

**APPROVED**

6-18-2012  
PL

**Carter County Commission Meeting  
Monday, May 21, 2012 – 9:00 A.M.**

**Chairman, Tom Bowers called the meeting to order.**

**Roll Call:** 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, JoAnn Blankenship, Charles Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Scott Sams, Bill Armstrong, and Robert Gobble. (23 Present)

**Absent:** Pat Hicks (1 Absent)

**Prayer –** Lawrence Hodge

**Pledge –** Robert Gobble

**Motion** was made by John Lewis, seconded by Russell Kyte to accept the minutes of the last meeting, April 16, 2012 as printed.

The Clerk duly noted the correction of misspelled words on the Budget Committee Worksheet as pointed out by Charles VonCannon.

By majority voice vote, all ayes, motion carried.

**Motion** was made by Sonja Culler, seconded by Lawrence Hodge to approve the following **notaries/bonds:**

Barbara Ballard	Lillie Davenport	Teekeela Tolley	Stacy L. Street
William J. Goodman	Marcia Thornton	William J. Byrd	Tamela D. Collins
Linda C. Slagle	Jaclyn A. Lewis	Lisa M. Young	Patricia Sue Holifield

By majority voice vote, all ayes, motion carried.

**Motion** was made by Nancy Brown, seconded by John Lewis to approve a request from Mayor Leon Humphrey to amend the agenda and **move Public Comments**, Item # 15, to follow Item # 10, Mayor's Report.

Roll Call Vote as follows:

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

**Nays:** Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Bill Armstrong. (17 Nays)

**Absent:** Pat Hicks (1 Absent)

By majority roll call vote, motion failed.

**Recognition of Elected and Appointed Officials/Guests** was noted at this time by Chairman Bowers thanking them for their services.

County Trustee, Randal Lewis approached the podium at this time and presented for approval the listing of the **Additions and Deletions of Property from the tax rolls for the period of October 1, 2010 through March 31, 2012.**

**Motion** made by Ronnie Trivett, seconded by Steve Chambers to accept the additions and deletions as presented.

By majority voice vote, all ayes, motion carried.

**Randal Lewis**  
Trustee



801 Elk Avenue  
(423) 542-1811  
FAX: (423) 547-1505

**CARTER COUNTY**  
STATE OF TENNESSEE  
ELIZABETHTON

**TO THE HONORABLE COUNTY COURT OF CARTER COUNTY, TENNESSEE SUBMITTED HERewith  
IS A SCHEDULE OF PROPERTY ADDED TO THE TAX ROLLS FOR THE PERIOD OCTOBER 1, 2010  
THROUGH MARCH 31, 2012.**

<b>NAME</b>	<b>VALUE</b>	<b>TAX</b>
Bowers, James	2,750.00	63.00
Bronson, S. Martin	ROLLBACK TAX	812.00
Bronson, S. Martin	ROLLBACK TAX	425.00
Buck, Howard	1,075.00	25.00
Developers Corporation	57,940.00	1,321.00
Direct Communication	380.00	9.00
Eastern Eight Community Development	2,175.00	50.00
Goodwin, Robert ETAL	3,175.00	72.00
Grizzard, Jeannie	1,850.00	42.00
Houston, Winona June	ROLLBACK TAX	29.00
Knaack, Sherman	1,475.00	34.00
Koon, Larry	9,875.00	225.00
Lewis, Leonard L.	500.00	11.00
Meredith, John D.	13,950.00	318.00
Morrison, Grace L/E	2,825.00	64.00
Payne, Maureen	7,925.00	180.00
Scalf, James Jr.	50.00	1.00
Service Tri Cities LLC	236.00	5.00
Stockton, Rodney	ROLLBACK TAX	14.00
Vallianatos, Ari	2,925.00	67.00
Ward, Danny	5,450.00	125.00
Winters, Travis	2,350.00	53.00
Woodby, C L	ROLLBACK TAX	564.00
<b>TOTALS</b>	<b>116,906.00</b>	<b>4,509.00</b>

Randal Lewis  
Trustee



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CARTER COUNTY  
STATE OF TENNESSEE  
ELIZABETHTON

TO THE HONORABLE COUNTY COURT OF CARTER COUNTY, TENNESSEE SUBMITTED HERewith  
IS A SCHEDULE OF PROPERTY DELETED FROM THE TAX ROLLS FOR THE PERIOD OCTOBER 1, 2010  
THROUGH MARCH 31, 2012.

NAME	VALUE	TAX AMOUNT
Ace Electric	(263.00) \$	6.00
Akers, Danny	(10,175.00) \$	232.00
Archer, Betty	(14,600.00) \$	333.00
Archer, Betty Bates	(10,250.00) \$	234.00
Austin, Larry	(16,800.00) \$	383.00
Auto Parts 2 Fix	(81.00) \$	2.00
Babb, Michael	(3,775.00) \$	86.00
Bargain Cabinets	(251.00) \$	6.00
Baumgardner, Norma	(7,400.00) \$	169.00
Betty's Beauty and Barber	(95.00) \$	2.00
Big Daddy Macks	(46,630.00) \$	1,063.00
Blake, Clough H III	(925.00) \$	21.00
Blevins, Coy	(4,375.00) \$	100.00
Bolds, Christine	(6,150.00) \$	140.00
Bouton, Michael	(10,650.00) \$	243.00
Bowers Florist	(2,896.00) \$	66.00
Bowers, James R.	(4,300.00) \$	98.00
BPOE Elks Lodge	(84,640.00) \$	1,930.00
Brook's Country Store	(63.00) \$	1.00
Buck, Nicholas	(1,100.00) \$	25.00
Buckles, Conley	(1,925.00) \$	44.00
Buckles, Jackson	(15,275.00) \$	348.00
Bud's Auto Sales	(221.00) \$	5.00
Bush Leasing Trust	(4,092.00) \$	93.00
Butcher Block	(350.00) \$	7.00
Butler Beverage	(300.00) \$	7.00
Cable, Betty	(3,100.00) \$	71.00
Carden's Garage	(300.00) \$	7.00
Carter's Creations	(1,814.00) \$	41.00
Church Moore's Chapel FWB	(725.00) \$	16.00
Church Moore's Chapel FWB	(325.00) \$	8.00
Church Moore's Chapel FWB	(175.00) \$	4.00
Church, David Allen	(4,775.00) \$	109.00
Clark Eddie	(5,175.00) \$	118.00
Clark, Karen M	(625.00) \$	14.00
Coleman, Venia	(12,550.00) \$	286.00
Collins, J L	(275.00) \$	7.00
Collins, Richard	(5,150.00) \$	117.00
Cook, Carol	(3,675.00) \$	84.00
Cowan, Thomas and Associates	(15,966.00) \$	364.00
Crawford, Grace	(2,375.00) \$	54.00
Creech, Natalie Photography	(230.00) \$	5.00
Culbert, Kenneth	(3,300.00) \$	75.00
Dan's Auto Repair	(541.00) \$	12.00
Digital Impressions	(1,872.00) \$	43.00
Dream Away Cabins	(690.00) \$	16.00
East Side Christian Church Trustees	(2,050.00) \$	47.00
Elizabethton Custom Cabinets	(624.00) \$	14.00
Elizabethton Wireless	(100.00) \$	2.00
Emmanuel School of Religion	(31,675.00) \$	722.00
English, Candi	(1,600.00) \$	36.00
Fair, Georgia H	(1,300.00) \$	30.00
Fair, Keith	(19,350.00) \$	441.00

Foster, Gary	(25,600.00) \$	584.00
Freedom Fellowship Center	(2,950.00) \$	68.00
G & G Sales	(95.00) \$	2.00
Geen-US	(2,744.00) \$	63.00
Gentry, Charles	(600.00) \$	14.00
Gilbert, Michael Ray	(5,725.00) \$	130.00
Glover, Norman	(3,750.00) \$	85.00
Green, Jackie	(1,525.00) \$	35.00
Greene, Jeff	(1,875.00) \$	43.00
Greene, William	(2,400.00) \$	55.00
Gregory, Darrell	(6,425.00) \$	146.00
Gwinn, George W Jr.	(8,240.00) \$	188.00
H & S Hunting	(6,235.00) \$	143.00
Harmon, Juanita	(6,125.00) \$	140.00
Hayes, Molly	(2,750.00) \$	63.00
Highlander Childcare Center	(452.00) \$	10.00
Hillbilly Bob's BBQ	(300.00) \$	7.00
Home Care Medical Management	(300.00) \$	7.00
Hubbard, Ricky Lee	(2,025.00) \$	46.00
Hubbard, William	(7,750.00) \$	177.00
Hubbard, William	(4,275.00) \$	97.00
Hughes, Keith	(1,250.00) \$	29.00
Hyder, Eric	(2,575.00) \$	58.00
Hyder, Katherine	(11,200.00) \$	255.00
Hyder, Katherine	(6,225.00) \$	142.00
Instant Replay Sports	(413.00) \$	9.00
Isaacs, Charles	(475.00) \$	11.00
J & J Amusement Park	(2,100.00) \$	48.00
J C Medical Center	(17,880.00) \$	408.00
Jessee, Richard	(4,850.00) \$	111.00
Johnson, Ben	(1,950.00) \$	45.00
Kid's World Learn Center	(1,740.00) \$	40.00
Kim's Nails	(36.00) \$	1.00
Knaack, Sherman	(3,475.00) \$	80.00
Koon, Elizabeth	(8,450.00) \$	192.00
Koon, Larry	(125.00) \$	3.00
L & J Trucking	(1,000.00) \$	23.00
Langley Delivery	(44.00) \$	1.00
Laurel Mountain Antiques	(251.00) \$	6.00
Lewis, Leonard L	(3,250.00) \$	74.00
Little Impressions	(251.00) \$	6.00
Little Stoney Auto Repair	(1,029.00) \$	23.00
Loveless, Richard Allen	(1,150.00) \$	26.00
Lowe, Virginia	(2,050.00) \$	47.00
Lunch Company	(1,382.00) \$	32.00
Lyons, Jerry	(7,200.00) \$	164.00
Marlow, Jerry	(750.00) \$	17.00
Matheson Properties	(2,275.00) \$	52.00
McCloud Lumber Company	(138,933.00) \$	3,167.00
McGinns	(300.00) \$	7.00
Meredith, Ricky Lee	(13,950.00) \$	318.00
Moffett, Barbara	(2,920.00) \$	67.00
Moffett, Barbara L/E	(600.00) \$	14.00
Morton, Marmaduke	(3,725.00) \$	85.00
Mountain States Health Alliance	(255,840.00) \$	5,833.00
Mow and More	(1,288.00) \$	29.00
Nan's Kids Shops	(150.00) \$	3.00
Norwood, Lewis Dale	(4,725.00) \$	108.00
Nussen, Rebecca	(8,240.00) \$	188.00
Parker, Price and Wolf	(935.00) \$	21.00
Paul, Daniel	(251.00) \$	6.00
Payne, Ulane	(11,675.00) \$	266.00
Pendleton, John	(7,175.00) \$	164.00
Perry, Clarence	(8,350.00) \$	190.00
Perry, Walter Jr.	(200.00) \$	4.00
Peters, Robin P	(2,425.00) \$	55.00
Phipps, B L and Brenda	(1,200.00) \$	27.00
Phipps, Eva	(4,050.00) \$	92.00
Pierce, Atlas Jane	(1,175.00) \$	27.00



Randal Lewis, Carter County Trustee also reported that **partial payments of property tax** would be accepted soon if approved by the State Comptroller and approved by the Commission. He stated that this should be on the June agenda for approval.

A very informative **presentation** was made by John Gregory and Mark Carter with the Tennessee Wildlife Resources Agency along with State Representative Kent Williams concerning the purposed Tennessee Wildlife Resources Agency, **Elizabethton Fish Hatchery**. This hatchery will be located on twenty-five acres within the Cherokee Industrial Park. Representative Williams noted that he was very hopeful that the necessary funding can be obtained and this would bring additional tourism to Elizabethton and East Tennessee.

**Motion** was made by Ronnie Trivett, seconded by Nancy Brown to enter into a **ten minute** recess.

By majority voice vote, all ayes, motion carried.

Chairman Bowers called the meeting **back to order** following the recess.

**Mayor's Presentation:** Brittany Thomas and J.R. Campbell were recognized and presented plaques by Mayor Leon Humphrey.

Dr. Keith Young of Director of Northeast State joined Mayor Humphrey in the presentation to Ms. Thomas.

**Brittany Thomas** was selected to the 2012 All-USA Community College Academic Team and is a 2009 graduate of Hampton High School and a 2012 graduate of Northeast State with a nursing major. Ms. Thomas made Northeast State and regional history by being the first ever student recognized on the All-USA Team being chosen from more than 1,700 applicants representing 800 community colleges.

**J. R. Campbell**, principal of Little Milligan Elementary School recently received the Education Consumers Foundations Valued Added Achievement Award. This award is based solely and objectively on measured achievement gain. Mr. Campbell was chosen for being one of the most effective among Tennessee's nearly 1300 Elementary and Middle School teachers in teaching reading, language arts and mathematics.

**Mayor's Report** included the following items.

Animal Shelter – April Jones, Director was introduced and presented a report concerning new changes that have occurred at the shelter. Ms. Jones requested that a new proposal be considered. She asked to move the functions of the part-time Animal Control Officer to be placed under the direction of the Animal Shelter Director, rather than continuing under the Director of the Planning Department.

**Motion** was made by John Lewis, seconded by Steve Chambers to **present before the Planning Commission** that the **part-time Animal Control Officer functions**, now under the Planning Director, be transferred to be under the direction of the Shelter Director.

Discussion followed noting that this needed approval of the Planning Commission first before functions can be transferred.

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, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (23 Ayes)

Nays: None (0 Nays)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

Lovers Lane Safety Concerns – Crash data investigation has been requested for this area from Tennessee Department of Transportation.

Gebe Ritchie noted that many large trucks use GPS which directs trucks through Loves Lane. He requested that additional signs be placed in this area that would prohibit tractor-trailer traffic on this road due to safety reasons.

Street Scape – Federal Funding possible for street scape and road paving repairs.

Property Taxes – Partial Payments. Resolution should be ready to present during June Commission Meeting for approval.

Prisoner of War/Missing in Action Placement of Chair- Request by Earl Leonard of Rolling Thunder Chapter 4TN that a chair be placed at no cost to the county, to remind the public that WE WILL NEVER FORGET about the men and women who were left behind.

**Motion** was made by combat wounded veteran, Gebe Ritchie, seconded by Charles VonCannon and many others to allow the **POW/MIA Missing Chair** to be placed in the Courthouse Courtyard per City of Elizabethton approval, with Mr. Ritchie working with the placing of this chair.

It was also noted that Planning Director, Chris Schuettler, was also a combat wounded veteran.

By majority voice vote, all ayes, motion carried.

Johnson City Rail Trail Master Plan Contact Person: Glenn Berry 423-434-6272

**Chairman Bowers** at this time stated that a **Roll Call Vote** was necessary concerning the acceptance of the **Additions and Deletions from the Tax Rolls for the Period of October 2, 2012 through March 31, 2012** as shown on pages 606 - 608.

Therefore Chairman Bowers call for a Roll Call Vote which 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, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (23Ayes)

Nays: None (0 Nays)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk upon recommendation from the Nominating Committee, seconded by Joel Street to accept and approve appointment of **David Alan Sandora to the Board of Zoning Appeals** to fill the vacancy.

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, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (23 Ayes)

Nays: None (0 Nays)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk, upon recommendation from the Nominating Committee, and seconded by Sonja Culler to accept and approve the appointment of **Judy R. Veeneman, Jimmy Dean Street, and Carol Chase to the Industrial Development Board.**

It was noted that a fourth application, submitted by Shirley R. McGee, had been filed after the published deadline.

**Motion** was made by Charles VonCannon, seconded by Ronnie Trivett requesting a friendly motion to admen the previous motion **allowing Shirley R. McGee's name to be added and placed on the list for consideration to the appointment.**

Roll Call Vote as follows: (to add Shirley R. McGee's name for consideration to Board)

Ayes: Lawrence Hodge, Nancy Brown, Ronnie Trivett, Harry Sisk, Charles VonCannon, Dickie Renfro, John Lewis, Russell Kyte, Scott Sams, Bill Armstrong and Robert Gobble. (11 Ayes)

Nays: Buford Peters, Gebe Ritchie, Joel Street, Richard Winters, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, and Sonja Culler. (12 Nays)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion failed.

Chairman Tom Bowers at this time called for a **vote on the motion to accept the appointments as recommended by the Nominating Committee for the Industrial Development Board.**

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, L. C. Tester, Steve Lowrance, Tom Bowers, \*JoAnn Blankenship, Charlie Bayless, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (20 Ayes)  
(\*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: Ronnie Trivett, Charles VonCannon, and Dickie Renfro. (3 Nays)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Sonja Culler, seconded by Dickie Renfro to suspend the reading of  
Resolution A: Resolution concerning ETRAMA  
Resolution B: Resolution concerning TDOT Litter Grant  
Resolution C: Resolution concerning K-( Retirement)

By majority voice vote, motion carried. Be it noted that a "no" vote was voiced by Joel Street.

**Motion** was made by Sonja Culler, seconded by Dickie Renfro to accept and approve as presented **RESOLUTION No. 565: "RESOLUTION TO BECOME A MEMBER OF THE EAST TENNESSEE REGIONAL AGRIBUSINESS MARKETING AUTHORITY."**  
Recorded on pages 620-621.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (20 Ayes)

Nays: L.C. Tester, Ken Arney, and Steve Chambers. (3 Nays)

Passing: Joel Street (1 Passing)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

**Motion** was made by John Lewis, seconded by Lawrence Hodge to accept and approve as presented **RESOLUTION No. 566: "RESOLUTION TO ACCEPT AND AUTHORIZE THE GRANT FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CARTER COUNTY LITTER GRANT PROGRAM FOR FISCAL YEAR 2012-2103."** Recorded on pages 622-623

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, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble (23 Ayes)

**Nays:** None (0 Nays)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

**Motion** was made by John Lewis, seconded by Sonja Culler to accept and approve as presented **RESOLUTION No. 567: "A RESOLUTION TO RETIRE AND PLACE DEPUTY MAX, A K-9 SERVICE DOG WITH THE CARTER COUNTY, TENNESSEE SHERIFF'S DEPARTMENT."** Recorded on pages 624-625

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, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (23 Ayes)

**Nays:** None (0 Nays)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

County Attorney, Keith Bowers, Jr. at this time read "A Resolution Amending and Adding to the Zoning Regulations for Carter County, Tennessee" and presented it for consideration.

County Commission Meeting was recessed by Chairman Bowers at this time and a **PUBLIC HEARING** was opened concerning the forgoing resolution.

Scott Bowers and Roy Livingston were recognized and approached the podium expressing their viewpoints concerning the new purposed Zoning Regulations.

Being that no others wished to address the Commission, Chairman Bowers closed the Public Hearing and called the **meeting back to order**.

**Motion** was made by Ronnie Trivett, seconded by Gebe Ritchie to accept and approve as presented **RESOLUTION No. 568: "A RESOLUTION AMENDING AND ADDING TO THE ZONING REGULATIONS FOR CARTER COUNTY, TENNESSEE"** Recorded on pages 626-628

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

**Ayes:** Buford Peters, Gebe Richie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters,

Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (22 Ayes)

Nays: John Lewis (1 Nay)

Absent: Pat Hicks (1 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Joel Street, seconded by Ronnie Trivett to enter into a **ten minute recess** at this time.

By majority voice vote, all ayes, motion carried.

Following the ten minute recess Chairman Bowers called the **meeting back to order**.

## **COMMITTEE REPORTS/RECOMMENDATIONS**

**Highway Committee** – Gebe Ritchie, Committee Chairman presented the following recommendations.

**Motion** was made by Gebe Ritchie, seconded by Dickie Renfro to **reduce the speed limit of Aviation Drive from 35 M.P.H. To 25 M.P.H.** Signs to be posted noting change.

By majority voice vote, all ayes, motion carried.

**Budget Committee** – Harry Sisk, Committee Chairman presented the following recommendations.

**Motion** was made by Harry Sisk, seconded by Nancy Brown to approve a request from Benny Lyons, Director of Solid Waste, requesting that the remainder of the funds that were allocated for the recycle truck and dumpsters be **transferred to a line item to begin the construction of the new Elk Mills Convenience Center site in the amount of \$13,533.45.**

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (22 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie and Pat Hicks (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk, seconded by Charles VonCannon to approve a request from Chief Deputy Ron Street transferring **\$14,400.00 from the reserve account to purchase new body armor for the Sheriff's Department.**

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, \*L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong and Robert Gobble. (21 Ayes)  
(\*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: Nancy Brown (1 Nay)

Absent: Gebe Ritchie and Pat Hicks

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk, seconded by Nancy Brown to approve **General Fund 101 Budget Amendments Item # 1 thru Item # 5 for a total of \$53,264.57**. Line item transfer only, no new money. Recorded on page 629.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (22 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk, seconded by Charles VonCannon to approve **General Fund 101 Budget Amendments Item # 8 thru Item # 17 and Item # 19 thru Item # 20 for a total of \$112,872.26 with \$ 54,900.00 coming from fund balance**. Recorded on pages 631.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, and Bill Armstrong. (19 Ayes)

Nays: Ronnie Trivett, John Lewis, and Robert Gobble. (3 Nays)

Absent: Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk, seconded by Charlie Bayless to approve **General Fund 101 Budget Amendments, Item #18 with the total of \$869.36 coming from fund balance**.

Discussion followed concerning the travel policy for Judicial Commissioners for which request was made. It was voiced by several that they believed travel policy had not been followed. It was also stated that some believed this should be approved due to medical reasons that had not been addressed in the current policy.

Roll Call Vote as follows:

Ayes: \*Nancy Brown, \*Ronnie Trivett, \*Charles VonCannon, Charlie Bayless, John Lewis, Russell Kyte, Scott Sams, Bill Armstrong and Robert Gobble. (9 Ayes)  
(\*Indicates a "yes" vote because of medical reasons)

Nays: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Dickie Renfro, Ken Arney, Steve Chambers and Sonja Culler. (13 Nays)

Absent: Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion failed.

**Motion** was made by Steve Chambers, seconded by Joel Street to not approve **General Fund 101 Budget Amendments, Item # 6 and Item # 7**. Chris Mathes, Carter County Sheriff noted that request involved no new money.

Following much discussion, Joel Street requested that his second to the above motion be removed.

Motion failed due to not receiving a second and was therefore withdrawn.

**Motion** was made by Lawrence Hodge, seconded by Russell Kyte to **approve General Fund 101 Budget Amendments, item # 6 and Item #7.** Recorded on pages 629-630

Roll Call Vote as follows:

**Ayes:** Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, Charles VonCannon, \*L.C. Tester, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, John Lewis, Sonja Culler, Russell Kyte, and Scott Sams. (13 Ayes) (\*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

**Nays:** Nancy Brown, Joel Street, Ronnie Trivett, Steve Lowrance, Tom Bowers, Ken Arney, Steve Chambers, Bill Armstrong, and Robert Gobble (9 Nays)

**Absent:** Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote motion carried.

**Motion** was made by Lawrence Hodge, seconded by John Lewis to **approve General Fund 101 Budget Amendment Item # 18, with the total of \$869.36 coming from fund balance, and upon recommendation from Harry Sisk on behalf of the Budget Committee.** Recorded on page 631.

Roll Call Vote as follows:

**Ayes:** Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (21 Ayes)

**Nays:** Steve Chambers (1 Nay)

**Absent:** Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Joel Street, seconded by Sonja Culler and upon recommendation from Harry Sisk of the Budget Committee, to **approve Solid Waste Fund 116 Budget Amendment # 2 with 3 items for a total of \$ 3,532.22 and nothing coming from fund balance.** Recorded on page 632.

Roll Call Vote as follows:

**Ayes:** Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (22 Ayes)

**Nays:** None (0 Nays)

**Absent:** Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk upon recommendation from the Budget Committee, and seconded by Sonja Culler, to **approve Drug Control Fund 122 Budget Amendment # 1 with 2 items for a total of \$ 1,787.00 and nothing coming from fund balance.** Recorded on page 632.

Roll Call Vote as follows:

**Ayes:** Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (22 Ayes)

**Nays:** None (0 Nays)

Absent: Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk upon recommendation from the Budget Committee, and seconded by Dickie Renfro to **approve Highway Fund 131 Budget Amendment # 3 with 4 items for a total of \$79,605.00** and nothing coming from the fund balance. Recorded on page 632.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (22 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by Harry Sisk, seconded by Dickie Renfro to **approve General Purpose School Fund # 141 Budget Amendment # 14 with 1 item for a total of \$407,148.00 to come from the Referendum Reserve for projects at Central Elementary, Hampton Elementary, and Happy Valley Middle Schools.**

Discussion noted that the Amendment was not approved by the Board of Education until May 17, 2012. It was also stated that the Board needed to obtain approval so that the supplies may be ordered in time to complete the project before school resumes in the fall.

**Motion to table** the forgoing motion made by Ronnie Trivett, seconded by Nancy Brown, requesting that the request be taken back to Budget Committee for approval.

Roll Call Vote as follows:

Ayes: Nancy Brown, Ronnie Trivett, Charles VonCannon, Tom Bowers, \*Steve Chambers, Scott Sams, and Robert Gobble. (7 Ayes)  
(\*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: Buford Peters, Lawrence Hodge, \*Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, JoAnn Blankenship, Charlie Bayless, \*Dickie Renfro, \*Ken Arney, John Lewis, \*Sonja Culler, Russell Kyte, and Bill Armstrong. (15 Nays)  
(\*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Absent: Gebe Ritchie, and Pat Hicks. (2 Absent)

By majority roll call vote, motion to table failed.

**Motion** was back on the floor, therefore Chairman Bowers called for a Roll Call Vote as follows:  
Recorded on page 631.

Ayes: Buford Peters, Lawrence Hodge, \*Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, \*Dickie Renfro, \*Ken Arney, \*Steve Chambers, John Lewis, \*Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (20 Ayes)  
(\*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: Nancy Brown, and Ronnie Trivett. (2 Nays)

Absent: Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Financial Management Committee** – Chairperson, JoAnn Blankenship

Ingrid Deloach, Financial Director was recognized and spoke concerning issues with Lagging of County Payroll. Several Commissioners followed with discussion.

**Motion** was made by Ronnie Trivett, seconded by John Lewis to **approve and begin the Lagging of County Payroll effective in ninety (90) days.**

Roll Call Vote as follows:

**Ayes:** Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, JoAnn Blankenship, Dickie Renfro, John Lewis, Scott Sams, and Robert Gobble. (12 Ayes)

**Nays:** Buford Peters, L.C. Tester, Steve Lowrance, Tom Bowers, Ken Arney, Steve Chambers, Sonja Culler, and Russell Kyte. (8 Nays)

**Passing:** Charlie Bayless, and Bill Armstrong. (2 Passing)

**Absent:** Gebe Ritchie and Pat Hicks (2 Absent)

Motion failed.

Insurance Lagging for New Employees was discussed. Following much discussion, it was recommended that this go back to Financial Management for consideration.

**Motion** was made by Buford Peters, seconded by Ken Arney to refer back to the Financial Management Committee the **Insurance Lagging for New Employees** for further study.

By majority voice vote, all ayes, motion carried.

Recommendation was made by JoAnn Blankenship that the Carter County Accounts & Budgets reports be copied and entered and recorded in the Commission Minutes.

**Carter County Expenditure Budget Reports for month ending April 30, 2012** was provided to Commissioners by Ingrid Deloach, Carter County Finance Director. Included on the reports was the Account Number, Account Description, Budget Amounts, Budget Amendments, Amended Budgets, Month-to-Date Expenditures, Year-to-Date Expenditures, Outstanding Encumbrances and Unencumbered Balanced.

**Landfill Committee** – Joel Street, Chairman

**Motion** was made by John Lewis, seconded by Dickie Renfro to **support Project Red Energy.**

By majority voice vote, all ayes, motion carried.

**Building and Grounds** – L.C. Tester, Chairman

**Motion** was made by L.C. Tester upon recommendation from the Building and Grounds Committee, with the approval of Keith Bowers, County Attorney, and seconded by Buford Peters, to **recommend the sale of land Map 35, Parcel # 67, .391 acres located in the Watauga Industrial Park on Judge Don Lewis Boulevard to Kem Richardson for cost of \$ 3,910.00.**

Roll Call Vote as follows:

**Ayes:** Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Robert Gobble. (20 Ayes)

Nays: John Lewis. (1 Nay)

Passing: Charles VonCannon. (1 Passing)

Absent: Gebe Ritchie and Pat Hicks. (2 Absent)

By majority roll call vote, motion carried.

**Motion** was made by L.C. Tester upon recommendation from the Building and Grounds Committee, and with the approval from Keith Bowers, Jr., County Attorney and Chris Schuettler, Planning Director and seconded by Ronnie Trivett, to accept the **donation of property from Horace B. Cupp, Jr., Parcel 3.09 as listed on Tax Map 45, to Carter County.**

By majority voice vote, all ayes, motion carried.

#### **County Attorney's Report-Keith Bowers, Jr.**

Items reported on and discussed included the following:

Project Red Energy-Agreement being drafted

American Disabilities Act (ADA) – Compliance of County Issues

Criminal Summons Forms being updated

Juvenile Magistrates – Additional information being complied

Highway Issues – Highway Committee to address next month

Finance Issues – Working with Finance Director, Ingrid Deloach, concerning these issues

Partial Payment of Property Taxes - Resolution being drafted for presentation in June

Class Action Lawsuit - Recommends that Carter County joins in suit concerning Railroad

Property. Case Styles Bridgeman ET AL. vs. United States

**Motion** was made by JoAnn Blankenship, seconded by Nancy Brown to **enter and join into a Class Action a Lawsuit concerning Railroad Property. Case Styles Bridgeman ET AL. Vs United States**

By majority voice vote, all ayes, motion carried.

#### **Public Comments**

The following addressed the commission and expressed their opinions on various issues.

Roy Livingston – Placement of Public Comments on agenda. Swearing in before addressing a committee.

Sylvia Paulson – Arts/Band Programs in Carter County Schools.

Scott Bowers – Methadone Treatment Clinics, Education and tax issues.

#### **Commissioners Comments**

Several Commissioners spoke concerning issues with the opening of the New Jail Complex and voiced that a Letter of Agreement be drafted noting items needing completion and person(s) responsible for completion of said item.

**Motion** was made by Ronnie Trivett, seconded by Nancy Brown to **refer to the Building and Grounds Committee for the assignment to individual task contained in the Letter of Agreement concerning the New Jail Complex completion and for the removal of PODS and to a hold a Special Called Meeting on May 29, 2012 @ 3:00 p.m.**

By majority voice vote, motion carried. A “no” vote was voices by John Lewis.

**Motion to adjourn** was made by Lawrence Hodge, seconded by Buford Peters.

By majority voice vote, all ayes, motion carried and meeting adjourned at 2:25 p.m.

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, MAY 21, 2012

RESOLUTION NO. 565

**“RESOLUTION TO BECOME A MEMBER OF THE EAST TENNESSEE REGIONAL  
AGRIBUSINESS MARKETING AUTHORITY”**

**WHEREAS**, the East Tennessee Regional Agribusiness Marketing Authority is hereby created as a public body corporate and politic, hereinafter referred to as the authority. The authority is a public and governmental body acting as an agent and instrumentality of the counties with respect to which the authority is organized. As such all property of the authority, both real and personal, are exempt from all local, state and federal taxation; and

**WHEREAS**, the acquisition, operating and financing of the authority and related purposes are hereby declared to be for public and governmental purposes and a matter of public necessity to further the economy and growth of the agricultural industry of the region; and

**WHEREAS**, Carter County hereby notifies the board of its desire to become a member of the authority; and

**NOW, THEREFORE, BE IT RESOLVED**, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 21<sup>st</sup> day of May, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative; that

**SECTION 1.** The county hereby declares that it desires to become a member of the East Tennessee Regional Agribusiness Marketing Authority;

**SECTION 2.** The county mayor or the mayor's designee will serve as a voting member of the board of the East Tennessee Regional Agribusiness Marketing Authority;

**SECTION 3.** The county mayor shall notify the chairman of the East Tennessee Regional Agribusiness Marketing Authority of its desire to become a member as signified by a two-thirds majority vote of the county commission;

**SECTION 4.** This resolution shall be effective upon its passage and approval, the public welfare requiring it.

Adopted this 21<sup>st</sup> day of May, 2012.

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: \_\_\_\_\_

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

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, MAY 21, 2012

RESOLUTION NO. 566

"RESOLUTION TO ACCEPT AND AUTHORIZE THE GRANT FROM THE STATE OF  
TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CARTER COUNTY LITTER  
GRANT PROGRAM FOR FISCAL YEAR 2012-2013"

WHEREAS, Carter County has participated in a Litter Grant Program funded through the State of Tennessee Department of Transportation for several years; and

WHEREAS, the County intends to submit an application for fiscal year 2012-2013 for the Tennessee Department of Transportation Litter Grant Program; and

WHEREAS, the contract for the Grant for fiscal year 2012-2013 will impose certain legal obligations upon Carter County.

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 21<sup>st</sup> day of May, 2012, 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 authorizes the Carter County Mayor to submit an application on behalf of Carter County for a Litter Grant Program for fiscal year 2012-2013 from the State of Tennessee Department of Transportation.

SECTION 2. That should said application be approved by the State of Tennessee Department of Transportation, then the legislative body of Carter County authorizes the Carter County Mayor to execute the contracts and/or other necessary documents, which may be required to signify acceptance of the Litter Grant Program by Carter County.

SECTION 3. All resolutions in conflict herewith be and the same are rescinded insofar as such conflict exists.

Adopted this 21<sup>st</sup> day of May, 2012.

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: \_\_\_\_\_

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

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, MAY 21, 2012  
RESOLUTION NO. 567

**“A RESOLUTION TO RETIRE AND PLACE DEPUTY MAX, A K-9 SERVICE DOG WITH THE CARTER COUNTY, TENNESSEE SHERIFF’S DEPARTMENT”**

**WHEREAS**, Deputy Max is a K-9 service dog with the Carter County, Tennessee Sheriff’s Department; and

**WHEREAS**, Deputy Max is a K-9 who was placed in service beginning May of 2007 with the Carter County, Tennessee Sheriff’s Department; and

**WHEREAS**, Deputy Max is a K-9 who was donated by Mrs. Glenda Wilson and her late husband David Wilson to the Carter County, Tennessee Sheriff’s Department; and

**WHEREAS**, Deputy Max and his former handler, Deputy Stephaine Simpson were wounded by gunfire during a domestic disturbance on August 30, 2008, and both officers responded bravely to the call, and

**WHEREAS**, former Deputy Joseph Holsclaw was the handler for Deputy Max for the last two (2) years of his service to the Carter County, Tennessee Sheriff’s Department; and

**WHEREAS**, Deputy Max is to be retired from duty from the Carter County, Tennessee Sheriff’s Department due to Arthritis in his hips and joints and his service ability; and

**WHEREAS**, Carter County, Tennessee Sheriff’s Department recommends that Deputy Max be retired and placed in the care, custody, and control of former Carter County Sheriff Deputy Joseph Holsclaw; and

**WHEREAS**, former Deputy Joseph Holsclaw agrees to not work Deputy Max in any capacity once Deputy Max has been retired from the Sheriff’s Department and further agrees to have Deputy Max neutered at former Deputy Joseph Holsclaw’s expense; and

**WHEREAS**, former Deputy Joseph Holsclaw agrees to treat Deputy Max humanely for the remainder of his life; and

**NOW, THEREFORE, BE IT RESOLVED**, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 21<sup>st</sup> day of May, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, and;

**BE IT FURTHER RESOLVED**, that the County Legislative Body vest the care, control, and ownership of Deputy Max after his retirement with former Carter County Sheriff Deputy Joseph Holsclaw this representing the best interest of Deputy Max and further to insure the humane treatment of Deputy Max for the remainder of his years.

Adopted this 21<sup>st</sup> day of May, 2012.

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: \_\_\_\_\_

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

BEFORE THE COUNTY COMMISSION  
OF CARTER COUNTY, TENNESSEE  
REGULAR MEETING, MONDAY, MAY 21, 2012  
RESOLUTION NO. 568

**"A RESOLUTION AMENDING AND ADDING TO THE ZONING REGULATIONS FOR CARTER COUNTY, TENNESSEE"**

**WHEREAS**, Carter County has adopted a Zoning Resolution for Carter County, Tennessee; and,

**WHEREAS**, the Carter County Commission realizes that any zoning plan must be changed periodically to provide for the continued efficient and economic development of Carter County; and,

**WHEREAS**, Tennessee Code Annotated §13-7-105 provides for the process of amending the Zoning Resolution; and,

**WHEREAS**, a proposal has been made to amend (1) Article II, Definitions of Terms Used in Ordinance, (2) Article VI, Section 609.1.11, M-2 High Impact Use District; and (3) Article V, Section 502.10.4, Off-Street Automobile Parking of the Carter County Zoning Resolution; and

**WHEREAS**, the Carter County Regional Planning Commission did study this proposal on March 27, 2012 and recommended that the Carter County Commission amend the Zoning Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 21st day of May, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, amend the Carter County Zoning Resolution to read as follows:

Amending the following definition under Article II:

240. Methadone Treatment Clinic or Facility: A licensed facility for counseling of patients and the distribution of methadone for outpatient purposes only. A methadone treatment clinic or facility is not a medical clinic.

Adding the following definition under Article II:

Substance Abuse Treatment Clinic or Facility: A building or portion of a building, other than a clinic containing offices, facilities or designated space with the predominant, substantial, or significant purpose of providing outpatient treatment, counseling or similar services to individuals who are dependent on legal and illegal drugs, opiates, alcohol or other similar substances. Staffing by physicians who have received a waiver or have been certified or should have received a waiver or be certified by the Substance Abuse Treatment Act of 2000 and subsequent amendments or enactments shall create a presumption that the building or portion

of a building should be designated a substance abuse treatment facility. A substance abuse treatment clinic or facility is not a medical clinic.

Amending Article VI, Section 609.1.11 to read as follows:

609.1.11. Methadone Treatment Clinics or Facilities and Substance Abuse Treatment Clinic or Facilities as a Use on Review provided that:

(1) The approval by the Planning Commission of a methadone treatment clinic or facility, or substance abuse clinic or facility shall be contingent upon the receipt of the appropriate license and certificate of need by the Tennessee Department of Health.

(2) Applicants seeking approval of a methadone treatment facility or substance abuse treatment facility shall provide written documentation that the Carter County Sheriff's Department has been notified in writing regarding the facility's proposed location, hours of operation, programs and treatment methods offered, and staffing levels and qualifications. This same information shall be made available to the Planning Commission as part of the use on review application.

(3) Maps showing existing land use and zoning within one-quarter (1/4) mile of the proposed site should be submitted with an application for Use of Review approval along with the license of the applicant, certificate of need, site plan, survey or other information deemed reasonable by the Planning Commission for use in making a thorough evaluation of the proposal.

(4) The facility shall not be located within two thousand (2000) feet of any school, day care facility, park, church, pharmacy or similar facility that sells or dispenses either prescription drugs or over the counter drugs, as measured from property line to property line.

(5) The facility shall not be located within two thousand (2000) feet of any residential use, as measured from property line to property line.

(6) The facility shall not be located within two thousand (2000) feet of any establishment that sells alcoholic beverages, for either on-premise or off-premise consumption, measured from property line to property line.

(7) The site shall not be located within one-half (1/2) mile from any other methadone treatment facility or substance abuse treatment facility, measured from property line to property line.

(8) In reviewing each application, the Planning Commission may establish additional requirements or conditions of approval to further reduce the impact such a facility may have on surrounding properties.

Amending Article V, Section 502.10.4. to read as follows:

502.10.4. Methadone Treatment Facilities or Substance Abuse Facilities: One space for each two hundred (200) square feet of floor space.

These amendments shall take effect upon their passage, the welfare of the county demanding.

Adopted this 21st day of May, 2012.

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: \_\_\_\_\_

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

**#8 GENERAL FUND - 101  
BUDGET AMENDMENTS  
21-May-12**

Item #1	40110	Current Property Tax	\$ 8,400.00	Decrease	
	51300-540	Tax Relief		\$ 8,400.00	Increase

2011-12 Tax Relief

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Item #2	47660	FHA Grant	\$ 38,870.09	Decrease	
	58130-599	Other Charges		\$ 4,795.09	Increase
	58130-791	Other Construction		\$ 34,075.00	Increase

HOME Grant Funds

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Item #3	57100-435	Office Supplies	\$ 360.00	Decrease	
	57100-452	Utilities		\$ 260.00	Increase
	57100-454	Water & Sewer		\$ 100.00	Increase

Reallocate funds in Extension Office Budget

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Item #4	46990	Other State Revenue	\$ 1,134.48	Decrease	
	58900-399	Other Contracted Services		\$ 1,134.48	Increase

Funds for East TN Railroad Authority

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Item #5	41590	Other Permits	\$ 4,500.00	Decrease	
	58900-361	Permits		\$ 4,500.00	Increase

State Building Permits

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Item #6	54210-160	Guards	\$ 23,800.00	Decrease	
	54110-169	Part-Time Personnel	\$ 30,000.00	Decrease	
	54110-336	Maintenance/Repair-Equip	\$ 3,000.00	Decrease	
	54110-338	Maintenance/Repair-Vehicles	\$ 18,382.23	Decrease	
	54110-162	Clerical Personnel		\$ 30,812.23	Increase
	54110-307	Communications		\$ 500.00	Increase
	54110-340	Medical & Dental Services		\$ 12,400.00	Increase
	54110-348	Postal Charges		\$ 500.00	Increase
	54110-351	Rentals		\$ 9,500.00	Increase
	54110-353	Tow-In Services		\$ 2,000.00	Increase
	54110-355	Travel		\$ 6,000.00	Increase
	54110-399	Other Contracted Services		\$ 3,200.00	Increase
	54110-401	Animal Food & Supplies		\$ 1,150.00	Increase
	54110-435	Office Supplies		\$ 1,500.00	Increase
	54110-513	Workman's Comp Insurance		\$ 6,620.00	Increase
	54110-599	Other Charges		\$ 1,000.00	Increase

Reallocate funds in the Sheriff's Dept

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Item #7	54210-160	Guards	\$	13,000.00	Decrease	
	54210-196	In-Service Training	\$	15,000.00	Decrease	
	54210-336	Maintenance/Repairs-Equip	\$	5,000.00	Decrease	
	54210-410	Custodial Supplies	\$	10,000.00	Decrease	
	54210-421	Food Prep Supplies	\$	11,000.00	Decrease	
	54210-507	Medical Claims	\$	24,450.00	Decrease	
	54210-165	Cafeteria Personnel		\$ 19,400.00	Increase	
	54210-167	Maintenance Salary		\$ 1,550.00	Increase	
	54210-354	Transportation-Other Than Students		\$ 1,500.00	Increase	
	54210-422	Food Supplies		\$ 55,000.00	Increase	
	54210-599	Other Charges		\$ 1,000.00	Increase	

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Reallocate funds in the Jail

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Item #8	44170	Miscellaneous Refunds	\$	77.00	Decrease	
	51500-435	Office Supplies		\$ 77.00	Increase	

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Funds from sale of CD in Election Office

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Item #9	44170	Miscellaneous Refunds	\$	100.86	Decrease	
	53900-599	Other Charges		\$ 100.86	Increase	

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Refund for Mental Evaluation for Court

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Item #10	44170	Miscellaneous Refunds	\$	843.40	Decrease	
	53900-194	Jury & Witness Fees		\$ 843.40	Increase	

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State refund for Jury Cost

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Item #11	44170	Miscellaneous Refunds	\$	265.00	Decrease	
	51720-355	Travel		\$ 265.00	Increase	

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State refund for cost of Justin Markland

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Item #12	49700	Insurance Recovery	\$	500.00	Decrease	
	54110-338	Maintenance & Repairs-Vehicles		\$ 500.00	Increase	

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Insurance Recovery for Sheriff's Dept accident

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Item #13	44170	Miscellaneous Refunds	\$	2,500.00	Decrease	
	54110-140	Salary Supplements		\$ 2,500.00	Increase	

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Supplement pay for DTF Officer

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Item #14	46210	Law Enforcement Training	\$	2,200.00	Decrease	
	54110-140	Salary Supplements		\$ 2,200.00	Increase	

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State of TN Officers Salary Supplements

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Item #15	51500-499	Other Supplies	\$	7,100.00	Decrease	
	51500-348	Postage			\$	7,100.00 Increase
	51500-193	Election Workers	\$	1,000.00	Decrease	
	51500-719	Office Equipment			\$	1,000.00 Increase

Reallocate funds in the Election Commission

Item #16	46980	Other State Grants	\$	42,636.00	Decrease	
	51500-499	Other Supplies			\$	42,636.00 Increase

State Election Grant

Item #17	39000	Fund Balance	\$	14,500.00	Decrease	
	51400-331	Legal Services			\$	14,500.00 Increase

Funds for legal services

Item #18	39000	Fund Balance	\$	869.36	Decrease	
	53700-355	Travel			\$	869.36 Increase

Funds for travel for Judicial Commissioners

Item #19	39000	Fund Balance	\$	40,400.00	Decrease	
	58900-510	Trustee's Commission			\$	40,400.00 Increase

Funds to cover Trustee's Commission

Item #20	52100-411	Data Processing Supplies	\$	750.00	Decrease	
	52100-332	Legal Notices			\$	750.00 Increase

Reallocated funds in the Fiance Dept for additional legal notices

\$ 320,638.42  
\$ 320,638.42

**Carter County Schools**  
General Purpose School Fund 141  
Budget Amendment #14

Item #1	34330	Reserved for Capital Outlay	\$	407,148.00	Decrease	
	76100-304	Architect Fees	\$	19,938.00	Increase	
	76100-707	Building Improvements	\$	387,210.00	Increase	

To budget projects from Referendum Money for Central Elementary windows, Hampton Elem partial reroof, and Happy Valley Middle partial reroof.

Total \$ 407,148.00 \$ 407,148.00

**Carter County Government**  
**Highway Fund 131**  
**Budget Amendment #3**

Item # 1	62000-444 Salt		\$	8,205.00	Decrease
	62000-405 Asphalt-Liquid		\$	205.00	Increase
	62000-451 Uniforms		\$	8,000.00	Increase

To reallocate funds within the Highway and Bridge Maintenance Category.

Item #2	63100-353 Tow-In Services		\$	650.00	Decrease
	63100-208 Dental Insurance		\$	650.00	Increase

To reallocate funds within the Operation & Matinenance of Equipment Category.

Item #3	65000-511 Vehicle & Equipment Insurance		\$	1,700.00	Decrease
	65000-599 Other Charges		\$	1,300.00	Decrease
	65000-510 Trustee's Commission		\$	3,000.00	

To reallocate funds within the Other Charges Category.

Item #4	68000-718 Motor Vehicles		\$	67,750.00	Decrease
	68000-799 Other Capital Outlay		\$	67,750.00	

To reallocate funds within the Capital Outlay Category.

Total      \$    79,605.00    \$    79,605.00

**#2 SOLID WASTE FUND116**  
**BUDGET AMENDMENT**  
**21-May-12**

Item #1	49700	Insurance Recovery	\$	1,127.83	Decrease
	55754-335	Maintenance & Repairs-Building			\$ 1,127.83 Increase

Insurance Recovery on lightning damages to scales

Item #2	44540	Sale of Property	\$	1,177.03	Decrease
	55754-733	Solid Waste Equipment			\$ 1,177.03 Increase

Sale of Bridge Scrap

Item #3	55754-336	Maintenance & Repairs-Equip	\$	1,227.36	Decrease
	55754-733	Solid Waste Equipment			\$ 1,227.36 Increase

Reallocate funds to purchase equipment

\$    3,532.22      \$    3,532.22

**#1 DRUG CONTROL FUND 122**  
**BUDGET AMENDMENTS**  
**21-May-12**

Item #1	54110-401	Animal Food & Supplies	\$	1,600.00	Decrease
	54110-499	Other Supplies & Materials			\$ 1,600.00 Increase

Reallocate funds in the Drug Control

Item #2	42340	Drug Control Fines	\$	187.00	Decrease
	54110-509	Refunds			\$ 187.00 Increase

Refund for seizure

\$    1,787.00      \$    1,787.00