

CARTER COUNTY COMMISSION MEETING, REGULAR SESSION, AUGUST 15, 2011

Carter County 4H Wildlife Judging Team recognized..... 300

Sheriff Chris Mathes-update on inmate garden..... 300

Angie Odom-Summer Food Program..... 300

Carter County Tomorrow-Tom Anderson-report..... 301

Resolution No. 553-reapportionment with 24 commissioners..... 302

Public Hearing to confirm and ratify tax rate adopted July 29, 2011.....303

Resolution No. 552-fixing tax rate at \$2.1528..... 303

Notaries approved..... 304

PFG approved to provide food at the jail..... 304

Contract with eCivis Grant Software for \$6000-EMA request..... 304

Budget Amendments..... 305

Committee reports..... 306

Contract with the 1<sup>st</sup> Tennessee Development District not yet executed..... 306

Annual Financial Reports approved..... 307

Let bids for carpet/chair replacement in courtroom..... 307

County employees not allowed to drive county vehicles out of county..... 308



Amend to  
July 29, 2011  
Commission  
Minutes

( SEE COMMISSION MEETING SEPTEMBER 19, 2011 )

AUGUST TERM 2011

Proposed Budget for Carter County - Fiscal Year 2011-12

<u>Fund</u>	<u>Rate</u>
County General Fund	\$0.950
County Highway Fund	\$0.130
General Purpose/Schools	\$0.986
Debt Service	\$0.086
<b>Total</b>	<b>\$2.153</b>

	ACTUAL 2009-2010	ESTIMATED 2010-2011	BUDGETED 2011-2012
<b>GENERAL FUND</b>			
<b>Estimated Revenues and Other Sources</b>			
Local Taxes	\$ 10,522,093	\$ 10,622,256	\$ 12,648,035
State Of Tennessee	\$ 810,911	\$ 1,052,875	\$ 542,235
Federal Government	\$ 210,541	\$ 187,787	\$ 133,499
Other Sources	\$ 371,999	\$ 289,616	\$ 213,400
<b>Total Estimated Revenues and Other Sources</b>	<b>\$ 11,915,544</b>	<b>\$ 12,152,533</b>	<b>\$ 13,537,169</b>
<b>Estimated Expenditures and Other Uses</b>			
Salaries	\$ 5,243,124	\$ 5,335,510	\$ 6,152,065
Other Cost	\$ 6,214,283	\$ 7,866,552	\$ 7,328,733
<b>Total Estimated Expenditures and Other Uses</b>	<b>\$ 11,457,407</b>	<b>\$ 13,202,062</b>	<b>\$ 13,480,798</b>
Estimated Beginning Fund Balance July 1	\$ 4,312,338	\$ 4,598,337	\$ 2,589,480
Estimated Ending Fund Balance- June 30	\$ 4,598,337	\$ 2,589,480	\$ 2,645,851
Employee Positions	167	184	221
<b>HIGHWAY/PUBLIC WORKS FUND</b>			
<b>Estimated Revenue and Other Sources</b>			
Local Taxes	\$ 1,020,192	\$ 1,032,729	\$ 1,333,689
State Of Tennessee	\$ 2,235,597	\$ 2,080,440	\$ 1,995,669
Federal Government	\$ 43,903	\$ 38,542	\$ 12,500
Other Sources	\$ 10,311	\$ 28,804	\$ 13,000
<b>Total Estimated Revenue and Other Sources</b>	<b>\$ 3,310,003</b>	<b>\$ 3,180,516</b>	<b>\$ 3,354,858</b>
<b>Estimated Expenditures and Other Uses</b>			
Salaries	\$ 950,055	\$ 952,891	\$ 1,069,729
Other Cost	\$ 1,884,897	\$ 2,024,136	\$ 2,943,641
<b>Total Estimated Expenditures and Other Uses</b>	<b>\$ 2,834,952</b>	<b>\$ 3,526,366</b>	<b>\$ 4,013,370</b>
Estimated Beginning fund Balance-July 1	\$ 1,868,208	\$ 2,343,261	\$ 1,889,621
Estimated Ending Fund Balance- June 30	\$ 2,343,261	\$ 1,889,621	\$ 1,231,109
Employee Position	40	40	40
<b>GENERAL PURPOSE SCHOOL FUND</b>			
<b>Estimated Revenue and Other Sources</b>			
Local Taxes	\$ 9,012,645	\$ 8,631,322	\$ 10,208,778
State Of Tennessee	\$ 29,729,564	\$ 29,879,662	\$ 28,728,700
Federal Government	\$ 982,906	\$ 837,471	\$ 223,555
Other Sources	\$ 90,809	\$ 99,591	\$ -
<b>Total Estimated Revenue and Other Sources</b>	<b>\$ 39,815,924</b>	<b>\$ 39,448,047</b>	<b>\$ 39,161,033</b>
<b>Estimated Expenditures and Other Uses</b>			
Salaries	\$ 23,876,742	\$ 24,346,577	\$ 23,840,863
Other Cost	\$ 16,587,019	\$ 15,780,829	\$ 15,684,901
<b>Total Estimated Expenditures and Other Uses</b>	<b>\$ 40,463,761</b>	<b>\$ 40,127,406</b>	<b>\$ 39,525,764</b>
Estimated Beginning Fund Balance- July 1	\$ 4,043,346	\$ 3,821,210	\$ 2,970,876
Estimated Ending Fund Balance- June 30	\$ 3,821,210	\$ 2,970,876	\$ 2,606,145
Employee Positions	951	952	946
<b>DEBT SERVICE FUND</b>			
<b>Estimated Revenue and Other Sources</b>			
Local Taxes	\$ 3,328,655	\$ 3,179,025	\$ 823,416
State Of Tennessee	\$ 146,010	\$ 149,351	\$ 128,000
Federal Government	\$ -	\$ -	\$ -
Other Sources	\$ -	\$ 25,380,846	\$ 150,000
<b>Total Estimated Revenue and Other Sources</b>	<b>\$ 3,474,665</b>	<b>\$ 28,709,223</b>	<b>\$ 1,101,416</b>
<b>Estimated Expenditures and Other Uses</b>			
Debt Service Cost	\$ 1,908,150	\$ 28,161,175	\$ 3,258,776
<b>Total Estimated Expenditures and Other Uses</b>	<b>\$ 1,908,150</b>	<b>\$ 28,161,175</b>	<b>\$ 3,258,776</b>
Estimated Beginning Fund Balance- July 1	\$ 6,469,243	\$ 8,035,760	\$ 8,583,808
Estimated Ending Fund Balance- June 30	\$ 8,035,760	\$ 8,583,808	\$ 6,426,447

AUGUST TERM 2011

**Fund 143**  
**2011-2012 Budget**

Revenues

	<u>10-11 Budget</u>	<u>11-12 Request</u>
43521 LUNCH PAYMENTS - CHILDREN	\$ 405,000.00	\$ 350,000.00
43522 LUNCH PAYMENTS - ADULTS	\$ 73,700.00	\$ 75,000.00
43523 INCOME FROM BREAKFAST	\$ 222,000.00	\$ 200,000.00
43524 SPECIAL MILK SALES	\$ 3,600.00	\$ 2,500.00
43525 A LA CARTE SALES	\$ 166,000.00	\$ 105,000.00
43990 OTHER CHARGES FOR SERVICES	\$ 90,000.00	\$ 160,000.00
Total CHARGES FOR CURRENT SERVICES	<u>\$ 960,300.00</u>	<u>\$ 892,500.00</u>
44110 INTEREST EARNED	\$ 30,000.00	\$ 7,000.00
44170 MISCELLANEOUS REFUNDS	\$ 2,000.00	\$ 1,000.00
Total TOTAL OTHER LOCAL REVENUE	<u>\$ 32,000.00</u>	<u>\$ 8,000.00</u>
46520 SCHOOL FOOD SERVICE	\$ 33,000.00	\$ 25,000.00
Total STATE OF TENNESSEE	<u>\$ 33,000.00</u>	<u>\$ 25,000.00</u>
47111 SECTION 4 - LUNCH	\$ 1,284,277.00	\$ 45,000.00
47112 SECTION 11 - LUNCH	\$ -	\$ 1,350,000.00
47113 BREAKFAST	\$ 420,000.00	\$ 450,000.00
47115 USDA FOOD SERVICE EQUIPMENT GRA ARRA	.00	\$ -
	<u>\$ 1,704,277.00</u>	<u>\$ 1,845,000.00</u>
	-----	-----
* Grand Total *	<u>\$ 2,729,577.00</u>	<u>\$ 2,770,500.00</u>
	=====	=====

**AUGUST TERM 2011**

Expenditures

( 73100 ) FOOD SERVICE	<u>10-11 Budget</u>	<u>11-12 Request</u>
73100-105 SUPERVISOR/DIRECTOR	\$ 52,415.00	\$ 53,253.64
73100-162 CLERICAL PERSONNEL	\$ 20,881.00	\$ 22,424.00
73100-165 CAFETERIA PERSONNEL	\$ 795,600.00	\$ 794,057.00
73100-189 OTHER SALARIES & WAGES	\$ 30,100.00	\$ 30,100.00
73100-201 SOCIAL SECURITY	\$ 56,000.00	\$ 56,000.00
73100-204 STATE RETIREMENT	\$ 122,000.00	\$ 82,000.00
73100-206 LIFE INSURANCE	\$ 2,125.00	\$ 2,125.00
73100-207 MEDICAL INSURANCE	\$ 283,500.00	\$ 283,500.00
73100-208 DENTAL INSURANCE	\$ 12,000.00	\$ 12,000.00
73100-210 UNEMPLOYMENT COMPENSATION	\$ 1,000.00	\$ 1,865.00
73100-212 EMPLOYER MEDICARE	\$ 13,100.00	\$ 13,100.00
73100-299 OTHER FRINGE BENEFITS	\$ 32,000.00	\$ 32,000.00
73100-307 COMMUNICATION	\$ 5,000.00	\$ 5,000.00
73100-320 DUES AND MEMBERSHIPS	\$ -	\$ 35.00
73100-327 FREIGHT EXPENSES	\$ -	\$ -
73100-336 MAINTENANCE AND REPAIR SERVICES - E	\$ 45,000.00	\$ 45,000.00
73100-355 TRAVEL	\$ 3,000.00	\$ 3,000.00
73100-399 OTHER CONTRACTED SERVICES	\$ 87,000.00	\$ 87,000.00
73100-421 FOOD PREPARATION SUPPLIES	\$ 90,000.00	\$ 100,000.00
73100-422 FOOD SUPPLIES	\$ 1,200,000.00	\$ 1,200,000.00
73100-435 OFFICE SUPPLIES	\$ 3,000.00	\$ 3,000.00
73100-451 UNIFORMS	\$ 5,000.00	\$ 5,500.00
73100-499 OTHER SUPPLIES AND MATERIALS	\$ 30,000.00	\$ 30,000.00
73100-524 In Service / Staff Development	\$ 5,000.00	\$ 5,000.00
73100-599 OTHER CHARGES	\$ 1,500.00	\$ 1,500.00
73100-710 FOOD SERVICE EQUIPMENT	\$ 30,000.00	\$ 30,000.00
Total -> FOOD SERVICE	----- \$ 2,925,221.00 =====	----- \$ 2,897,459.64 =====

Total Revenues	\$ 2,770,500.00
Total Expenditures	\$ 2,897,459.64
Amount to Balance Budget from Fund Balance	\$ (126,959.64)

**AUGUST TERM 2011**

**Fund 145 Headstart  
2011-2012 Budget**

<u>Revenues</u>	<u>10-11 Budget</u>	<u>11-12 Request</u>
47114 USDA - OTHER	\$ 90,000.00	\$ 92,000.00
47990 OTHER DIRECT FEDERAL REVENUE	\$ 934,218.00	\$ 936,000.00
-----		
Total FEDERAL GOVERNMENT	\$ 1,024,218.00	\$ 1,028,000.00
=====		

<u>Expenditures</u>	<u>10-11 Budget</u>	<u>11-12 Request</u>
( 73400 ) Early Childhood Education		
73400-105 SUPERVISOR/DIRECTOR	\$ 46,200.00	\$ 46,200.00
73400-116 TEACHERS	\$ 274,000.00	\$ 274,000.00
73400-162 CLERICAL PERSONNEL	\$ 27,315.00	\$ 27,315.00
73400-163 EDUCATIONAL ASSISTANTS	\$ 99,000.00	\$ 95,000.00
73400-189 OTHER SALARIES & WAGES	\$ 154,410.00	\$ 161,826.00
73400-195 SUBSTITUTE TEACHERS	\$ 3,100.00	\$ 3,100.00
73400-198 Non-Certified Substitute Teachers	\$ 10,000.00	\$ 10,000.00
73400-201 SOCIAL SECURITY	\$ 38,200.00	\$ 38,200.00
73400-204 STATE RETIREMENT	\$ 54,200.00	\$ 54,200.00
73400-206 LIFE INSURANCE	\$ 750.00	\$ 750.00
73400-207 MEDICAL INSURANCE	\$ 133,400.00	\$ 133,400.00
73400-208 DENTAL INSURANCE	\$ 5,760.00	\$ 5,760.00
73400-210 UNEMPLOYMENT COMPENSATION	\$ 665.00	\$ 665.00
73400-212 EMPLOYER MEDICARE	\$ 9,000.00	\$ 9,000.00
73400-330 OPERATING LEASE PAYMENTS	\$ 11,000.00	\$ 11,000.00
73400-355 TRAVEL	\$ 4,000.00	\$ 4,000.00
73400-422 FOOD SUPPLIES	\$ 90,000.00	\$ 90,000.00
73400-429 INSTRUCTIONAL SUPPLIES & MATEF	\$ 18,000.00	\$ 18,000.00
73400-499 OTHER SUPPLIES AND MATERIALS	\$ 15,360.00	\$ 15,360.00
73400-524 In Service / Staff Development	\$ 11,758.00	\$ 11,758.00
73400-599 OTHER CHARGES	\$ 17,600.00	\$ 17,600.00
-----		
Total -> Early Childhood Education	\$ 1,023,718.00	\$ 1,027,134.00
=====		

Total Revenues	\$ 1,024,218.00	\$ 1,028,000.00
Total Expenditures	\$ 1,023,718.00	\$ 1,027,134.00

**AUGUST TERM 2011**

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BE IT REMEMBERED, the County Commission of Carter County, Elizabethton, Tennessee, met in Regular Session on August 15, 2011, at 6:00 p.m. in the main courtroom of the Carter County Courthouse. Present and presiding were the Honorable Leon Humphrey, County Mayor/Chairman; the Honorable Keith Bowers, Jr., County Attorney; and the Honorable Mary Gouge, County Clerk. The following Commissioners were present: 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, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks and Robert Gobble. Dickie Renfro was absent.

ROLL CALL.....QUORUM PRESENT

PRAYER.....LAWRENCE HODGE

PLEDGE.....TOM BOWERS

On motion by John Lewis, seconded by Russell Kyte and by voice vote, the minutes of the July 18, 2011, commission meeting were approved as presented. A "no" vote was recorded for Ken Arney.

At this time the Mayor asked that all elected officials stand to be recognized as they were given a round of applause.

The Mayor addressed the commissioners at this time to recognize the Carter County 4H Wildlife Judging Team who recently placed 4<sup>th</sup> in the National 4H Wildlife Habitat and Evaluation competition in Littlerock, Arkansas. He stated on their way to the National competition, they team had placed 1<sup>st</sup> in the Eastern Region contest at Reelfoot Lake in West Tennessee. He congratulated the team for being the first to win at the state level since the early 1980's. He presented a plaque to the following: Jennie Clark from Happy Valley High School, Kali MacRae from Hampton High School, Cassidy Potter from Cloudland High School, Richard Winters from Cloudland High School and their Coach Camille Jessee.

Sheriff Chris Mathes updated the commissioners on the progress of the garden project operated by his office. He said the garden was started with \$440 and had saved the county \$1,953 so far. He stated they had successfully harvested a number of vegetables and with an 18% rise projected in food costs over the next year, this program would help offset some of these increases for the county.

Angie Odom gave an update on the Summer Food Program which took place in the county over the summer. She stated 42,630 meals were delivered to children in the county during the 49 day program. She said this would not have been possible without A.R.M., area churches, A-1 Auto Care, the Car Club and

county residents that donated food. She said she would like to see a "soup kitchen" in our county in the future.

Carter County Tomorrow President, Tom Anderson, reported at this time on several items of county business. His report is entered into the minutes on page 309 ,

Under Public Comments Scott Snell questioned Attorney Bowers as to whether there had been a hearing regarding the 2 illegal trailers in his neighborhood. He was told there had been no hearing but correspondence from an attorney for these owners had been received.

John Bland passed out flyers to the commissioners to promote a benefit for the Carter County Animal Shelter at the Elks Lodge Water Park on Saturday, August 27, 2011, from 1:00 pm to 10:00 pm.

Jean Ray stated nothing had been done to upgrade Dennis Cove Road. John Lewis told Ms. Ray he had talked with Superintendent of Roads, Jack Perkins, and if nothing happened and they got the money, the road would be patched, leveled and striped this year. Darrell Edwards, also living on Dennis Cove Road, stated the road was very narrow and in need of attention. He said he would like to see the road resurfaced and guardrails put in before a major accident occurred.

John Clark reported the trash was still around the home on 1546 Broad Street he had informed the commissioners of at the last meeting.

Roy Livingston stated he would report at the next meeting how much the jail had actually the county to this point.

Jeffrey Hughis responded to a comment made to him after the last meeting by L. C. Tester who stated, "If you don't like living in Carter County, why don't you move?" Mr. Hughis said if the commissioners did not want to hear the resident's issues and suggestions, act in the resident's best interests and could not respect him and the others that just want what is best for the county, they should resign their positions.

Bill Peters stated he was pleased with the turn out of commissioners at the meeting tonight on the tax rate. He voiced his discontent over the fact that at the last commission meeting, which was the largest and most important meeting on our taxes, there were a few commissioners absent. He then asked the County Attorney if the Disclaimer statement read by the commissioners before a vote is taken on an issue with which they have a conflict of interest had ever been challenged in a court of law.

Diane McNeal of the Valley Forge community asked the commissioners to work together for everyone in the community.

At this time Resolution No. 553 to adopt a reapportionment/redistricting plan was presented to the commission. Motion was made by Tom Bowers,

seconded by John Lewis to suspend the reading of the resolution. By voice vote motion carried. A "no" vote was recorded for Charles VonCannon. Prior to voting on the resolution, Mayor Humphrey informed the commissioners he had received countless requests from constituents to downsize the commission. He stated he was asking the commissioners to do the right thing and amend the redistricting plan and reduce the commission's membership to nine (9) members. This would be one (1) commissioner from each district and one (1) commissioner at large. Motion was made by Tom Bowers, seconded by Gebe Ritchie to adopt the resolution as presented providing for a county legislative body composed of twenty four (24) members. Motion was then made by Ronnie Trivett, seconded by Scott Sams to TABLE Commissioner Bowers' motion. Roll call vote to TABLE as follows:

AYES: Nancy Brown, Joel Street, Ronnie Trivett, Steve Lowrance & Scott Sams

NAYS: Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, Charles VonCannon, L. C. Tester, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks & Robert Gobble

PASSING: 0

ABSENT: Dickie Renfro

There being 5 ayes, 17 nays, 0 passing and 1 absent motion to TABLE failed. The previous motion made by Tom Bowers was back on the floor and the roll call vote was as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, L. C. Tester, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: Nancy Brown, Joel Street, Ronnie Trivett, Charles VonCannon, Steve Lowrance & Scott Sams

PASSING: 0

ABSENT: Dickie Renfro

There being 16 ayes, 6 nays, 0 passing and 1 absent motion duly carried.

Resolution No. 553 entered into minutes on page 310.

Charles VonCannon asked the Mayor what recourse the people would have if they wanted to have the commission downsized. The Mayor stated he had reviewed several Attorney General Opinions and the Tennessee General Assembly has the authority to pass a private act calling for an advisory non-binding referendum question to the voters. The Mayor asked for a motion to adopt a resolution to create a private act which would allow the voters to decide in 2012 the issue of the number of commissioners by placing a referendum on the ballot.

Attorney Bowers disagreed with the Mayor's interpretation of the Attorney General's opinion, however, motion was made by Charles VonCannon, seconded by Nancy Brown to take steps to place the referendum on the ballot in 2012. Motion was then made by Harry Sisk, seconded by Ken Arney to TABLE Commissioner VonCannon's motion. Roll call vote to TABLE as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, L. C. Tester, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong & Pat Hicks

NAYS: Nancy Brown, Ronnie Trivett, Charles VonCannon, Steve Lowrance, Scott Sams & Robert Gobble

PASSING: 0

ABSENT: Dickie Renfro

There being 16 ayes, 6 nays, 0 passing and 1 absent motion to TABLE carried.

At this time the Mayor recessed the Regular Session into a Public Hearing to confirm and ratify the action taken by the commission on July 29, 2011, establishing a tax rate for the fiscal year 2011-2012 at \$2.15 which exceeded the certified property tax rate as calculated by the State Board of Equalization. He asked that anyone in the audience wishing to comment stand to be recognized. Bill Peters stated he felt all department budgets still needed to be looked at for ways to cut funds. Marshall Kamrass was of the opinion less money needed to be spent on education. The Public Hearing ended and the Regular Session resumed.

Motion was made by Jo Ann Blankenship, seconded by Lawrence Hodge to affirm/ratify Resolution No. 552 fixing the tax levy for 2011-2012 at \$2.1528. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong & Pat Hicks

NAYS: Ronnie Trivett, Tom Bowers, John Lewis, Scott Sams & Robert Gobble

PASSING: 0

ABSENT: Dickie Renfro

There being 17 ayes, 5 nays, 0 passing and 1 absent motion carried.

On motion by John Lewis, seconded by Tom Bowers and by voice vote the following Notaries and bond were approved:

AMY FUTRELL	LYNDA VAUGHN	JOAN M. SMITH
PENELOPE KYTE	NICKIE STRICKLAND	MARY REED
DANIEL WINTERS	MARY EVELYN BUCK	SUE SKIDMORE
JANA CHAMBERS	PATRICIA WHITEHEAD	KAREN WILLIAMS
MARY RICHARDSON	KIMBERLY EGGERS	TRAVIS ROYSTON
KENNETH DARLING, JR.	STEPHANIE BARBOSA	MELISSA D. LEWIS
RANDAL KELLY CRAIN	REBECCA C. BUCHANAN	STACY TRAMEL
HEATHER WISEMAN	CYNTHIA LEE WYMER	BROOKE PRICE
KIMBERLY JONES	LARRY PERRY-CONSTABLE BOND	

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Harry Sisk to approve the lowest bid for the food at the jail from PFG. Roll call vote as follows:

AYES: 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, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: Scott Sams

PASSING: 0

ABSENT: Dickie Renfro

There being 21 ayes, 1 nay, 0 passing and 1 absent motion duly carried.

Referred from the Financial Management Committee and on recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Harry Sisk to enter into a one year contract with eCivis Grant Software at the request of the EMA Director, Andrew Worley. This would help research available grants as well as writing and administering them. The cost of the contract for one year is \$6,000 to come from fund balance. Roll call vote as follows:

AYES: 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, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Dickie Renfro

There being 22 ayes, 0 nays, 0 passing and 1 absent motion carried.

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Ken Arney to approve General Fund 101, Budget Amendment #1, Item #1 as presented. Roll call vote as follows:

AYES: 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, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Dickie Renfro

There being 22 ayes, 0 nays, 0 passing and 1 absent motion carried.

**Carter County Government**

**General Fund 101**

**Budget Amendment #1**

<b>Item # 1</b>	<b>34161 Reserved for Computer System-Register of Deeds</b>	<b>\$ 8,625.00</b>	<b>Decrease</b>
	<b>51600-317 Data Processing Services</b>	<b>\$ 8,625.00</b>	<b>Increase</b>

To reallocate funds to scan mylar books.

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Total \$ 8,625.00 \$ 8,625.00

On recommendation of the Budget Committee, motion was made by Tom Bowers, seconded by Robert Gobble to approve General Fund 141, Budget Amendment #1, Item #1 as presented. Roll call vote as follows:

AYES: 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, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Dickie Renfro

There being 22 ayes, 0 nays, 0 passing and 1 absent motion carried.

**Carter County Schools**

**General Fund 141**

**Budget Amendment #1**

<b>Item # 1</b>	<b>34330 Reserved for Capitol Outlay</b>	<b>\$ 601,495.00</b>	<b>Decrease</b>
	<b>76100-707 Building Improvements</b>	<b>\$ 601,495.00</b>	<b>Increase</b>

To reallocate funds from Reserve for toilet renovations at Little Milligan, HVES, Hunter, and Keenburg.

On behalf of the Jail Task Force, Jo Ann Blankenship reported this committee had more or less gone by the wayside because it took the entire commission to make the decisions regarding jail issues. She stated a coating had been put on some surfaces at the jail and recommended the commissioners look at them.

Gebe Ritchie reported for the Highway Committee stating he had been in contact with the State regarding the dangerous curve on Simerly Creek. The State said they would put in solar flashing lights at the site and if that did not work they would put in an overhead flashing light if the County would pay for the electricity. As a proposal from the State had not yet been received, Mr. Ritchie said he would report further on this matter as negotiations continued.

At the request of Charles VonCannon on behalf of the Investigation Committee, motion was made by Nancy Brown, seconded by John Lewis to have the County Attorney research the statutes regarding river rafting and draft a resolution concerning fees that may be charged for guides on the rivers in our county. Roll call vote as follows:

AYES: 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, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: Dickie Renfro

There being 22 ayes, 0 nays, 0 passing and 1 absent motion carried.

The Mayor informed the commission the contract with the 1<sup>st</sup> Tennessee Development District in the amount of \$12,250 for planning and advisory services that had been passed at the last meeting had not yet been executed. He stated Ralph Watson, Chairman of the Planning Committee, sent correspondent to Ingrid Deloach, Financial Director, requesting her not to issue a check to them out of the Planning budget. Mr. Schuettler stated the contract had not been presented to the Planning Committee for their approval prior to being passed by the full commission. Jo Ann Blankenship stated under the 1981 Act the legislative body only approves a department's budget but could not dictate how they used their money and could not take money from their budget without prior approval. Chris Schuettler stated he would like to invite Glenn Rosenoff to the next planning meeting for his input. The Mayor stated no action would be taken concerning the contract with the 1<sup>st</sup> Tennessee Development District until advised by the Planning Commission.

The County Attorney reported on items of county business he had been addressing since the last meeting. The Mayor asked about the property donated to the county by Robert Karr and was told a title search had been done and as there had been no liens or issues discovered a deed would be executed. The Mayor also asked about the open records violation filed against the Planning Office. County Attorney, Keith Bowers, reported that he had received an opinion letter from Elisha Hodge, Attorney for the Open Records Counsel, and a copy of the same is being attached as an Exhibit to the minutes to provide a complete report of Mrs. Hodge's Statement to the County concerning the Open Records request by Ms. Miller.

Pursuant to T.C.A. 5-8-505/67-5-1902 (b) (1), motion was made by Jo Ann Blankenship, seconded by Pat Hicks to accept the Annual Financial Reports filed by the Trustee, Circuit Clerk, Clerk and Master, County Clerk, Register of Deeds and the Sheriff as presented. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: Charles VonCannon & Ken Arney

ABSENT: Dickie Renfro

There being 20 ayes, 0 nays, 2 passing and 1 absent motion carried. Annual Financial Reports entered into minutes on pages 310 to 325.

The Mayor directed the commissioner's attention to the carpet in the courtroom and pointed out that it was extremely loose in places. He stated it had become a significant "trip and fall" hazard. He said he had received two (2) bids for the replacement of the carpet from Crawford Drywall in the amount of \$8,500 and from Edens Carpet in the amount of \$9,289. He stated the Financial Director had informed him there was approximately \$32,708.41 in Fund 112 for Courthouse and Jail maintenance. He also brought their attention to courtroom chairs that were cracked and broken and also in need of replacement. Motion was made by John Lewis, seconded by Russell Kyte to let bids for the carpet and chair replacement project. Roll call vote as follows:

AYES: 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, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: 0

PASSING: Charlie Bayless, Ken Arney & Steve Chambers

There being 19 ayes, 0 nays, 3 passing and 1 absent motion duly carried. Jo Ann Blankenship stated the 1981 Act required a minimum of three (3) bids on a project.

Motion was made by John Lewis, seconded by Ken Arney to not allow any county employee that lives outside the county to drive a county vehicle home. After much discussion motion was made by Gebe Ritchie, seconded by Charles VonCannon to TABLE Commissioner Lewis' motion. Roll vote to TABLE as follows:

AYES: Gebe Ritchie, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Russell Kyte, Bill Armstrong & Pat Hicks

NAYS: Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Tom Bowers, Ken Arney, Steve Chambers, John Lewis, Scott Sams & Robert Gobble

PASSING: Sonja Culler

ABSENT: Dickie Renfro

There being 10 ayes, 11 nays, 1 passing and 1 absent motion to TABLE failed.

The original motion that any new hire by the Sheriff's Department or any county employee not be allowed to take a county vehicle out of the county was restated by the Mayor for clarification. Roll call vote as follows:

AYES: Nancy Brown, Ronnie Trivett, Tom Bowers, Ken Arney, Steve Chambers & John Lewis

NAYS: Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

PASSING: 0

ABSENT: Dickie Renfro

There being 6 ayes, 16 nays, 0 passing and 1 absent motion failed.

Motion to adjourn was made by Gebe Ritchie, seconded by Harry Sisk and carried by voice vote.

CCT report - Carter County Commission  
August 15, 2011

- **Roan Mountain Sewer Project** – The Technical Committee will meet next week as to which system is most feasible and what level of funding is available.
- **Project Quest** – Tom Anderson continues pursuing the company principals. If prospect chooses Carter County it will mean 70 jobs \$7 million investment
- **Project Red Energy** – Working with County on language in the “feedstock agreements”. If project is successful, we are still looking at minimum 50-70 jobs to start.
- **The Highlands Group (formerly Project Smoky Mountain)** – We are working with City officials to best meet infrastructure and electrical needs. Much of the equipment is being set and hope is to be in production next month. Jobs will be posted through Employment Security office at the Workforce Development Complex.
- **Existing Business/Industry visits** – Currently making visits and taking tours of existing industry to discuss current needs and what (if anything) we can do locally to make them more competitive.
- **Industrial Bond Board** –
- **1500 West Elk (Pine Palms Mgt)** – Old Inland Container Building – working with developers on infrastructure improvements
- **USDA Rural Business Enterprise Grant - \$17,500 (Elizabethton Business Enhancement Sign Project)** – meetings with Downtown Representatives is underway and identifying best signage –Tom Anderson will be attending the postponed the award ceremony in Unicoi with Congressman Roe and USDA officials on August 18th.
- **A “Riverfront Development Strategic Planning Session”** is being scheduled for late September. Participants will assist landowners, the city, and developers to identify “best sustainable” land use and possible “special tax district”. This will include many facets (i.e.

residential, retail, commercial, and recreational). Tentatively scheduled for Wednesday September 28<sup>th</sup> from 8am until 1pm.

- **Carter County Long Range Strategic Planning** should start in October. This will include a SWOT analysis, priorities, action plans for medium and long range goals.
- **Hotel feasibility** – continuing effort to work with a regional hospitality company about feasibility of bringing a new hotel to Carter County.
- **Assisting Emergency Management Director (Andrew Worley) in EOC location and funding opportunities.**
- **50,000 sq ft building in Cherokee Park** – waiting on information from owner to begin marketing on State and TVA sites.
- **Engineering on SIA Route** being completed. The cul de sac on Smoky Mountain Place will be included into the SIA project. Working on Right of Way issues for the new road.
- **Judge Ben Allen/Don Lewis/SR 91 signalization** moved into pre-engineering phase. TDOT Working to coordinate with SIA Route.

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, AUGUST 15, 2011  
RESOLUTION NO. 553

**"RESOLUTION TO ADOPT A REAPPORTIONMENT/REDISTRICTING PLAN  
FOR THE COUNTY OF CARTER, TENNESSEE"**

WHEREAS, Tennessee Code Annotated, Section 5-1-111, requires that, at least every ten (10) years, county legislative bodies shall change the boundaries of districts or redistrict a county entirely if necessary to apportion the county legislative body so that the members represent substantially equal populations; and

WHEREAS, Carter County has prepared a plan consistent with the provisions of Tennessee Code Annotated, Section 5-1-111, which provides for a county legislative body composed of twenty four (24) members and which creates eight (8) districts as depicted on the official redistricting map for Carter County prepared pursuant to Tennessee Code Annotated, Section 5-1-110.

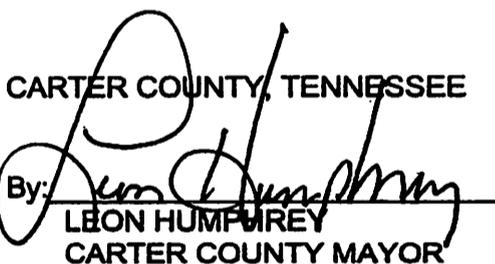
NOW, THEREFORE, BE IT RESOLVED by the Carter County Legislative Body meeting in regular session at Elizabethton, Tennessee, on this the 15<sup>th</sup> day of August, 2011, that:

SECTION 1. There is hereby adopted a reapportionment plan for Carter County which provides for three (3) commissioners in each of the eight (8) districts for a total county legislative body of twenty (24) members. The districts for members of the county legislative body are depicted on the official redistricting map for Carter County prepared pursuant to Tennessee Code Annotated, Section 5-1-110. A copy of the redistricting map is attached as Exhibit "A" to this resolution and is incorporated herein by reference.

SECTION 2. All members of the county legislative body shall be elected at large within the district wherein the candidate seeks election. The three (3) candidates receiving the greatest number of votes in each district shall be elected.

SECTION 3. This plan shall take effect upon passage, the public welfare requiring it, provided that vacancies shall be filled in accordance with Tennessee Code Annotated, Section 5-1-104.

Adopted this 15<sup>th</sup> day of August, 2011.

CARTER COUNTY, TENNESSEE  
By:   
LEON HUMPHREY  
CARTER COUNTY MAYOR

ATTEST:

  
MARY GOUGE  
CARTER COUNTY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
KEITH BOWERS, JR.  
CARTER COUNTY ATTORNEY

**AUGUST TERM 2011**

CARTER COUNTY CLERK  
 GENERAL LEDGER - FINANCIAL REPORT  
 YEAR FORMAT  
 FISCAL YEAR 2011 - PERIOD ENDING 06/30/2011

311

ACCT	DESCRIPTION	BEGINNING BALANCE	GENERAL	RECEIPTS	DISBURSEMENTS	COMMISSIONS	TRANSFERS IN	TRANSFERS OUT	ENDING BALANCE
21000	CURRENT LIABILITIES								
	*** SUB-TOTAL ***	.00	.00	.00	.00	.00	.00	.00	.00
22000	OTHER LIABILITIES								
22100	BUSINESS TAX REVENUE/GROSS REC	.00	.00	.00	.00	.00	.00	.00	.00
22101	BUSINESS TAX INTEREST	.00	.00	.00	.00	.00	.00	.00	.00
22102	BUSINESS TAX PENALTY	.00	.00	.00	.00	.00	.00	.00	.00
22103	BUSINESS TAX ADJUSTMENTS	.00	.00	.00	.00	.00	.00	.00	.00
22500	BUSINESS TAX - STATE GROSS	.00	.00	.00	.00	.00	.00	.00	.00
22501	BUSINESS TAX - STATE INTEREST	.00	.00	.00	.00	.00	.00	.00	.00
22502	BUSINESS TAX - STATE PENALTY	.00	.00	.00	.00	.00	.00	.00	.00
22503	BUSINESS TAX - STATE ADJUSTS	.00	.00	.00	.00	.00	.00	.00	.00
	*** SUB-TOTAL ***	.00	.00	.00	.00	.00	.00	.00	.00
23000	DUE TO STATE OF TENNESSEE								
23110	BUSINESS TAX DUE STATE	-310.29	.00	8,870.97	8,737.71	443.55	.00	.00	.00
23111	LITIGATION TAX - STATE	.00	.00	.00	.00	.00	.00	.00	.00
23120	RETIREMENT	.00	.00	.00	.00	.00	.00	.00	.00
23130	AUTO SALES TAX - STATE	.00	.00	968,791.59	920,352.02	48,439.57	.00	.00	.00
23131	AUTO SALES TAX - LOCAL	.00	.00	128,908.28	122,462.86	6,445.42	.00	.00	.00
23132	BOAT SALES TAX - STATE	.00	.00	71,381.59	67,812.52	3,569.07	.00	.00	.00
23133	BOAT SALES TAX - LOCAL	.00	.00	8,490.58	8,066.05	424.53	.00	.00	.00
23134	AUTO - STATE SINGLE ARTICLE	.00	.00	53,077.69	50,423.82	2,653.87	.00	.00	.00
23135	BOAT - STATE SINGLE ARTICLE	.00	.00	3,361.17	3,193.13	168.04	.00	.00	.00
23145	MFG HOME INSTALLATION PERMITS	.00	.00	4,847.00	4,847.00	.00	.00	.00	.00
23150	MARRIAGE LICENSE - STATE	.00	.00	6,330.00	6,013.50	316.50	.00	.00	.00
23151	PREMARITAL TRAIN	.00	.00	17,880.00	17,880.00	.00	.00	.00	.00
23160	MVD - STATE REGISTRATIONS	.00	.00	507,854.01	507,854.01	.00	.00	.00	.00
23165	MVD RENEWALS	.00	.00	1,103,488.69	1,103,488.69	.00	.00	.00	.00
23170	MVD - TITLE APPL - STATE	.00	.00	98,881.50	98,881.50	.00	.00	.00	.00
23171	REPLACEMENT TITLES/NOTING LIEN	.00	.00	.00	.00	.00	.00	.00	.00
23210	GAME & FISH	-32.00	.00	5,796.00	5,621.00	.00	.00	.00	-207.00
23300	NOTARY COMMISSIONS	.00	.00	697.00	697.00	.00	.00	.00	.00
	*** SUB-TOTAL ***	-342.29	.00	2,988,636.07	2,926,310.81	62,460.55	.00	.00	-207.00
24000	DUE TO COUNTY TRUSTEE								
24110	BUSINESS TAX DUE COUNTY	.00	.00	10,853.51	10,310.84	542.67	.00	.00	.00
24120	BEER TAX WHOLESALE	.00	.00	224,725.89	213,489.55	11,236.28	.00	.00	.00
24140	LITIGATION TAX - COUNTY GENERAL	.00	.00	.00	.00	.00	.00	.00	.00
24150	LITIGATION TAX-SPECIAL-JAIL	.00	.00	.00	.00	.00	.00	.00	.00
24170	COUNTY HOTEL/MOTEL TAX	.00	.00	90,702.78	86,167.64	4,535.14	.00	.00	.00
24185	SEVERANCE TAX	.00	.00	80,029.68	76,028.21	4,001.47	.00	.00	.00
24210	MARRIAGE LICENSE - COUNTY	.00	.00	4,220.00	4,009.00	211.00	.00	.00	.00
24221	BEER ANNUAL RENEWALS	.00	.00	1,700.00	1,615.00	85.00	.00	.00	.00
24490	OTHER COUNTY COLLECTIONS	.00	.00	1,577.42	1,577.42	.00	.00	.00	.00
24492	HELPING SCHOOLS	.00	.00	434.00	434.00	.00	.00	.00	.00

**CARTER COUNTY CLERK**  
**GENERAL LEDGER - FINANCIAL REPORT**  
**YEAR FORMAT**  
**FISCAL YEAR 2011 - PERIOD ENDING 06/30/2011**

312

ACCT	DESCRIPTION	BEGINNING BALANCE	GENERAL	RECEIPTS	DISBURSEMENTS	COMMISSIONS	TRANSFERS IN	TRANSFERS OUT	ENDING BALANCE
	*** SUB-TOTAL ***	.00	.00	414,243.22	393,631.66	20,611.56	.00	.00	.00
26000	DUE TO LITIGANTS, HEIRS, & OTHERS								
26303	INVESTMENTS DUE (HEIRS, LITIG)	.00	.00	.00	.00	.00	.00	.00	.00
26309	COURT FUNDS	.00	.00	.00	.00	.00	.00	.00	.00
26310	PUBLICATIONS-NOTICE TO CREDIT	.00	.00	.00	.00	.00	.00	.00	.00
26315	DONOR AWARENESS	.00	.00	585.50	585.50	.00	.00	.00	.00
26320	DATA PROCESSING FEE	.00	.00	770.00	770.00	.00	.00	.00	.00
26401	CREDIT CARD FEES - BUS	.00	-1,259.75	.00	1,259.75	.00	.00	.00	.00
26405	CREDIT CARD - BANK	.00	-2,707.19	.00	2,707.19	.00	.00	.00	.00
26920	NOTARY SEALS	.00	.00	.00	.00	.00	.00	.00	.00
	*** SUB-TOTAL ***	.00	-3,966.94	1,355.50	5,322.44	.00	.00	.00	.00
29900	FEE & COMMISSION ACCOUNT								
29900	CLERK'S MISC FEES	-5,258.55	1.56	371,080.75	454,761.90	-83,072.11	.00	.00	-4,647.95
	*** SUB-TOTAL ***	-5,258.55	1.56	371,080.75	454,761.90	-83,072.11	.00	.00	-4,647.95
*** TOTAL ***		-5,600.84	-3,965.38	3,775,315.54	3,780,026.81	.00	.00	.00	-4,854.95

ANNUAL REPORT 2011



**Carter County , Tennessee  
Office Of The Register Of Deeds  
Annual Financial Report  
For The Period Of 07/01/2010 - 06/30/2011**

Account Description	Beginning Balance	Adjustments	Receipts	Transfers In	Disbursements	Transfers Out	Commission Transfers	Ending Balance
MORTGAGE TAX	0.00	0.00	169852.53	0.00	165776.06	0.00	4076.47	0.00
CONVEYANCE TAX	0.00	0.00	297599.77	0.00	290457.35	0.00	7142.42	0.00
DP FEES	0.00	0.00	15450.00	0.00	15450.00	0.00	0.00	0.00
REGISTER'S FEES	0.00	0.00	2460.00	0.00	2460.00	0.00	0.00	0.00
RECORDING FEES	-604.50	0.00	167693.00	0.00	178858.88	0.00	-11218.89	-657.51
ARCHIVE FEES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
MISCELLANEOUS FEES	0.00	162.00	3096.50	0.00	2934.50	0.00	0.00	0.00
REFUNDS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
OVER/SHORT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
ESCROW	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CR/DB CARD FEES	0.00	0.00	200.13	0.00	200.13	0.00	0.00	0.00
<b>TOTALS:</b>	<b>-604.50</b>	<b>162.00</b>	<b>656351.93</b>	<b>0.00</b>	<b>656136.92</b>	<b>0.00</b>	<b>0.00</b>	<b>-657.51</b>
<b>SUMMARY OF ASSETS:</b>								
CASH ON HAND	300.00							300.00
CASH IN BANK	0.00							0.00
ACCOUNTS RECEIVABLE	304.50							357.51
<b>TOTALS:</b>	<b>604.50</b>							<b>657.51</b>

This report is submitted in accordance with requirements of Sections 5-8-505 and /or 67-5-1902, as amended, Tennessee Code Annotated, and to the best of my knowledge, information and belief accurately reflect transactions of this office for the period 07/01/2010 through 06/30/2011.

*Edrie Bristol*  
Register of Deeds

7-01-2011  
Date

\_\_\_\_\_  
County Mayor

*May Gage*  
County Clerk

\_\_\_\_\_  
Date

7-01-2011  
Date

AUGUST 11 2011

Trustee's Y-T-D Cash Receipts, Disbursements And Balances - JUNE 2011  
(A Minus Sign Denotes A Credit Balance)

Acct #	Description/ Beg Balance	Adjustments	Receipts	Transfers In	Disbursements	Transfers Out	Commission Transfers	Ending Balance
101	GENERAL							
	4,709,441.47-	2,820,286.36	11,834,066.23-	0.00	9,761,357.73	0.00	160,021.71	3,801,841.90-
112	COURTHOUSE & JAIL MAINTENANCE							
	25,971.85-	0.00	11,662.19-	0.00	4,478.00	0.00	116.64	33,039.40-
116	SOLID WASTE/SANITATION							
	102,318.70-	113,580.49	808,018.10-	0.00	701,772.10	0.00	7,463.52	87,520.69-
117	HEALTH DEPARTMENT							
	13,922.39-	73,224.00	469,219.73-	0.00	371,741.53	0.00	0.00	38,176.59-
122	DRUG CONTROL FUND							
	142,596.78-	0.00	84,328.93-	0.00	33,153.24	0.00	801.86	192,970.61-
123	SPORTS AND RECREATION							
	16,562.09-	0.00	12,999.99-	0.00	12,456.98	0.00	0.00	17,105.10-
131	HIGHWAY/PUBLIC WORKS							
	2,177,250.52-	361,349.82	3,285,969.61-	0.00	3,115,198.07	0.00	36,723.89	1,949,948.35-
141	GENERAL PURPOSE SCHOOL							
	4,245,538.29-	12,836,261.15	41,393,530.32-	0.00	28,634,127.47	0.00	216,227.73	3,952,452.26-
142	SCHOOL FEDERAL PROJECTS							
	226,245.46-	1,535,389.61	5,886,450.40-	0.00	4,386,019.29	0.00	0.00	191,286.96-
143	CENTRAL CAFETERIA							
	1,949,277.56-	442,186.19	2,918,873.35-	0.00	2,251,917.75	0.00	0.80	2,174,046.17-
145	OTHER EDUCATION SPECIAL REVENUE							
	11,366.92	328,696.82	1,072,066.34-	0.00	694,797.33	0.00	20.00	37,185.27-
151	GENERAL DEBT SERVICE							
	8,021,361.66-	438,442.78	3,765,721.29-	0.00	2,720,411.79	0.00	60,705.05	8,567,523.33-
171	GENERAL CAPITAL PROJECTS							
	1.79-	0.00	5,854,771.25-	0.00	5,595,396.98	0.00	0.00	259,376.06-
177	EDUCATION CAPITAL PROJECTS							
	23,511.49-	0.00	0.00	0.00	0.00	0.00	0.00	23,511.49-
351	CITIES - SALES TAX							
	0.00	0.00	4,398,197.25-	0.00	4,354,215.29	0.00	43,981.96	0.00
355	CITY SCHOOL ADA - NO. 1							
	181,196.04-	170,216.42-	3,499,060.85-	0.00	3,653,032.15	0.00	52,599.46	144,841.70-
360	ARBITRAGE REBATE							
	1,644.00-	0.00	610.00-	0.00	2,138.00	0.00	0.00	116.00-
22200	OTHER DEFERRED REVENUE							
	38,700.75-	7,037,485.56-	40,879.14-	0.00	7,081,411.32	0.00	0.00	35,654.13-
28310	UNDISTRIBUTED TAXES							
	0.00	1,704.00	3,769.00-	0.00	2,065.00	0.00	0.00	0.00
29900	FEE/COMMISSION ACCOUNT							
	0.00	578,662.62	0.00	0.00	0.00	0.00	578,662.62-	0.00
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	21,864,173.92-	12,322,081.86	85,340,193.97-	0.00	73,375,690.02	0.00	0.00	21,506,596.01-
=====		=====	=====	=====	=====	=====	=====	=====

AUGUST TERM 2011

Trustee's Y-T-D Cash Receipts, Disbursements And Balances - JUNE 2011  
 (A Minus Sign Denotes A Credit Balance)

Summary Of Assets	Fiscal Year Beginning Balance	JUNE Ending Balance
11120 CASH ON HAND	1,200.00	1,265.06
11130 CASH IN BANK	15,359,723.36	12,653,477.68
11300 INVESTMENTS	6,500,788.56	8,850,790.27
11405 ELECTRONIC PAYMENT FEES-RECEIVABLE	0.00	0.00
11410 ACCOUNTS RECEIVABLE	2,141.00	1,003.00
11440 DUE FROM OTHER FUNDS	321.00	60.00
14310 UNDISTRIBUTED WARRANTS	0.00	0.00
<b>Total</b>	<b>21,864,173.92</b>	<b>21,506,596.01</b>

This Report Is Submitted In Accordance With Requirements Of Section S-8-505,  
 And/Or 67-5-1902, Tennessee Code Annotated, And To The Best Of My Knowledge  
 And Belief Accurately Reflects Transactions Of This Office For The Year Ended  
 JUNE 2011.

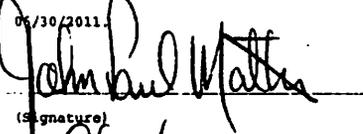
Randal Lewis                      7-25-11  
 (Signature)                              (Date)

Carter Co. Trustee  
 (Title)

CARTER COUNTY, TENNESSEE  
Office of GENERAL SESSION COURT  
For The Year Ended 06/30/2011

Account Number	Account Description	Beginning		Receipts	Transfers		Transfers Out	Commission Transfers	Ending Balance
		Balance	Adjustments		In	Disbursements			
23100.000	Department Of Revenue	-7,958.14	7,954.89	149,012.48	4,610.50	153,479.98	-122.00	.00	17.75
23111.000	JUV COURT DRUG FEE	-406.00	406.00	62,035.50	6,136.50	67,927.00	-245.00	.00	.00
23200.000	Wildlife Resources	.00	.00	3,738.00	131.00	3,869.00	.00	.00	.00
23400.000	DEPT OF SAFETY GENERAL SESSION	605.90	-660.90	68,470.50	2,392.00	70,723.50	-84.00	.00	.00
23600.000	Tn Bureau Of Investigation	.00	.00	3,404.00	227.50	3,631.50	.00	.00	.00
23700.000	Commissioner Dept of Health	.00	.00	250.00	.00	250.00	.00	.00	.00
23900.000	Other Funds Due State	33.50	-33.50	19,383.50	662.50	20,046.00	.00	.00	.00
24140.000	Litigation Tax	2,852.50	-2,842.25	360,668.67	7,745.00	368,084.67	-254.50	.00	84.75
24150.000	Special Litigation Tax	10.00	-10.00	.00	.00	.00	.00	.00	.00
24310.000	County Fines	1,146.00	-901.00	72,158.00	1,733.50	73,861.50	-275.00	.00	.00
24310.001	DUI TREATMENT FINE	536.50	-536.50	12,337.24	1,326.50	13,663.74	.00	.00	.00
24320.000	Juvenile Fines	-25.00	25.00	20,949.63	50.00	20,999.63	.00	.00	.00
24330.000	County Drug Fines	-36.00	36.00	35,625.50	2,459.50	38,085.00	.00	.00	.00
24360.000	County Officers Cost	313.51	-250.00	42,385.19	5,404.50	47,736.34	-25.00	.00	91.86
24410.000	Copy and Other Fees	907.50	-907.50	78,952.02	1,605.00	80,557.02	.00	.00	.00
24415.000	DATA PROCESSING/RANDALL LEWIS/	10.50	-8.50	11,633.50	382.00	12,003.50	-12.00	.00	2.00
24416.000	TRUSTEE RANDALL LEWIS/SHERIFF	7.50	-9.50	6,425.50	198.00	6,617.50	-4.00	.00	.00
25210.000	City Fines	-164.00	164.00	18,090.00	1,264.00	19,354.00	.00	.00	.00
25220.000	City Drug Fines	-88.35	-161.65	19,569.00	3,000.00	22,319.00	.00	.00	.00
25230.000	City Officer's Cost/Arrest Fee	-81.00	81.00	25,391.98	1,648.50	27,040.48	.00	.00	.00
25300.000	CITY OF ELIZABETHTON	-50.00	50.00	.00	.00	.00	.00	.00	.00
26100.000	Court Funds and Costs	32,130.72	12,123.06	649,759.29	46,825.78	717,780.51	-154.50	.00	22,903.84
26100.001	Prepayments	76,058.42	-15,027.53	134,522.34	43.00	.00	-119,008.99	.00	76,587.24
26200.000	Officer's Costs, Non-County	-1,993.65	2,137.15	20,461.45	646.00	21,299.64	.00	.00	-48.69
26200.001	Officer's Cost - Constable	-255.04	710.16	6,088.04	20,291.99	26,630.70	-95.53	.00	108.92
26300.000	Alimony/Child Support	-1,669.59	1,695.31	25,073.09	488.78	25,561.87	-25.72	.00	.00
26310.002	Crossroads Fees	344.50	-344.50	122,541.00	3,392.00	125,933.00	.00	.00	.00
26400.000	TRUST FUNDS	124,915.37	-19,024.04	.00	.00	.00	.00	.00	105,891.33
26440.000	F.E.C.P.A. Special Tax	-1,187.02	1,187.02	10,815.50	190.00	11,005.50	.00	.00	.00
29900.000	Fees and Commissions	3,991.35	-646.48	352,820.88	9,021.47	358,384.57	-1,569.28	.00	5,233.37
29900.001	CLERK-CASH ON HAND	1,000.00	.00	.00	.00	.00	.00	.00	1,000.00
29910.010	COMMISSIONS EARNED - MEMO	207,160.61	.00	.00	.00	-47,402.43	.00	.00	254,563.04
29910.020	COMMISSIONS PAID - MEMO	-207,160.61	.00	.00	.00	47,402.43	.00	.00	-254,563.04
<b>Total</b>		<b>230,949.98</b>	<b>-14,794.26</b>	<b>2,332,561.80</b>	<b>121,875.52</b>	<b>2,336,845.15</b>	<b>-121,875.52</b>	<b>.00</b>	<b>211,872.37</b>
<b>Summary Of Assets:</b>									
	Cash	99,057.34							97,537.77
	Investments	124,915.37							105,891.33
	Receivables	6,977.27							8,443.27
	<b>Total</b>	<b>230,949.98</b>							<b>211,872.37</b>

This report is submitted in accordance with requirements of section 5-8-505,  
and/or 67-5-1902, Tennessee Code Annotated, and to the best of my knowledge  
and belief accurately reflects transactions of this office for the year ended

06/30/2011  
  
\_\_\_\_\_  
(Signature)  
Clerk  
\_\_\_\_\_  
(Title)

July 20 - 2011  
\_\_\_\_\_  
(Date)

Office Of GENERAL SESSION COURT

. 20, 2011 09:12:54

Undisbursed Receipts Thru 06/30/2011

A/C:00000 Acct:	NOP1	-151.60
23100.000	Department Of Revenue	276.25
23111.000	JUV COURT DRUG FEE	190.00
23400.000	DEPT OF SAFETY GENERAL SESSION	90.00
23900.000	Other Funds Due State	37.50
24140.000	Litigation Tax	492.75
24310.000	County Fines	100.00
24330.000	County Drug Fines	70.00
24360.000	County Officers Cost	341.86
24410.000	Copy and Other Fees	60.00
24415.000	DATA PROCESSING/RANDALL LEWIS/	24.00
24416.000	TRUSTEE RANDALL LEWIS\SHERRIFF	12.00
25230.000	City Officer's Cost/Arrest Fee	75.00
26100.000	Court Funds and Costs	-19,592.09
26100.001	Prepayments	98,358.52
26200.000	Officer's Costs, Non-County	277.53
26200.001	Officer's Cost - Constable	754.45
26210.000	CCRS - Traffic School	-5.00
26440.000	F.B.C.P.A. Special Tax	75.00
29900.000	Fees and Commissions	616.00
29900.001	CLERK-CASH ON HAND	1,000.00
TOTAL UNDISBURSED		83,102.17
TOTAL INVESTMENTS AS OF LAST POSTING		105,891.33
TOTAL		188,993.50

STATE OF TENN. - CO. OF CARTER

I, JOHN PAUL MATHES, CLERK OF THE GENERAL SESSIONS COURT OF SAID COUNTY DO

HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND PERFECT COPY OF THE

*CR Report*

AS THE SAME APPEARS OF RECORDS IN MY OFFICE.

WITNESS MY HAND AND OFFICIAL SEAL AT CARTHAGE, TENN. THIS 21

DAY OF July 2011

*John Paul Mathes*  
CLERK

CARTER COUNTY, TENNESSEE  
Office Of CIRCUIT COURT  
For The Year Ended 06/30/2011

Account Number	Account Description	Beginning		Receipts	Transfers		Transfers Out	Commission Transfers	Ending Balance
		Balance	Adjustments		In	Disbursements			
23100.000	Department Of Revenue	-5,956.73	5,956.73	42,530.21	1,929.00	44,409.21	-50.00	.00	.00
23111.000	DRUG COURT FEE	-64.30	64.30	3,706.00	250.00	3,956.00	.00	.00	.00
23400.000	Department Of Safety	61.00	-61.00	2,256.00	51.00	2,307.00	.00	.00	.00
23600.000	Tn Bureau Of Investigation	19.00	-19.00	1,597.50	250.00	1,847.50	.00	.00	.00
23900.000	Other Funds Due State	-575.50	575.50	18,611.52	130.00	18,641.52	-100.00	.00	.00
24140.000	Litigation Tax	-369.75	369.75	28,101.76	1,308.00	29,409.76	.00	.00	.00
24310.000	County Fees	3,052.50	-3,052.50	24,388.00	272.00	24,510.00	-150.00	.00	.00
24310.001	DUI Treatment Fund	10.00	-10.00	2,075.00	116.00	2,191.00	.00	.00	.00
24330.000	County Drug Fines	-231.50	231.50	8,168.00	.00	8,168.00	.00	.00	.00
24360.000	County Officers Cost	-69.00	69.00	8,600.33	328.50	8,906.82	-22.00	.00	.01
24410.000	Copy and Other Fees	-82.00	82.00	4,184.11	145.00	4,329.11	.00	.00	.00
24415.000	DATA PROCESSIN FEE	2.00	-2.00	.00	.00	.00	.00	.00	.00
24416.000	DATA PROCESSING/SHERIFF	3.30	-3.30	5,126.32	478.00	5,604.32	.00	.00	.00
25210.000	City Fines	-25.00	25.00	1,372.00	.00	1,372.00	.00	.00	.00
25220.000	City Drug Fines	.00	.00	105.00	.00	105.00	.00	.00	.00
25230.000	City Officer's Cost/Arrest Fee	-30.00	30.00	2,781.50	82.00	2,863.50	.00	.00	.00
26100.000	Court Funds and Costs	-108,647.51	38,908.53	246,750.00	818,276.91	1,102,061.91	-2,500.00	.00	-109,273.98
26100.001	Prepayments	1,095,287.13	-8,142.27	868,421.22	22.00	.00	-826,418.91	.00	1,129,169.17
26200.000	Officer's Costs, Non-County	.00	.00	24.00	22.00	46.00	.00	.00	.00
26200.001	Officer's Cost - Constable	.00	.00	252.50	.00	252.50	.00	.00	.00
26300.000	Alimony/Child Support	940.69	-940.69	43,499.49	.00	43,499.49	.00	.00	.00
26400.000	Trust	690,163.85	-175,023.09	.00	.00	.00	.00	.00	515,140.76
26440.000	F.B.C.F.A. Special Tax	50.00	-50.00	3,675.12	75.00	3,750.12	.00	.00	.00
29000.000	JOHNSON CITY POLICE DEPT	-42.50	42.50	.00	.00	.00	.00	.00	.00
29900.000	Fees and Commissions	-2,353.76	-1,760.44	101,236.91	5,527.50	106,712.14	-22.00	.00	-4,083.93
29910.010	COMMISSIONS EARNED - MEMO	43,180.92	.00	.00	.00	-8,191.81	.00	.00	51,372.73
29910.020	COMMISSIONS EARNED - MEMO	-43,180.92	.00	.00	.00	8,191.81	.00	.00	-51,372.73
Total		1,671,141.92	-142,709.48	1,417,462.49	829,262.91	1,414,942.90	-829,262.91	.00	1,530,952.03
Summary Of Assets:									
Cash		977,196.07							1,011,973.27
Investments		690,163.85							515,140.76
Receivables		3,782.00							3,838.00
Total		1,671,141.92							1,530,952.03

This report is submitted in accordance with requirements of section 5-8-505,  
and/or 67-5-1902, Tennessee Code Annotated, and to the best of my knowledge  
and belief accurately reflects transactions of this office for the year ended  
06/30/2011.

*John Paul Mathey*  
(Signature)  
Clerk

*July 20 2011*  
(Date)

(Title)

JUL 20, 2011 09:11:24

Undisbursed Receipts Thru 06/30/2011

A/C:00000 Acct:	NOPI	-2,047.72
26100.000 Court Funds and Costs		1,154.72
26100.001 Prepayments		1,082,741.78
TOTAL UNDISBURSED		1,081,848.78
TOTAL INVESTMENTS AS OF LAST POSTING		515,140.76
TOTAL		1,596,989.54

STATE OF TENN. - CO. OF CARTER

I, JOHN PAUL MATHES, CLERK OF THE GENERAL SESSIONS COURT OF SAID COUNTY DO

HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND PERFECT COPY OF THE

*CR Report*

AS SAME APPEARS OF RECORDS IN MY OFFICE.

WITNESS MY HAND AND OFFICIAL SEAL, ELIZABETHTON, TENN. THIS 21

DAY OF July, 2011

*John Paul Mathes Jr*  
CIRCUIT COURT CLERK

Account Number	Account Description	Beginning Balance	Adjustments	Receipts	Transfers In	Disbursements	Transfers Out	Commission Transfers	Ending Balance
23100.000	DEPARTMENT OF REVENUE	.00	.00	9,610.00	38.75	9,648.75	.00	.00	.00
24140.000	LITIGATION TAX	.00	.00	29,795.00	73.75	29,868.75	.00	.00	.00
24160.000	DELINQUENT PROPERTY TAX	.00	.00	210,699.00	.00	210,597.00	-102.00	.00	.00
24160.001	INTEREST/PENALTY DELINQ TAX	.00	.00	72,738.92	.00	72,715.97	-22.95	.00	.00
24160.002	ATTORNEY FEES DELINQ TAX	.00	.00	64,691.70	.00	64,691.70	.00	.00	.00
24360.000	COUNTY OFFICERS COST	.00	.00	373.00	1,168.00	1,519.00	-22.00	.00	.00
24410.000	COPY AND OTHER FEES	.00	.00	.00	15.00	15.00	.00	.00	.00
26100.000	COURT FUNDS AND COSTS	300.00	61,357.74	1,731,529.87	949,551.57	2,740,293.82	-2,145.36	.00	300.00
26100.001	PREPAYMENT	212,420.88	.00	1,148,298.71	56,093.86	.00	-952,245.89	.00	464,567.56
26200.000	OFFICER'S COSTS, NON-COUNTY	.00	.00	.00	95.00	95.00	.00	.00	.00
26200.001	OFFICER'S COST - CONSTABLE	.00	.00	.00	205.00	205.00	.00	.00	.00
26300.000	ALIMONY/CHILD SUPPORT	.00	205.00	55,432.23	.00	55,637.23	.00	.00	.00
26400.000	DEPOSITS (TRUST FUND INVESTMEN	1,995,508.07	-1,231,068.88	.00	.00	.00	.00	.00	764,439.19
29900.000	FEES AND COMMISSIONS	.00	.00	187,482.51	1,310.27	134,780.78	-54,012.00	.00	.00
29910.010	COMMISSIONS MEMO	.00	.00	.00	.00	-20,161.08	.00	.00	20,161.08
29910.020	COMMISSIONS MEMO	.00	.00	.00	.00	20,161.08	.00	.00	-20,161.08
42871.000	CT ROOM SECURITY FEE	.00	.00	33.00	.00	32.00	-1.00	.00	.00
<b>Total</b>		<b>2,208,228.95</b>	<b>-1,169,506.14</b>	<b>3,510,683.94</b>	<b>1,008,551.20</b>	<b>3,320,100.00</b>	<b>-1,008,551.20</b>	<b>.00</b>	<b>1,229,306.75</b>
<b>Summary Of Assets:</b>									
	Cash	212,720.88							464,867.56
	Investments	1,995,508.07							764,439.19
	Receivables	.00							.00
<b>Total</b>		<b>2,208,228.95</b>							<b>1,229,306.75</b>

This report is submitted in accordance with requirements of section 5-8-505, and/or 67-5-1902, Tennessee Code Annotated, and to the best of my knowledge and belief accurately reflects transactions of this office for the year ended 06/30/2011.

*Melissa Moreland*  
 (Signature) July 1, 2011  
 (Date)  
*Clerk & Master*  
 (Title)

AUGUST TERM 2011

26100.000 COURT FUNDS AND COSTS	300.00
26100.001 PREPAYMENT	464,567.56
	-----
TOTAL UNDISBURSED	464,867.56
TOTAL INVESTMENTS AS OF LAST POSTING	764,439.19
	-----
TOTAL	1,229,306.75
	-----

JULY 2010 JUNE 2011  
ANNUAL FINANCIAL REPORT

Total Collected		\$135,662.93
Total Cash Bond		\$74,769.78
<b>Total to Trustee</b>		<b>\$60,893.15</b>
Total Bank Charges		\$167.00
<b>Actual Amt. to Trustee</b>		<b>\$60,726.15</b>
Work Release		\$18,580.00
Drug Test		\$2,275.00
Sex Offenders		\$5,400.00
Civil Process		\$7,656.60
Sheriff Fees		\$5,652.45
Social Sec. "Sundry"		\$6,200.00
Misc.		\$9,766.40
Other Local Revenue		\$5,103.00
Donations		\$259.70
Inmate Comm.	\$	-
Drug Fund	\$	-
School Resource Officers	\$	-
Bank Fees		<u>\$167.00</u>
<b>Total</b>		<b>\$60,893.15</b>

*Valencia Drenthell*  
7/11/11

2010 FISCAL YR	TOTAL COLLECTED	LESS CASH BONDS	LESS BANK CHGS	TOTAL FOR FEES	WORK RELEASE	DRUG TEST	SEX OFFENDERS	CIVIL PROCESS	SHERIFF FEES
JULY	\$ 12,765.82	\$6,842.00		\$5,923.82	\$1,680.00	\$200.00	\$300.00	\$638.00	\$650.00
AUGUST	\$ 9,083.03	\$5,834.50		\$3,248.53	\$870.00	\$120.00	\$300.00	\$632.00	\$651.00
SEPTEMBER	\$ 13,170.29	\$8,283.00		\$4,887.29	\$3,005.00	\$360.00	\$150.00	\$760.40	\$38.00
OCTOBER	\$ 17,618.24	\$8,658.50		\$8,959.74	\$2,670.00	\$315.00	\$150.00	\$565.50	\$523.00
NOVEMBER	\$ 11,629.51	\$8,143.50		\$3,486.01	\$1,125.00	\$140.00	\$300.00	\$837.90	\$384.00
DECEMBER	\$ 8,864.54	\$1,749.50		\$7,115.04	\$1,590.00	\$195.00	\$0.00	\$492.90	\$460.00
JAN. 2011	\$ 15,960.50	\$11,139.50		\$4,821.00	\$2,000.00	\$230.00	\$450.00	\$587.00	\$629.00
FEBRUARY	\$ 14,772.26	\$11,066.50		\$3,705.76	\$1,450.00	\$170.00	\$150.00	\$262.00	\$192.00
MARCH	\$ 8,649.41	\$3,180.28		\$5,469.13	\$385.00	\$70.00	\$2,250.00	\$689.00	\$387.00
APRIL	\$ 7,517.27	\$3,850.00	\$83.50	\$3,667.27	\$750.00	\$115.00	\$0.00	\$594.00	\$696.85
MAY	\$7,098.40	\$3,248.50		\$3,849.90	\$855.00	\$100.00	\$150.00	\$831.90	\$663.00
JUNE	\$8,533.66	\$2,774.00	\$83.50	\$5,759.66	\$2,200.00	\$260.00	\$1,200.00	\$766.00	\$378.60
TOTALS	135,662.93	\$74,769.78	\$167.00	\$60,893.15	\$18,580.00	\$2,275.00	\$5,400.00	\$7,656.60	\$5,652.45

AUGUST TERM 2011

SUNDRY SOCIAL SEC.	MISC.	OTHER LOCAL REV.	DONATIONS	INMATE COMM.	DRUG FUNDS	SCHOOL RES. OFFICERS	TOTAL COLLECTED
\$400.00	\$1,578.24	\$362.58	\$115.00				\$5,923.82
\$0.00	\$300.00	\$375.53	\$0.00				\$3,248.53
\$0.00	\$202.20	\$371.69	\$0.00				\$4,887.29
\$800.00	\$3,434.50	\$501.74	\$0.00				\$8,959.74
\$0.00	\$83.82	\$470.59	\$144.70				\$3,486.01
\$1,000.00	\$2,681.00	\$696.14	\$0.00				\$7,115.04
\$800.00	\$125.00	\$0.00	\$0.00				\$4,821.00
\$600.00	\$400.50	\$481.26	\$0.00				\$3,705.76
\$400.00	\$286.54	\$1,001.59	\$0.00				\$5,469.13
\$1,000.00	\$149.60	\$361.82	\$0.00				\$3,667.27
\$800.00	\$450.00	\$0.00	\$0.00				\$3,849.90
\$400.00	\$75.00	\$480.06	\$0.00				\$5,759.66
				\$ -	\$ -	\$ -	\$60,893.15
\$6,200.00	\$9,766.40	\$5,103.00	\$259.70			Total Bank Chgs.	\$167.00
							\$60,726.15

AUGUST TERM 2011



STATE OF TENNESSEE  
COMPTROLLER OF THE TREASURY  
OFFICE OF OPEN RECORDS COUNSEL  
James K. Polk State Office Building  
505 Deaderick Street, Suite 1700  
Nashville, Tennessee 37243-1402

Justin F. Wilson  
Comptroller

July 7, 2011

Keith Bowers, Esq.  
Carter County Attorney  
3862 Highway 19E  
Elizabethton, Tennessee 37643

You have requested an opinion from this office that addresses the following issues:

- I. The Carter County Planning Office maintains building permit applications. See Attachment A. A request has been made for copies of all the building permit applications dated September 1, 2010 to May 17, 2011. Is there any information on the building permit applications that needs to be redacted prior to making copies of the applications accessible to the requestor?

II. Analysis

The Tennessee Public Records Act (hereinafter referred to as "TPRA") defines "public record" as:

all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental agency.

Tenn. Code Ann. Section 10-7-503(a)(1). The TPRA goes on to require that all public records, whether maintained by a state, county, and municipal governmental agency, be open for public inspection by a citizen of Tennessee during normal business hours, unless there is a provision within state law that makes the record or a portion thereof confidential. Tenn. Code Ann. Section 10-7-503(a)(2)(A). The Tennessee General Assembly has declared that the Tennessee Public Records Act "shall be broadly construed so as to give the fullest possible public access to public records." Tenn. Code Ann. Section 10-7-505(d). In turn, the courts in Tennessee have held that unless there is an exception for the disclosure of a record, disclosure is required "even in the face

Phone (615) 401-7871 • Fax (615) 741-1551 • E-mail [elisha.hodgson@tn.gov](mailto:elisha.hodgson@tn.gov)



AUGUST TERM 2011

325 - A

July 7, 2011  
Page 2 of 2

of serious contravailing considerations." *Memphis Publishing Company v. City of Memphis*, 871 S.W. 2d 681, 684 (Tenn. 1994).

After looking at the form that you submitted for this office's review, and given the fact that Carter County does not collect the privilege tax or issue the privilege tax number that is referenced on the form, there does not appear to be any other information contained within the form that is confidential under state or federal law. I have been unable to find any provisions within Tennessee state law that makes any of the information contained within the building permit application confidential. Likewise, I have been unable to find any provision within federal law that makes any of the information contained within the building permit application confidential. Based upon the aforementioned, it is the opinion of this office that the building permit applications should be provided to the requestor in an unredacted form.<sup>1</sup>

Please feel free to call me at (615) 401-7891 if you have any further questions.

Sincerely,

Elisha D. Hodge  
Open Records Counsel

<sup>1</sup> This office was provided a copy of a redacted building permit application that was provided to the requestor prior to this opinion request being made. See Attachment B. It appears that the Carter County Planning Office redacted the state building permit number, the applicant's phone number, and the words "RECOMMENDED TO" and "SOUTHERN" from the phrase on the application that reads, "RECOMMENDED TO FOLLOW THE SOUTHERN BUILDING CODES FOR THIS AREA" and wrote in "IRC 2009" so that this particular phrase now reads "FOLLOW THE IRC 2009 BUILDING CODES FOR THIS AREA." It seems appropriate that the words "RECOMMENDED TO" and "SOUTHERN" be struck through on the building permit application since the State adopted and now enforces the 2009 International Residential Code (IRC).

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