:

Ayes: Lawrence Hodge, Tom Bowers, Ken Arney, and Pat Hicks. (4 Ayes)

Nays: Buford Peters, Gebe Ritchie, Nancy Brown, Joel Street, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (19 Nays)

Passing: Richard Winters (1 Passing)

By majority roll call vote, **motion failed.**

**Motion** was made Buford Peters to set the **Tax Levy in Carter County, Tennessee at \$2.36** and to restore the funding necessary to mail out property tax notices.

**Motion failed** due to not receiving a second.

**Motion** was made by L.C. Tester, seconded by Harry Sisk, to refer back to the Budget Committee the setting of the 2013-2104 Tax Levy to be "re-done."

**Motion was withdrawn.**

**Motion** was made by Ronnie Trivett, seconded by Charles VonCannon to leave the **Tax Levy Rate "as is, same as last year"** and work the budget to match the same. (This being a continuing Resolution on the Tax Rate).

Chairman Tom Bowers requested a ten (10) minute recess. Being no objections, court was recessed.

Following the recess, the meeting was called **back to order** by Chairman Bowers. A roll call vote on the motion presented before the recess, was requested by Chairman Bowers at this time.

Roll Call Vote as follows:

Ayes: Nancy Brown, Ronnie Trivett, Harry Sisk, Charles VonCannon, Bill Armstrong, and Robert Gobble. (6 Ayes)

Nays: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, and Pat Hicks. (18 Nays)

By majority roll call vote, **motion failed.**

**Motion** was made by Lawrence Hodge, seconded by Russell Kyte to set the **Tax Levy in Carter County, Tennessee at \$2.25.** This Tax Levy would be an \$ .10 cents increase, with \$ .05 cents going to Debt Service, and .05 cents going to General Fund.

Ayes: Lawrence Hodge, Richard Winters, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Russell Kyte, and Pat Hicks. (8 Ayes)

**APPROVED**

Nays: Buford Peters, Nancy Brown, Joel Street, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, John Lewis, Sonja Culler, Scott Sams, Bill Armstrong, and Robert Gobble. (15 Nays)

Passing: Gebe Ritchie (1 Passing).

By majority roll call vote, **motion failed.**

**Motion** was made by Joel Street, seconded by Ken Arney to go forward on the Agenda to the consideration of the Driving School Resolution, item D, and return to the Tax Rate Levy item later in the meeting.

By majority voice vote, **motion carried**

**RESOLUTION**  
**D. Driving School Resolution**

**Motion** was made by Pat Hicks, seconded by Steve Chambers to waive the reading of the "Resolution to Accept and Authorize the Terms of the Contract for the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving)" as presented.

By majority voice vote, motion carried.

County Attorney Keith Bowers, Jr. presented the Resolution which was discussed and explained before the vote was taken.

**Motion** was made by Pat Hicks, seconded by Sonja Culler to approve the "RESOLUTION TO ACCEPT AND AUTHORIZE THE TERMS OF THE CONTRACT FOR THE ADULT TRAFFIC OFFENDER SCHOOL AND THE SERIOUS OFFENDERS SCHOOL (DEFENSIVE DRIVING)" as presented. **RESOLUTION No. 587**  
Recorded on pages 133-135.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble. (24 Ayes)

Nays: None (0 Nays)

By majority roll call vote, **motion carried.**

**APPROVED**

**MAYOR'S REPORT**  
**A. Pelham Humphries Estate Files**

Mayor Leon Humphrey presented a letter of request from Wayne Hodge, Administrator of the Estate of Pelham Humphries, Deceased. Mr. Hodge stated in the letter, that he had numerous pages of historical documents, maps and other material in relation to the Estate. These are now housed in Mr. Hodges home. He is retiring from the Estate, and seeking placement of these documents in a safe repository.

Mayor Humphrey proposed to the Commission that these items be accepted and placed in archives for safe keeping, display and presentation to the public. Mayor Humphrey stated that he would personally take care of the transporting of the documents, if accepted, from Nashville to Elizabethton. The items would be stored at the Elizabethton/Carter County Library until another location in Carter County is designated.

**Motion** was made by John Lewis, seconded by Ronnie Trivett to accept the collection of historical documents from Wayne Hodge, Administrator of the Pelham Humphries Estate, and to store, preserve and ultimately display the same for public access. Listing of said documents recorded on pages 136.

Roll Call Vote as follows:

Ayes: Nancy Brown, Ronnie Trivett, Harry Sisk, Charles VonCannon, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, John Lewis, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble. (13 Ayes)

Nays: Buford Peters, Lawrence Hodge, Richard Winters, Steve Lowrance, Tom Bowers, Ken Arney, and Steve Chambers. (7 Nays)

Passing: Gebe Ritchie, Joel Street, L.C. Tester, and Sonja Culler. (4 Passing)

By majority roll call vote, **motion carried.**

**APPROVED**

### COMMITTEE REPORTS AND RECOMMENDATIONS

#### HIGHWAY COMMITTEE

Joel Street, Vice-Chairman expressed his appreciation to the Highway Department for their services and hard work recently during the excessive rain received.

#### BUILDING AND GROUNDS COMMITTEE

L.C. Tester Chairman, along with Mayor Humphrey, provided an update concerning the re-roofing of the Courthouse Annex. Mayor Humphrey stated that bids were opened last week. However, due to the unusually widespread in the bids, a decision was made to re-bid the roofing project.

Bats in the Courthouse was also discussed. Mayor Humphrey stated that he was working with the State and the local Tennessee Wildlife Resources Agency along with others concerning this issue. It has been advised that this be addressed in the fall, after the "birthing period" is over for the bats.

#### COUNTY HISTORIAN UPDATE – Scott Bowers, County Historian

Mr. Bowers stated that he has processed approximately three hundred (300) request for genealogy since being appointed as Historian. These have come from over thirty-six (36) states, including request from the Daughter of the American Revolution, and students.

As County Historian, Mr. Bowers stated that he has spoken at the Watauga Historical Association, Elizabethton Downtown Business Association, and the local radio station, WBEJ on occasions.

He is presently involved with the Veterans Monument Committee in preparation for the Centennial celebration to be held in October, and invited all veterans to participate.

Currently he stated he is working on fourteen (14) "cases" concerning genealogy issues, and publications including one being the Soldiers Monument.

Concerning historical donations, it was noted that the donor form has been completed. Several items have been donated to be placed in the display case located on the first floor of the courthouse.

Mr. Bowers stated that this has become a "full-time job" of which he enjoys very much.

Following the County Historian update, Mr. Scott Bowers presented an open letter to the Commission concerning a meeting on July 8, 2013 with the County Mayor, Leon Humphrey and requested that this be made a matter of record in the minutes.

Following discussion, the request was withdrawn by Mr. Bowers. However it was suggested that the issue be taken to the Ethics Committee for further consideration.

**Motion** was made by Steve Chambers, seconded by Sonja Culler to refer complaint by County Historian Scott Bowers concerning the actions on July 8, 2013 with Leon Humphrey, County Mayor, to the Ethics Committee for further discussion.

Chairman Bowers ask for a Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Bill Armstrong. (17 Ayes)

Nays: Nancy Brown, Ronnie Trivett, John Lewis, Scott Sams, and Robert Gobble. (5 Nays)

Passing: Harry Sisk, and Pat Hicks. (2 Passing)

By majority roll call vote, **motion carried.**

**Carter County Expenditure Budget Reports for the month of June 2013** were provided to Commissioners by Ingrid Deloach, Financial Director. Included in the report were the Account Numbers, Account Description, Budget Amounts, Budget Amendments, Amended Budgets, Month-to-Date Expenditures, Outstanding Encumbrances, and Unencumbered Balances.

**COUNTY ATTORNEY REPORT – Keith Bowers, Jr.** Items included the following:

Excess County Owned Property Auction – Title work completed, moving forward with survey request in preparation for sale.

Register of Deeds – Small issues concerning forms needed by Mrs. Bristol completed.

Industrial Development Bond Board – Couple of pilot agreements drafts made. Drafts must be taken and approved by the board before being completed.

Rittertown Road Bridge Project – Deeds have been prepared for the individuals wishing to donate property to the county for this project. One individual currently is refusing to donate property due to a controversy concerning the survey. A second survey being requested on this property.

Animal Citation Court and Environmental Court – Resolutions being drafted to be presented to Commission for consideration.

Records Committee – Attorney General's Opinion received and forwarded to committee members concerning destruction of records by County Offices.

Litigation – New litigation is being filed in Federal Court concerning the jail. The complaint came from an inmate, who is stating that he did not receive proper medical care following a fall from a bunk bed while incarcerated.

#### **COMMISSIONER COMMENTS**

Chairman Bowers spoke on issues concerning the tax rate being set and requested that this be re-addressed at this time.

**Motion** was made by Lawrence Hodge, seconded by Steve Chambers to set the **Tax Levy in Carter County, Tennessee at \$2.30 with \$ .10 cents being placed in General Fund, and \$ .05 cents being placed in Debt Service, this being an increase of \$ .15 cents.**

Following much discussion, Chairman Bowers requested a Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Pat Hicks. (11 Ayes)

Nays: Nancy Brown, Joel Street, Ronnie Trivett, Charles VonCannon, L.C. Tester, Jo Ann Blankenship, Charlie Bayless, John Lewis, Scott Sams, Bill Armstrong, and Robert Gobble. (11 Ayes)

Passing: Harry Sisk (1 Passing)

Absent: Gebe Ritchie (1 Absent)

Receiving a tie vote, **motion failed.**

**APPROVED**

**Motion** was made by Joel Street, seconded by Ronnie Trivett to recess until 1:30 PM for lunch. By majority voice vote, **motion carried.**

Following the recess, Chairman Bowers called the meeting back to order.

**Motion** was made by Sonja Culler, seconded by Ken Arney to set the Tax Levy in Carter County, Tennessee at \$2.30 leaving all the Fund Rates the same with the exception of Debt Service. Changing Debt Service from \$ 0.215 to \$ 0.115.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Pat Hicks. (12 Ayes)

Nays: Nancy Brown, Joel Street, Charles VonCannon, Jo Ann Blankenship, Charlie Bayless, John Lewis, and Robert Gobble. (7 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Scott Sams, and Bill Armstrong. (5 Absent)

**Motion failed** due to not receiving a majority vote.

**Motion** was made by Charlie Bayless, seconded by Jo Ann Blankenship, to set the Tax Levy in Carter County, Tennessee at \$2.19 with \$ .98 cents going to General Fund and \$ .04 cents going to Debt Service.

Roll Call Vote as follows:

Ayes: Lawrence Hodge, Richard Winters, Harry Sisk, Jo Ann Blankenship, Charlie Bayless. (5 Ayes)

Nays: Buford Peters, Nancy Brown, Charles VonCannon, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Pat Hicks, and Robert Gobble. (13 Nays)

Passing: Joel Street (1 Passing)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Scott Sams, and Bill Armstrong. (5 Absent)

Receiving a majority nay vote, **motion failed.**

**Motion** was made by Steve Chambers, seconded by Lawrence Hodge to set the Tax Levy in Carter County, Tennessee at \$2.43 with \$ .15 cents going to General Fund and \$ .13 cents going to Debt Service and taking  $\frac{1}{4}$  of \$ .01 cent from General Fund, to be used for the purpose of the mailing of the Property Tax Notices. This is a tax increase of \$.28 cents.

**Motion** was made by Sonja Culler seconded by Ken Arney presented a "Friendly Amendment" requesting that the  $\frac{1}{4}$  of \$ .01 be taken from the Debt Service (not from the General Fund) in an effort to balance the budget.

Steve Chambers agreed to accept the Amendment as presented.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Tom Bowers, Ken Arney, Steve Chambers, Bill Armstrong, and Pat Hicks. (8 Ayes)

Nays: Nancy Brown, Joel Street, Harry Sisk, Charles VonCannon, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, John Lewis, Sonja Culler, Russell Kyte, and Robert Gobble. (12 Ayes)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, and Scott Sams. (4 Absent)

**APPROVED**

By majority roll call vote, **motion failed.**

**Motion** was made by Buford Peters, seconded by Steve Chambers to set the Tax Levy in Carter County, Tennessee at \$ 2.35 with \$ .15 cents going to the General Fund and \$ .05 cents going to Debt Service.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, and Pat Hicks. (12 Ayes)

Nays: Nancy Brown, Joel Street, Harry Sisk, Charles VonCannon, Jo Ann Blankenship, Charlie Bayless, John Lewis, and Robert Gobble. (8 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, and Scott Sams. (4 Absent)

By majority roll call vote, **motion failed.**

**Motion** was made by Charles VonCannon, seconded by Ken Arney to allow Ingrid Deloach as Finance Director, to establish and present to the full commission for recommendation the very lowest possibility ("tax rate, that wouldn't hurt us in the long run") for approval.

Finance Director, Ingrid Deloach stated that she, "during the very first of this budget process" presented a recommendation of an increase of \$ .20 cents going into Debt Service, however this recommendation was not approved (as noted during previous votes).

Ms. Deloach also stated that an increase of \$ .20 cents, going to Debt Service was necessary to balance the budget at the end of the year, along with \$ .15 going to General Fund. She noted that adding extra funding, "for a bad day" in case of an emergency, was always a wise move.

Therefore, following the Financial Director's recommendation, **(and upon motion by Charles VonCannon, seconded by Ken Arney as previously noted).** Motion is to set the Tax Levy in Carter County, Tennessee at \$ 2.50 with \$ .20 cents going into Debt Service, \$ .15 cents into General Fund. This being a \$ .35 cents increase. Chairman Bowers called for a roll call vote.

Roll Call Vote as follows:

Ayes: Charles VonCannon, and Bill Armstrong (2 Ayes)

Nays: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Pat Hicks and Robert Gobble. (17 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Charlie Bayless, and Scott Sams. (5 Absent)

By majority roll call vote, **motion failed.**

Richard Winters asked Attorney Keith Bowers, Jr. for a ruling on whether or not the Commission is mandated by law, no exceptions, to have the passage of the budget in July. Is it possible to have a "continuing budget" and to also continue this session (of Carter County Commission), coming back at a later time to set the tax levy?

Attorney Bowers responded that the Commission didn't have any options, in that the County Legislative body shall finally adopt a budget in July according to the statute.

**Motion** was made by Steve Lowrance to set the Tax Levy in Carter County, Tennessee at \$ 2.28 with \$ .08 cent going into Fund Balance, \$ .05 cents going into Debt Service. This being a \$ .13 cents increase.

Motion failed to receive a second.



**Motion** was made by Lawrence Hodge, seconded by Harry Sisk set the Tax Levy in Carter County, Tennessee at \$ 2.30 with \$ .15 cents going into General Fund, \$ .00 into Debt Service. This is a tax increase of \$ .15 cents.

Roll Call vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Pat Hicks. (12 Ayes)

Nays: Nancy Brown, Joel Street, Charles VonCannon, John Lewis, Bill Armstrong, and Robert Gobble. (6 Nays)

Passing: Jo Ann Blankenship

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Charlie Bayless, and Scott Sams. (5 Absent)

By majority roll call vote, **motion failed.**

**Motion** was made by Steve Chambers, seconded by Ken Arney to set the Tax Levy in Carter County, Tennessee, at \$ 2.43 with \$ .15 cents going into Fund Balance, \$ .13 cents into Debt Service.

Following discussion (as this rate has already been voted on) motion was amended.

**Motion** was amended by Steve Chambers, seconded by Ken Arney to set the Tax Levy in Carter County, Tennessee, at \$ 2.42 with \$ .15 cents going into General Fund, \$ .12 cents into Debt Service. This being a tax increase of \$ .27 cents.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Russell Kyte, Bill Armstrong, and Pat Hicks. (12 Ayes)

Nays: Nancy Brown, Joel Street, Charles VonCannon, Jo Ann Blankenship, John Lewis, Sonja Culler, and Robert Gobble. (7 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Trivett, Charlie Bayless, and Scott Sams. (5 Absent)

By majority roll call vote, **motion failed.**

**Motion** was made by Sonja Culler, seconded by Buford Peters to set the Tax Levy in Carter County, Tennessee, at \$ 2.33 with \$ .15 cents going into General Fund, \$ .03 cents into Debt Service. This being a tax increase of \$ .18 cents.

**Motion** was made by Sonja Culler, seconded by Joel Street to enter into a five (5) minute recess.

By majority voice vote, **motion carried** (to enter into a recess).

Following the recess Court was called **back to order** by Chairman Bowers.

A roll call vote on the previously stated motion (tax rate of \$ 2.33) was called for by Chairman Bowers.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, Charles VonCannon, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Pat Hicks. (13 Ayes)

**APPROVED**

Nays: Nancy Brown, Jo Ann Blankenship, John Lewis, and Robert Gobble. (4 Nays)

Passing: Joel Street (1 Passing)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Charlie Bayless, Scott Sams and Bill Armstrong.  
(6 Absent)

By majority roll call vote, **motion carried.**

**RESOLUTION # 590 setting the Tax Levy in Carter County, Tennessee at \$ 2.33 with \$ .15 cents going into General Fund, \$ .03 cents going into Debt Service. This being a \$ .18 cents increase. Recorded on Page 137-138.**

**RESOLUTIONS**

**B. Budget Resolution "A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF CARTER COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, ACCORDING TO THE FOLLOWING SCHEDULE: (as listed on pages 139-143)"**

Director of Finance, Ingrid Deloach stated that one correction needed to be made on the Budget Resolution being presented for consideration.

On the first page, General Fund, Park and Recreation needed **changed to read \$ 22,562.50 therefore changing the Total of General Fund being changed to read \$13,768,873.88.**

**Motion made by Lawrence Hodge, seconded by Sonja Culler to accept and recognize the changes as presented by Mrs. Deloach on the Budget Resolution as noted above.**

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, Charles VonCannon, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Pat Hicks. (13 Ayes)

Nays: Nancy Brown, Joel Street, John Lewis and Robert Gobble. (4 Nays)

Passing: Jo Ann Blankenship. (1 Passing)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Charlie Bayless, Scott Sams and Bill Armstrong.  
(6 Absent)

By majority roll call vote, **motion carried.**

**Motion was made by Steve Chambers, seconded by Ken Arney to waive the reading of Budget Resolution with corrections and as presented above.**

By majority voice vote, **motion carried.**

**Motion was made by Harry Sisk, seconded by Russell Kyte to approve (with clerical errors being corrected) "A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF CARTER COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014" as presented. RESOLUTION No. 588  
Recorded on pages 139-143.**

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, Charles VonCannon, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Pat Hicks. (13 Ayes)

Nays: Nancy Brown, Joel Street, Jo Ann Blankenship, John Lewis, and Robert Gobble. (5 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Charlie Bayless, Scott Sams, and Bill Armstrong.  
(6 Absent)

By majority roll call vote, **motion carried.**

### RESOLUTIONS

- C. **Tax Relief Resolution** "RESOLUTION TO PROVIDE FINANCIAL ASSISTANCE TO BE PAID FROM CARTER COUNTY TAX REVENUES TO LOW-INCOME ELDERLY TAXPAYERS, TOTALLY AND PERMANENTLY DISABLED HOMEOWNERS, AND DISABLED VETERANS IN ADDITION TO THE TAX RELIEF ALREADY PROVIDED BY THE STATE OF TENNESSEE, AS PROVIDED BY T.C.A. 67-5-701, ET SEQ."

Chairman Tom Bowers presented the above Resolution for consideration.

**Motion** was made by Harry Sisk, seconded by Steve Chambers to waive the reading of the Tax Relief Resolution as presented above.

By majority voice vote, **motion carried.**

**Motion** was made by Nancy Brown, seconded by Jo Ann Blankenship to approve as presented "RESOLUTION TO PROVIDE FINANCIAL ASSISTANCE TO BE PAID FROM CARTER COUNTY TAX REVENUES TO LOW-INCOME ELDERLY TAXPAYERS, TOTALLY AND PERMANENTLY DISABLED HOMEOWNERS, AND DISABLED VETERANS IN ADDITION TO THE TAX RELIEF ALREADY PROVIDED BY THE STATE OF TENNESSEE, AS PROVIDED BY T.C.A. 67-5-701, ET SEQ."

**RESOLUTION No. 589** Recorded on pages 144-145

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyté, and Robert Gobble. (18 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Charlie Bayless, Scott Sams, and Bill Armstrong.  
(6 Absent)

By majority roll call vote, **motion carried.**

Chairman Bowers noted at this time, that due to no recommendations needing immediate attention, the **August Regular Session of the County Commission was canceled.**

Mayor Humphrey requested that a grant concerning a Highway Budget Request be recognized at this time.

A short recess was requested by Chairman Bowers in order for Finance Director, Ingrid Deloach to present data concerning the grant request. No objection was made to the request, therefore recess was granted.

Following the recess, court was called **back to order** by Chairman Bowers.

Mrs. Deloach noted that she had received an award letter from the State of Tennessee, advising that the completion date must be done by March 31, 2018. She also stated that in the contract received, \$91,000 was needed to cover their contract. This would include the engineering for the preliminary phase, the engineering for the design phase, and the construction phase as well as under the High Priority Project (Local) Grant.

In order to receive this grant, it is necessary to transfer these funds into the Highway Departments budget, due to the fact that there is not sufficient funds to cover the project.

Mayor Humphrey stated that this grant was for two paving projects, being Stateline and Cedar Grove roads.

During discussion, the amount of matching funds was questioned. Mrs. Deloach answered by reading from the Grant itself, noting that the document did not mention any matching funds.

Motion was made by John Lewis, seconded by Nancy Brown to recognize \$91,000 from the High Priority Project (Local) Grant concerning the Highway Department budget request amendment for the Stateline Road, and Cedar Grove Road paving projects. This is approving the engineering services of TH&P

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Pat Hicks, and Robert Gobble. (18 Ayes)

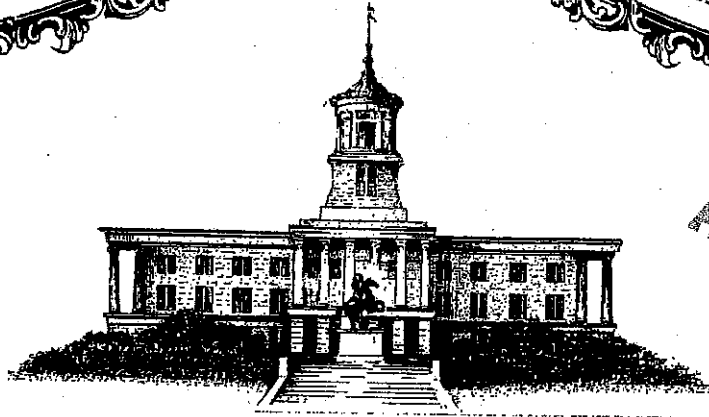
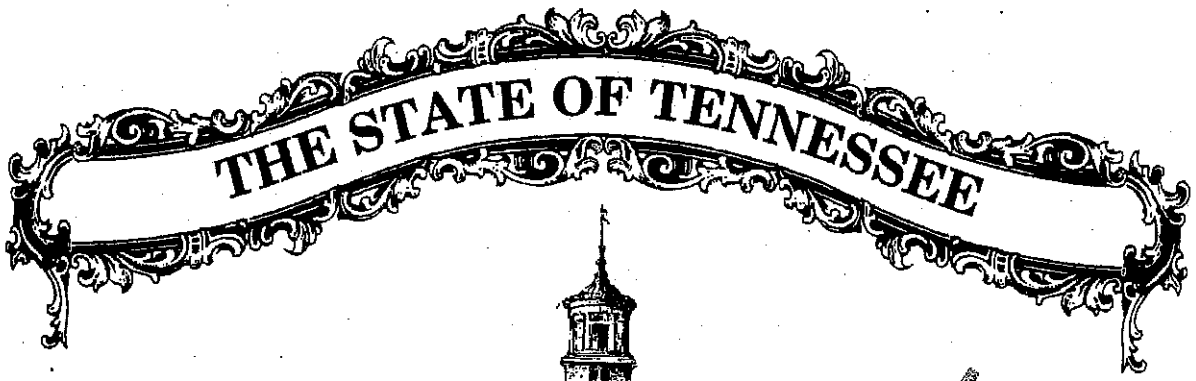
Nays: None (0 Nays)

Absent: Gebe Ritchie, Ronnie Trivett, L.C. Tester, Charlie Bayless, Scott Sams and Bill Armstrong. (6 Absent)

By majority roll call vote, **motion carried.**

**Motion to adjourn** was made by Russell Kyte, seconded by Ken Arney. By majority voice vote, **meeting adjourned at 3:00 PM.**

APPROVED



APPROVED



To all to whom these Presents shall come, Greeting:

I, Tre Hargett, Secretary of State of the State of Tennessee,  
do hereby certify that the annexed is a true copy of

Private Chapter 17

Senate Bill 1412

House Bill 1357

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 Tennessee at the Department in  
the City of Nashville, this 7th day of May, A.D. 2013.



Tre Hargett, Secretary of State



State of Tennessee

PRIVATE CHAPTER NO. 17

SENATE BILL NO. 1412

By Crowe

Substituted for: House Bill No. 1357

By Kent Williams

APPROVED

AN ACT relative to the operation of the landfill in Carter County and supervision of the Carter County landfill director.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The Carter County landfill director shall be appointed by the landfill committee of the Carter County Commission after the committee has duly advertised the position, taken applications and conducted interviews. The power to oversee all aspects of the operation of the Carter County landfill is vested in the landfill committee of the Carter County Commission, including, but not limited to, the power to hire and fire the landfill director, the power to directly supervise the landfill director, oversight of the landfill budget, and oversight of all day-to-day operations of the landfill.

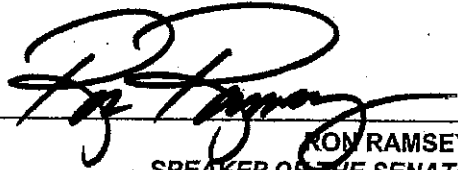
SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Carter County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of Carter County and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, this act shall become effective upon becoming a law, the public welfare requiring it. For all other purposes, this act shall become effective as provided in Section 2, the public welfare requiring it.

SENATE BILL NO. 1412

APPROVED

PASSED: April 15, 2013

  
\_\_\_\_\_  
RON RAMSEY  
SPEAKER OF THE SENATE

  
\_\_\_\_\_  
BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 29<sup>th</sup> day of April 2013

  
\_\_\_\_\_  
BILL HASLAM, GOVERNOR

**APPROVED**

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, JULY 15, 2013  
RESOLUTION NO. 587

"RESOLUTION TO ACCEPT AND AUTHORIZE THE TERMS OF THE  
CONTRACT FOR THE ADULT TRAFFIC OFFENDER SCHOOL  
AND THE SERIOUS OFFENDERS SCHOOL (DEFENSIVE DRIVING)"

WHEREAS, the Honorable John Walton, General Sessions Court Judge of Carter County, Tennessee entered an Order on July 5, 2013, in reference to the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving) and is attached as Exhibit "A"; and

WHEREAS, the auditors of the State of Tennessee have previously requested that Carter County enter into a contract with respect to the instructors and compensation of said driving schools; and

WHEREAS, the Director of Finance for the Carter County, Tennessee Finance Department is authorized and empowered to enter into a contract for the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving) defining the terms of compensation; and

WHEREAS, the General Order states that the instructor for the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving) is to be Carl Burrough, of 2000 Fitzsimmons Road, Elizabethton, Tennessee and the terms of the County's and his compensation are detailed in the contract.

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 15<sup>th</sup> day of July, 2013, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, and;

SECTION 1. The legislative body of Carter County, Tennessee accepts and authorizes the terms of the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving) contract.


SECTION 2. The legislative body of Carter County, Tennessee authorizes and empowers the Director of Finance for the Carter County, Tennessee Finance Department to enter into a contract for the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving).

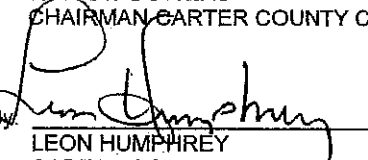
SECTION 3. The legislative body of Carter County, Tennessee accepts and authorizes Carl Burrough as an instructor of the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving).

Adopted this 15<sup>th</sup> day of July, 2013.

CARTER COUNTY, TENNESSEE

APPROVED:

By:   
THOMAS BOWERS  
CHAIRMAN CARTER COUNTY COMMISSION

By:   
LEON HUMPHREY  
CARTER COUNTY MAYOR



IN THE GENERAL SESSIONS COURT FOR CARTER COUNTY  
AT ELIZABETHTON, TENNESSEE

IN RE: ADULT TRAFFIC OFFENDER SCHOOL  
SERIOUS OFFENDERS SCHOOL (DEFENSIVE DRIVING)

GENERAL ORDER

The following changes are ordered concerning disbursement of the funds received for persons attending the Adult Traffic Offender School and the Serious Offenders School (Defensive Driving). Effective July 5, 2013, the clerk is ORDERED to collect \$100 per person to disperse as follows:

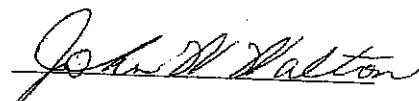
\$20.00 to Carl Burrough, 2000 Fitzsimmons Road. Elizabethton, TN 37643.

\$80.00 to Carter County, Tennessee

Non Carter County cases will be accepted to the school under the above terms.

APPROVED

Enter this 5<sup>th</sup> day of JULY, 2013

  
John W. Walton, Judge  
Carter County Sessions Court

VETOED:

By: \_\_\_\_\_  
LEON HUMPHREY  
CARTER COUNTY MAYOR

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

VETO OVERRIDE VOTE:

**APPROVED**

\_\_\_\_\_ YES VOTES

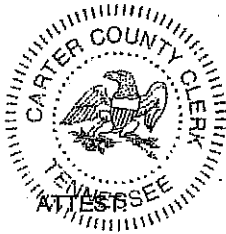
\_\_\_\_\_ NO VOTES

\_\_\_\_\_ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: \_\_\_\_\_  
THOMAS BOWERS  
CHAIRMAN CARTER COUNTY COMMISSION

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



*Mary Gouge*  
\_\_\_\_\_  
MARY GOUGE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

*[Signature]*  
\_\_\_\_\_  
KEITH BOWERS, JR.  
CARTER COUNTY ATTORNEY

LEADING TO ASSETS BELONGING TO THE HEIRS OF PELHAM HUMPHRIES

CONTENTS OF BOX #1

Estate Key

- IOC Index of Contents to Evidence Exhibits: (Includes Exhibit Covers, Contents & Affidavits)
- EMC Map Case: Certified Maps of Early Texas & the Mexican State of Coahuila & Texas, etc.
- GP-1 Official Mexican Land Grant Documents & Colonization Laws  
(Includes Certified Pelham Humphries Title Documents)
- E-1 Project J. E. H. [Confirmation of Facts on 1965 J. Edgar Hoover Letter]  
(Includes Hoover's link to Judge Fisher. Hoover, Fisher & Cobb Texas oil connections)
- E-2 A. R. Keown [Forensic Document Examiner on 1965 Hoover Letter]  
(Forensic Handwriting Report on Hoover's signature)
- E-3 Linda James [Forensic Document Examiner on 1965 Hoover Letter]  
(Forensic Handwriting Report on Hoover's signature)
- E-4 Pelham? or William? [Expert Opinion on Grantee by Stanley M. Hordes, Ph.D.]  
(Extensive Expert Examination on the Identity of the 1835 Grantee)
- E-5 A. R. Keown [Forensic Document Examiner on Signature of Pelham Humphries  
1835 Mexican Grant & Signature of William Humphries on Divergent Documents]
- E-6 Linda James [Forensic Document Examiner on Signatures of Pelham Humphries  
1835 Mexican Grant & Signature of William Humphries on Divergent Documents]
- E-7 Abstracts of Original Texas Titles & Land Claims
- E-8 A Historical Report [on the Pelham/William Humphries 1835 Mexican Land Grant  
by Historians Malcolm Ebright and Rick Hendricks Ph.D.: Center For Land Grant Studies]
- E-9 Accurate Facts About Pelham Humphries [A complete report on origin, family,  
Texas & Tennessee residency, death, burial and Certified family Genealogy]
- E-10 Tax Records - Sale - Redemption [Corroborating Pelham Humphries  
ownership of Jefferson County, Texas League]
- E-11 Special Report on William Humphries [Includes Divergent Documents used to  
create a Deceptive and False Chain of Title to him from the Sovereign of Mexico]
- E-12-(a & b) The Pelham Humphries Inheritance Report [by British Genealogist Hugh Peskett]
- E-13 Texas Attorney General File Records [in Regards to Pelham Humphries title]  
(Includes Part of the Records Concealed by the Hoover letter directive to Judge Fisher)
- E-14 Examination of Humphries Land Titles & Cases
- E-15 Estimate of Production [Valuation of oil taken from Pelham Humphries land]
- E-16-(a) Oral Deposition of Legal Researcher/Genealogist Hugh Peskett [March 5, 12, 2003]  
(Includes Testimony concerning altered Jefferson County, TX Deed Books)
- Booklet File - Hoover Letter Connection
- Booklet File - Limitations of Actions
- Booklet File - Pelham Humphries Mexican Land Grant & Support Docs
- Booklet File - William Humphries Alleged Mexican Title - Divergent Docs
- Booklet File - Exhibits of Fraud and Conspiracy

APPROVED

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, JULY 15, 2013

RESOLUTION NO. 590

"A RESOLUTION FIXING THE TAX LEVY IN CARTER COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 (2013 - 2014)"

SECTION 1. BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 15<sup>th</sup> day of July, 2013, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, that the combined property tax rate of Carter County, Tennessee, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, shall be ~~\$2.40~~ 2.33 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies;

FUND RATE

General Purpose/Schools	\$ 1.040
County General Fund	\$ 1.015
Debt Service	\$ 0.145
<u>County Road Fund</u>	<u>\$ 0.130</u>

**Total** **\$ 2.330**

**APPROVED**

SECTION 2. BE IT FURTHER RESOLVED that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General Fund.

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Carter County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED, that this Resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the County Commission of Carter County, Tennessee, in the County Clerk's records.

Passed this 15<sup>th</sup> day of July, 2013.

CARTER COUNTY, TENNESSEE

APPROVED:

By: Thomas Bowers  
THOMAS BOWERS  
CHAIRMAN CARTER COUNTY COMMISSION

By: \_\_\_\_\_  
LEON HUMPHREY  
CARTER COUNTY MAYOR

VETOED:

By: Leon Humphrey  
LEON HUMPHREY  
CARTER COUNTY MAYOR

Date: 7/10/2013

VETO OVERRIDE VOTE:

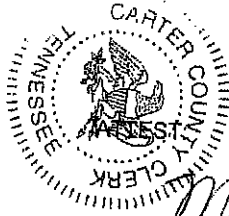
15 YES VOTES  
6 NO VOTES  
0 ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: Thomas Bowers  
THOMAS BOWERS  
CHAIRMAN CARTER COUNTY COMMISSION

Date: July 26 2013

APPROVED



Mary Gouge  
MARY GOUGE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

KA  
KEITH BOWERS, JR.  
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION  
 OF CARTER COUNTY, TENNESSEE  
 REGULAR MEETING, MONDAY, JULY 15, 2013  
 RESOLUTION NO. 588

"A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,  
 DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF  
 CARTER COUNTY, TENNESSEE FOR THE YEAR  
 BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014."

SECTION 1. BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 15th day of July, 2013, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Carter County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the year beginning July 1, 2013 and ending June 30, 2014, according to the following schedule:

**GENERAL FUND**

County Commission	76,220.00
Board of Equalization	5,628.75
County Executive (Mayor)	179,138.29
County Attorney	48,201.10
Election Commission	277,174.64
Register of Deeds	248,196.12
Planning	259,793.17
County Buildings	680,796.83
Other General Administration	475.00
Accounting and Budgeting	393,648.22
Property Assessor's Office	411,971.34
Reappraisal Program	107,766.20
County Trustee's Office	302,403.29
County Clerk	435,678.52
Circuit Court	680,153.29
General Sessions Court	236,775.87
Chancery Court	314,138.72
Judicial Commissioners	39,512.23
Other Administrative of Justice	13,300.00
Sheriff's Department	3,437,566.80
Jail	3,543,858.26
Juvenile Services	161,022.49
Fire Prevention	330,000.00
Rescue Squad	170,000.00
EMA	87,527.72
Inspection and Regulation	3,960.00
County Corner	9,280.00
Other Public Safety	2,500.00
Local Health Center	169,000.00
Rabies and Animal Control	155,928.89
Ambulance and Medical Services (911)	173,858.00
Crippled Children Services	20,727.00
Aid to Dependent Children	0.00
Other Local Welfare Services	1,520.00
Other Public Health	1,425.00
Senior Citizens Assistance	46,010.00
Libraries	36,587.50
Park and Recreation	22,562.50
Other Social, Cultural, & Recreation	4,283.20
Agricultural Extension Service	92,361.29

**APPROVED**

Flood Control	3,657.50
Other Agriculture & Natural Resources	19,855.00
Tourism	85,500.00
Industrial Development	1,000.00
Other Economic & Community Development	62,729.00
Veterans' Service	31,135.89
Other Charges	1,900.00
Contributions to Other Agencies	49,500.00
Employee Benefits	17,792.51
Miscellaneous	268,110.90
Litter and Trash Collection	46,742.85
Other General Government Projects	0.00

Total General Fund **13,768,873.88**

**COURTHOUSE AND JAIL MAINTENANCE**

County Buildings	5,600.00
Other Administrations of Justice	4,800.00
Miscellaneous	100.00

Total Courthouse and Jail Maintenance **10,500.00**

**SOLID WASTE/SANITATION FUND**

Convenience Centers	51,857.28
Recycling Center	62,667.45
Landfill Operation and Maintenance	757,199.68
Miscellaneous	10,000.00

Total Solid Waste/Sanitation Fund **881,724.41**

**HEALTH DEPARTMENT FUND**

Local Health Center	169,000.00
---------------------	------------

Total Health Department **169,000.00**

**DRUG CONTROL**

Drug Enforcement	105,000.00
Miscellaneous	800.00

Total Drug Control **105,800.00**

**HIGHWAY/PUBLIC WORKS FUND**

Administration	329,933.61
Highway & Bridge Maintenance	2,150,175.31
Operation & Maintenance of Equipment	1,034,066.40
Other Charges	103,084.16
Employee Benefits	73,162.50
Capital Outlay	355,000.00

Total Highway/Public Works Fund **4,045,421.98**

**GENERAL PURPOSE SCHOOL FUND**

Regular Instruction Program	19,992,607.52
Alternative Instruction Program	127,244.76
Special Education Program	3,115,781.29
Vocational Education Program	1,428,823.47
Adult Education Program	0.00
Health Services	333,778.23
Other Student Support	1,166,119.54
Regular Instruction Program	1,492,565.35
Alternative Instruction Programs	121,739.80
Special Education Program	367,716.57

**APPROVED**

Vocational Education Program	156,030.92
Adult Education Program	0.00
Board of Education	719,515.00
Office of the Superintendent	444,160.44
Office of the Principal	2,372,461.06
Fiscal Services	158,000.00
Operation of Plant	2,874,083.02
Maintenance of Plant	761,356.98
Transportation	2,237,386.03
Central and Other	261,114.01
Community Services	194,588.00
Regular Capital Outlay	335,300.00
Education Debt Service	335,000.00
<b>Total General Purpose School Fund</b>	<b>38,995,372.00</b>
 <b><u>HEAD START FUND</u></b>	
Childhood Education	1,022,226.00
<b>Total Head Start Fund</b>	<b>1,022,226.00</b>
 <b><u>CENTRAL CAFETERIA FUND</u></b>	
Food Services	2,995,812.27
<b>Total Central Cafeteria Fund</b>	<b>2,995,812.27</b>
 <b><u>GENERAL DEBT SERVICE</u></b>	
General Government Debt Service	1,649,511.18
Education Debt Service	1,604,584.66
<b>Total General Debt Service</b>	<b>3,254,095.84</b>

APPROVED

BE IT FURTHER RESOLVED, that the budget for the School Federal Projects fund shall be the budget approved for separate projects within No Child Left Behind (NCLB), Individuals with Disabilities Education Act (IDEA-Part B and Preschool), Carl Perkins Vocational fund and other federal grants by the Carter County Board of Education.

SECTION 2. BE IT FURTHER RESOLVED, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and the Sheriff and their officially authorized deputies and assistants may be entitled to receive under state laws heretofore or hereafter enacted. Expenditures out of commissions and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and Sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the Trustee and converted into the General Fund as provided by law.

BE IT FURTHER RESOLVED that if any fee officials, as enumerated in Section 8-22-101, T.C.A., operate under provisions of Section 8-22-104, T.C.A., provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IT FURTHER RESOLVED, that any amendment to the budget, except for amendments to the budget for funds under supervision of the Director of Schools, shall be approved as provided in Section 5-9-407, T.C.A. The Director of Schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and Board of County Commission for transfers between major categories as required by law.

One copy of each amendment shall be filed with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated;



however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures for any office, agency, institution, division or department for the year ending June 30, 2014. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissions providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the year in which the expenditure is to be made to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by State Director of Local Finance after its adoption as provided by Section 9-21-403, T.C.A.

SECTION 6. BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes provided such notes are first approved by the State Director of Local Finance to pay for the expenses herein authorized until the taxes and other revenue for the year 2013-2014 have been collected. The proceeds of loans for each of individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, T.C.A. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 2014.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 2012 and prior years and the interest and penalty thereon collected during the year ending June 30, 2014 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2012. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all encumbered balances of appropriations remaining at the end of the year shall lapse, and be of no further effect at the end of the year at June 30, 2014.

SECTION 9. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which heretofore has been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 10. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2013. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 15<sup>th</sup> day of July, 2013.

APPROVED:

CARTER COUNTY, TENNESSEE

By   
THOMAS BOWERS

CHAIRMAN, CARTER COUNTY  
COMMISSION

By: \_\_\_\_\_  
LEON HUMPHREY  
CARTER COUNTY MAYOR

VETOED:

By: *Leon Humphrey*  
LEON HUMPHREY  
CARTER COUNTY MAYOR

Date: 7/18/2013

**APPROVED**

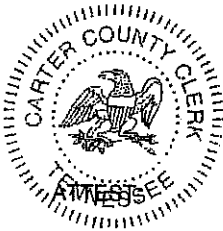
VETO OVERRIDE VOTE:

14 YES VOTES  
7 NO VOTES  
0 ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: *Thomas Bowers*  
THOMAS BOWERS  
CHAIRMAN CARTER COUNTY  
COMMISSION

Date: July 26 2013



*Mary Gouge*  
MARY GOUGE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

*Keith Bowers, Jr.*  
KEITH BOWERS, JR.  
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, JULY 15<sup>th</sup>, 2013

RESOLUTION NO. 589

APPROVED

**"RESOLUTION TO PROVIDE FINANCIAL ASSISTANCE TO BE PAID FROM CARTER COUNTY TAX REVENUES TO LOW-INCOME ELDERLY TAXPAYERS, TOTALLY AND PERMANENTLY DISABLED HOMEOWNERS, AND DISABLED VETERANS IN ADDITION TO THE TAX RELIEF ALREADY PROVIDED BY THE STATE OF TENNESSEE AS PROVIDED BY T.C.A. §67-5-701, ET SEQ."**

WHEREAS, a need exists in Carter County to provide financial assistance to low-income elderly residents of the county; and

WHEREAS, pursuant to T.C.A. §5-9-112, counties are authorized to appropriate funds on an annual basis for this purpose; and

WHEREAS, pursuant to T.C.A. §5-9-112, the county legislative body is authorized to develop guidelines for eligibility and participation in applying for this assistance; and

WHEREAS, pursuant to T.C.A. §67-5-701, the legislative bodies of counties may provide for the appropriation of funds for tax relief for elderly low-income homeowners as described in T.C.A. §67-5-702, for disabled homeowners as described in T.C.A. §67-5-703 and for disabled veterans as described in T.C.A. §67-5-704.

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 15<sup>th</sup> day of July, 2013, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, and that the property tax relief for low-income elderly residents shall be implemented as set forth above.

SECTION 1. A low-income ad valorem real property taxpayer who is sixty-five (65) years of age or older and who resides in Carter County shall be eligible to apply for financial assistance based on the amount of real property taxes assessed and levied by the county. The amount shall be twenty dollars (\$20.00), and eligibility shall be determined by the standards and conditions set out in T.C.A. §67-5-702.

SECTION 2. A totally and permanently disabled homeowner and who resides in Carter County shall be eligible to apply for financial assistance based upon the amount of real property taxes assessed and levied by the county. The amount shall be twenty dollars (\$20.00), and eligibility shall be determined by the standards and conditions set out in T.C.A. §67-5-702.

SECTION 3. A disabled veteran real property taxpayer who resides in Carter County shall be eligible to apply for financial assistance based upon the amount of real property taxes assessed and levied by the county. The amount shall be twenty dollars (\$20.00), and eligibility shall be determined by the standards and conditions set out in T.C.A. §67-5-702.

SECTION 4. Property tax relief shall be obtainable by application to the county trustee. The procedure shall conform to the requirements for state relief as stated in T.C.A. §67-5-701, §67-5-702, §67-5-703 and §67-5-704, as applicable. After application is made, the trustee shall certify the amount of the relief to the county mayor, who shall issue a warrant for the specified amount.

SECTION 5. The assistance set out herein is applicable solely for taxes levied and assessed for the 2013 calendar year. Eligible taxpayers must apply for the assistance no later than April 5, 2014. Failure to apply within the prescribed time shall constitute a waiver of all claims for the assistance hereby authorized.

SECTION 6. The implementation of this program is dependent on appropriations to fund it in the general appropriations for the fiscal year 2013-2014, or any supplemental appropriations.

SECTION 7. This resolution shall be effective upon passage, contingent upon funding as provided in Section 4, the public welfare requiring it.

Adopted this 15<sup>th</sup> day of July, 2013.

CARTER COUNTY, TENNESSEE

APPROVED:

By: Thomas Bowers  
THOMAS BOWERS  
CHAIRMAN CARTER COUNTY COMMISSION

By: Leon Humphrey  
LEON HUMPHREY  
CARTER COUNTY MAYOR

VETOED:

By: \_\_\_\_\_  
LEON HUMPHREY  
CARTER COUNTY MAYOR

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

**APPROVED**

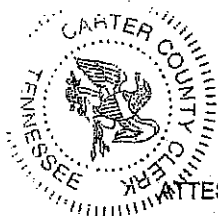
VETO OVERRIDE VOTE:

\_\_\_\_\_ YES VOTES  
\_\_\_\_\_ NO VOTES  
\_\_\_\_\_ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: \_\_\_\_\_  
THOMAS BOWERS  
CHAIRMAN CARTER COUNTY COMMISSION

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



ATTEST:

Mary Gouge  
MARY GOUGE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

Keith Bowers, Jr.  
KEITH BOWERS, JR.  
CARTER COUNTY ATTORNEY