

9-17-12
APPROVED

CARTER COUNTY COMMISSION MEETING, REGULAR SESSION, JULY 16, 2012

Call to order	651
Agenda accepted as presented	651
Notaries approved	651
Tom Anderson-Carter County Tomorrow	652
Tax rate set at \$2.15 for fiscal year 2012-2013	
Resolution 571-fixing tax levy	653
Resolution 572-appropriation to various funds	653
Resolution 573-appropriation to nonprofit organizations	654
Mark Houston reappointed to Roan Mtn. Utility Board for four(4) yr. term	654
Animal shelter employees placed under supervision of Animal Shelter Director	655
Park & Recreation Department to become either an outside agency or a division Of the county referred back to Planning Committee	655-56
Accident Reporting Policy approved as presented	656
Bridge in Roan Mtn. State Park named Carroll Boone Bridge and road beginning At the end of the Bob Burleson Parkway to top of mountain named the Jack Barnett Parkway	656
Possible proposal for disposal of jail pods with the City if the auction does not Have a successful bidder	656
Department of Corrections contract to be redrafted-\$37.00 per day per prisoner	656
Motion for all persons entering the courtroom to go through the detector at The main entrance including all commissioners	657
Utilities Committee asked to investigate installing more cell towers	657
Resolution No. 571	659
Resolution No. 572	661
Resolution No. 573	666

Mayor Humphrey recognized Patricia Savery and presented her with a plaque honoring her for being awarded the Tennessee Technology Center-Elizabethton's 2012 Student of the Year. He also recognized Patricia Henderson, Ms. Savery's instructor, for a job well done. He then presented a plaque to Suzi Wallace of the County Clerk's office for her upcoming retirement following a 36-year career in county government.

Tom Anderson reported for Carter County Tomorrow at this time. The following is a list of the topics he briefed the commissioners on and a slide show was presented on broadband infrastructure.

CCT ED Activities – July 2012 – County Commission

- Industrial Site Development – State Site Certification Program - Select Tennessee - Multi jurisdictional, pad ready
- Riverfront Planning – Partnering with City planning and development in comprehensive plan.
- Snap-On Tools expansion project and readiness for International Headquarters meeting in August
- Retail Plan – Working with the City on In-fill strategies
- Watauga Industrial park Signage
- TDOT SIA Route
- Buy local campaign project
- Downtown Sign Project – Designing the timeline Kiosk (approx 200 significant events) Ordering brackets for banners (Historical Business District)
- Broadband infrastructure – mayor's task force –
- County Emergency Operations Center
- Elevator at WDC, general renovations, efforts toward ADA compliance, updated codes
- Searching for new Chamber Director – Position Closes July 23rd 5pm. (PO 280, 37644)
- Visiting industry as part of the existing industry program.
- Red Energy
- Roan Mountain Sewer Project
- Tweetsie – Rails to Trails (MPTO)
- Anti-Drug Coalition
- Education/Workforce Development

Charlie Bayless made a motion to set the tax rate for the fiscal 2012-2013 at \$2.15, the same as the previous fiscal year. He explained that the school system would get what they wanted and the debt service and general fund would be fine. When questioned by Commissioner Brown what would have to be cut in order to give the schools what they needed, Commissioner Bayless stated the funds would come from the surplus currently in the county's general purpose fund with approximately \$900,000 being returned to surplus from the sheriff's office and unused funds allocated to pay for insurance premium increases that did not materialize. Several commissioners voiced their concern the county could be put in a serious bind during the next year due to unforeseen situations. Commissioner Bayless' motion was seconded by Harry Sisk and the roll call vote was as follows:

AYES: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, L. C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Steve Chambers, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Pat Hicks & Robert Gobble

NAYS: Nancy Brown, Charles VonCannon, Tom Bowers, Scott Sams & Bill Armstrong

PASSING: 0

ABSENT: 0

There being 19 ayes, 5 nays, 0 passing and 0 absent motion carried.

Resolution No. 571 fixing the tax levy for the county for the fiscal year 2012-2013 was read by the County Attorney. Motion was made by Russell Kyte, seconded by Lawrence Hodge to accept the resolution as presented setting the tax rate at \$2.15 for 2012-2013. Roll call vote as follows:

AYES: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, L. C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, John Lewis, Sonja Culler, Russell Kyte & Pat Hicks

NAYS: Nancy Brown, Tom Bowers, Scott Sams, Bill Armstrong & Robert Gobble

PASSING: Charles VonCannon

ABSENT: Steve Chambers

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

Resolution No. 571 entered into minutes on pages 659 to 650.

Motion was made Dickie Renfro, seconded by Lawrence Hodge to suspend the reading of Resolution No. 572 making appropriations for the various funds, departments, institutions, offices and agencies of Carter County for the year beginning July 1, 2012. Motion was made by Jo Ann Blankenship, seconded by Sonja Culler to approve Resolution No. 572 as presented. Roll call vote as follows:

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

NAYS: Nancy Brown

PASSING: 0

ABSENT: 0

There being 23 ayes, 1 nay, 0 passing and 0 absent motion carried.

Resolution No. 572 entered into minutes on pages 661 to 665.

Motion was made by Lawrence Hodge, seconded by Dickie Renfro to suspend the reading of Resolution No. 573 making appropriations to nonprofit charitable organizations of Carter County for fiscal year beginning July 1, 2012.

Motion was made by Gebe Ritchie, seconded by Dickie Renfro to accept Resolution No. 573 as presented. Roll call vote as follows:

AYES: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Steve Chambers, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: Nancy Brown & Scott Sams

PASSING: 0

ABSENT: 0

There being 22 ayes, 2 nays, 0 passing and 0 absent duly carried.

Resolution No. 573 entered into minutes on pages 666 to 668.

Under Mayoral Comments on the agenda, Mayor Humphrey encouraged everyone to attend a benefit pizza buffet at Pizza Hut for the Carter County 4H club. He also invited the elected officials as well as the general public to attend a dedication of the MIA/POW chair installed on the courthouse courtyard by the members of the Rolling Thunder. He stated the "chair" would serve as a constant reminder of all the brave men and women that went off to war and never returned home. He further stated these individuals made the ultimate sacrifice in the defense of our country for the freedoms we too often take for granted but enjoy each and every day.

The Mayor cited TCA 7-82-307 which sets the guidelines for the appointment of a utility board commissioner when a vacancy occurs. He stated he had been notified the term of Mark Houston on the Roan Mountain Utility District Board of Commissioners was up on July 17, 2012, and he had received a Certification of the Board of Commissioners listing the nominees by the board in order of preference to fill that vacancy. The commissioners stated their desire to reinstate Mark Houston as a commissioner for the four (4) year term. Pursuant to the provisions of the statute, Mayor Humphrey declared that Mark Houston shall be noted as the new appointee and requested the appointment be reflected by the Clerk in the minutes.

Mayor Humphrey reminded the commissioners that he and the Animal Shelter Director, April Jones, had come before the commission at the May 21, 2012, meeting and made an appeal for the commissioners to authorize and transfer the actual reporting of the part-time animal control officer, Chris Pierce, from the Planning Director to that of the Shelter Director. He stated the matter was referred back to the Planning Committee for their recommendation and a vote taken by that committee at their next meeting had failed to resolve the animal control officer matter. He said he felt it was time a responsible stand was taken and that a motion was in order to do so. When questioned exactly who would fall under the direction of the Animal Shelter Director's authority, he stated that all shelter employees with the exception of Freddy Turner who was a City employee. Motion was made by John Lewis, seconded by Nancy Brown to

transfer all reporting of animal shelter employees from the authority of the Planning Director to the Animal Shelter Director. Steve Chambers then stated this was a Planning Committee matter and should be referred back to them to be resolved properly. Motion was made by Steve Chambers, seconded by Ken Arney to TABLE the previous motion made by Commissioner Lewis. Roll call vote to TABLE as follows:

AYES: Buford Peters, Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, L. C. Tester, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Steve Chambers & Ken Arney

NAYS: Nancy Brown, Ronnie Trivett, Charles VonCannon, Steve Lowrance, John Lewis, Scott Sams, Bill Armstrong, Pat Hicks & Robert Gobble

PASSING: Joel Street & Sonja Culler

ABSENT: Charlie Bayless & Russell Kyte

There being 11 ayes, 9 nays, 2 passing and 2 absent motion to TABLE failed.

The original motion to place the animal control officer directly under the supervision of the Animal Shelter Director was now back on the floor. Roll call vote as follows:

AYES: Gebe Ritchie, Lawrence Hodge, Nancy Brown, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Jo Ann Blankenship, Dickie Renfro, John Lewis, Scott Sams, Sonja Culler, Bill Armstrong, Pat Hicks & Robert Gobble

NAYS: Buford Peters, Joel Street, Richard Winters, Tom Bowers, Steve Chambers & Ken Arney

PASSING: 0

ABSENT: Charlie Bayless & Russell Kyte

There being 16 ayes, 6 nays, 0 passing and 2 absent motion carried.

On recommendation of the Budget Committee and after much discussion, motion was made by Harry Sisk, seconded by Sonya Culler to give county employees that have been employed by the county more than one (1) year a 2% pay raise across the board. Roll call vote as follows:

AYES: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, John Lewis, Sonja Culler, Bill Armstrong & Pat Hicks

NAYS: Nancy Brown, L. C. Tester, Scott Sams & Robert Gobble

PASSING: 0

ABSENT: Charlie Bayless, Steve Chambers & Russell Kyte

There being 17 ayes, 4 nays, 0 passing and 3 absent motion duly carried.

On recommendation of the Budget Committee, motion was made by Harry Sisk, seconded by Bill Armstrong to make the Park and Recreation Department an outside agency rather than a division of the county. Presently this department is an outside agency as well as a division of county government all in one entity. Finance Director, Ingrid Deloach, stated we needed to make a clear line as to whether this department is going to be a separate fund of the county or considered an outside agency. Motion was then made by Ronnie Trivett, seconded by Nancy Brown to amend Commissioner Sisk's motion, with his approval, to refer this matter back to the Park & Rec Committee for them to

determine whether or not to become an outside agency. By voice vote motion carried.

FINANCIAL MANAGEMENT COMMITTEE: Jo Ann Blankenship informed the commissioners the software being installed in the Trustee's Office to allow partial payments of property taxes should be in operation by September. She stated Saratoga Technologies recently acquired Bridge Computer Systems, the provider of the financial management software for the county. She said representatives from Saratoga addressed the Financial Management Committee at their July 11, 2012, meeting to discuss what they had to offer the county. Commissioner Blankenship discussed changes to the county Travel Policy stating in the future the Finance Department would have to be contacted for the availability of county vehicles. Each commissioner had a copy of "Section F: Usage of County Vehicles" with the changes in their packet and motion was made by Jo Ann Blankenship, seconded by John Lewis to adopt the Accident Reporting Policy as presented. By voice vote motion carried.

HIGHWAY COMMITTEE: Gebe Ritchie reported it was the committee's decision and recommendation to name the bridge in the Roan Mountain State Park the CARROLL BOONE BRIDGE and the road beginning at the end of the Bob Burleson Parkway going to the top of the mountain and running in front of Jack's Grocery the JACK BARNETT PARKWAY. Putting this recommendation in the form of a motion, seconded by Richard Winters, by voice vote motion carried.

Motion was made by Gebe Ritchie, seconded by Steve Lowrance to name no more bridges or highways in the future for individuals without a public hearing. By voice vote motion carried.

LAW ENFORCEMENT COMMITTEE: Buford Peters stated at their last meeting they had discussed what the county received from the State to house inmates. He said they had asked the Finance Director, Ingrid DeLoach, to check with other counties to see what they were receiving. She informed the committee Washington and Johnson counties received \$37.00 per day but had no response from Sullivan and Unicoi counties. Commissioner Peters stated Carter County was receiving basically what the surrounding counties were receiving.

BUILDINGS/GROUNDS COMMITTEE: L. C. Tester reported there was a possibility of a proposal with the City concerning the jail pods where they could be moved and used as a place for training officers. He said this was only a suggested alternative should the auction failed to have a successful bidder.

COUNTY ATTORNEY REPORT: Regarding the Department of Corrections contract, Attorney Bowers informed the commission he had spoken with Ms. June Lambert, the accountant with the state working with contract drafting. He stated the redrafting of the county's contract was presently in process and a copy would be transferred to his and the Mayor's office. He said the contract would be presented at the Law Enforcement Committee's next meeting. He also said Bob McKee who directly supervises this department with the state had also agreed to participate in a conference call with the Law Enforcement Committee at their

meeting next month. He informed the commissioners of some of the things he had been working on this month which included retirement issues with the Sheriff's Department which had been resolved and the Ice House litigation which was moving forward toward the final phases. He also stated the Circuit Clerk's and the General Session's offices were working to streamline payments made prior to a court date in order to avoid any future lawsuits such as the one Mr. Gillespie has filed.

PUBLIC/COMMISSIONER COMMENTS: Jean Rhea expressed the fact that she did not feel safe in the courtroom. She stated she had observed that some of the commissioners set off the metal detector at the main entrance but were not searched. She said anyone entering the courtroom should have to come through the detector and, should they have to leave the courtroom, reenter through the detector at the main door. Sheriff Mathes explained it was not customary to search Judges, Attorneys or Commissioners entering the courtroom but would be glad to engage in the level of security requested by the commission. Motion was made by Nancy Brown, seconded by Scott Sams for all persons entering the courtroom, including the commissioners, be required to walk through the metal detector at the main entrance. After several comments and discussion, motion was made by Ronnie Trivett, seconded by Gebe Ritchie to TABLE Commissioner Brown's motion. Roll call vote to TABLE as follows:

AYES: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Dickie Renfro, Ken Arney, Sonja Culler & Bill Armstrong

NAYS: Nancy Brown, John Lewis, Scott Sams & Robert Gobble

PASSING: Pat Hicks

ABSENT: Charlie Bayless, Steve Chambers & Russell Kyte

There being 16 ayes, 4 nays, 1 passing and 3 absent motion to TABLE carried.

Roy Livingston questioned why the tax resolution had not come through the Budget Committee suggesting a "back room" deal. He further voiced his disapproval of the way the school system was being run stating they "lobby" to get what they want, completely controlling the county.

Pat Hampton addressed the commissioners reminding them they were elected by the people and should vote on all issues the way those people wanted. He said the people had put their trust in them and they were letting them down.

Scott Snell stated he hoped the media was taking notes when the first order of business at this meeting was to accept the agenda as presented and was not followed later. His opinion was parliamentary procedures were not applied by this commission.

At the request of Commissioner Trivett, Sheriff Mathes gave an update on the "move" to the new jail. He stated sheriff's department fully operational and functioning well. He said there were a few problems with the building and he was staying on top of Blaine Construction to have them corrected before the warranty expired December 1, 2012.

Jo Ann Blankenship requested the Utilities Committee investigate the cell towers in the county because the cell phone reception was lacking. John Lewis said he had been informed the cost of a new cell tower would be approximately \$10,000. Ms. Blankenship also asked Ingrid Deoach, Financial Director, to inform

the commission as well as the public "what a penny nets". Ms. Deloach stated a penny netted \$79,241. This compares to approximately \$70,000 last year.

On motion by Gebe Ritchie, seconded by a number of commissioners,
court was adjourned by voice vote.

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE
REGULAR MEETING, MONDAY, JULY 16, 2012

RESOLUTION NO. 571

"A RESOLUTION FIXING THE TAX LEVY IN CARTER COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2012 (2012 - 2013)"

SECTION 1. BE IT RESOLVED. by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 16th day of July, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, that the combined property tax rate of Carter County Tennessee, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, shall be \$2.15 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies;

FUND RATE

General Purpose/Schools	\$ 1.040
County General Fund	\$ 0.865
Debt Service	\$ 0.115
<u>County Road Fund</u>	<u>\$ 0.130</u>
Total	\$ 2.150

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

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

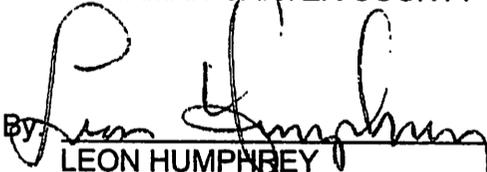
SECTION 4. BE IT FURTHER RESOLVED, that this Resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the County Commission of Carter County, Tennessee, in the County Clerk's records.

Passes this 16th day of July, 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: 
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: 
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:

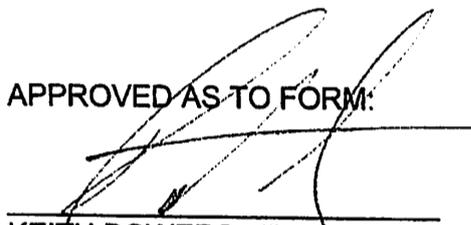
By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: _____

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:



KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION

OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, JULY 16, 2012

RESOLUTION NO. 572

"A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,
DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF
CARTER COUNTY, TENNESSEE FOR THE YEAR
BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013."

SECTION 1. BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 16th day of July, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Carter County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the year beginning July 1, 2012 and ending June 30, 2013, according to the following schedule:

GENERAL FUND

County Commission	80,800.00
Board of Equalization	5,925.00
County Executive	188,566.62
County Attorney	50,738.00
Election Commission	344,340.46
Register of Deeds	261,258.92
Planning	273,466.50
County Buildings	716,628.24
Other General Administration	500.00
Accounting and Budgeting	414,366.54
Property Assessor's Office	433,654.04
Reappraisal Program	113,438.11
County Trustee's Office	318,319.25
County Clerk	458,608.97
Circuit Court	716,179.62
General Sessions Court	238,121.53
Chancery Court	330,668.94
Judicial Commissioners	41,591.82
Other Administrative of Justice	14,000.00
Sheriff's Department	3,430,491.85
Jail	3,476,490.58
Juvenile Services	169,497.36
Fire Prevention	330,000.00
Rescue Squad	104,354.50
EMA	92,134.44
Inspection and Regulation	4,170.00
County Corner	10,280.00
Other Public Safety	950.00
Local Health Center	169,000.00
Rabies and Animal Control	164,135.67
Ambulance and Medical Services (911)	173,858.00
Crippled Children Services	20,727.00
Aid to Dependent Children	1,500.00
Other Local Welfare Services	1,600.00
Other Public Health	1,425.00
Senior Citizens Assistance	46,010.00
Libraries	36,587.50
Park and Recreation	22,562.50
Other Social, Cultural, & Recreation	4,508.64
Agricultural Extension Service	97,222.41
Flood Control	3,850.00
Other Agriculture & Natural Resources	19,855.00
Tourism	90,000.00
Industrial Development	3,875.00

Other Economic & Community Development	47,608.00
Veterans' Service	39,371.35
Other Charges	2,000.00
Contributions to Other Agencies	49,500.00
Employee Benefits	18,728.96
Miscellaneous	282,222.00
Litter and Trash Collection	49,203.00
<u>Other General Government Projects</u>	<u>15,000.00</u>

Total General Fund **13,979,891.32**

COURTHOUSE AND JAIL MAINTENANCE

County Buildings	5,600.00
Other Administrations of Justice	4,800.00
<u>Miscellaneous</u>	<u>100.00</u>

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

SOLID WASTE/SANITATION FUND

Convenience Centers	44,959.17
Recycling Center	48,660.31
Landfill Operation and Maintenance	790,063.74
<u>Miscellaneous</u>	<u>10,000.00</u>

Total Solid Waste/Sanitation Fund **893,683.22**

HEALTH DEPARTMENT FUND

<u>Local Health Center</u>	<u>169,000.00</u>
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Total Health Department **169,000.00**

DRUG CONTROL

Drug Enforcement	110,000.00
<u>Miscellaneous</u>	<u>800.00</u>

Total Drug Control **110,800.00**

HIGHWAY/PUBLIC WORKS FUND

Administration	330,803.92
Highway & Bridge Maintenance	2,166,160.85
Operation & Maintenance of Equipment	1,037,345.24
Other Charges	93,550.00
Employee Benefits	84,000.00
<u>Capital Outlay</u>	<u>363,000.00</u>

Total Highway/Public Works Fund **4,074,860.01**

GENERAL PURPOSE SCHOOL FUND

Regular Instruction Program	19,935,136.00
Alternative Instruction Program	125,592.00
Special Education Program	3,122,175.00
Vocational Education Program	1,510,928.00
Adult Education Program	25,237.00
Health Services	303,822.00
Other Student Support	831,456.00
Regular Instruction Program	1,450,005.00
Alternative Instruction Programs	119,606.00
Special Education Program	360,640.00
Vocational Education Program	155,289.00
Adult Education Program	97,425.00

Board of Education	665,750.00
Office of the Superintendent	423,543.00
Office of the Principal	2,372,361.00
Fiscal Services	158,000.00
Operation of Plant	2,815,463.00
Maintenance of Plant	748,375.00
Transportation	2,364,919.00
Central and Other	327,800.00
Community Services	194,428.00
Regular Capital Outlay	335,300.00
<u>Education Debt Service</u>	<u>335,000.00</u>

Total General Purpose School Fund **38,778,250.00**

HEAD START FUND

<u>Childhood Education</u>	<u>1,027,134.00</u>
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Total Head Start Fund **1,027,134.00**

CENTRAL CAFETERIA FUND

<u>Food Services</u>	<u>2,938,025.75</u>
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Total Central Cafeteria Fund **2,938,025.75**

GENERAL DEBT SERVICE

General Government Debt Service	1,632,956.55
<u>Education Debt Service</u>	<u>1,622,632.10</u>

Total General Debt Service Service **3,255,588.65**

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

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

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

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

One copy of each amendment shall be filled with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures for any office, agency, institution, division or department for the year ending June 30, 2013. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

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

SECTION 6. BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes provided such notes are first approved by the State Director of Local Finance to pay for the expenses herein authorized until the taxes and other revenue for the year 2012-2013 have been collected. The proceeds of loans for each of individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, T.C.A. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 2013.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 2011 and prior years and the interest and penalty thereon collected during the year ending June 30, 2013 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2011. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all encumbered balances of appropriations remaining at the end of the year shall lapse, and be of no further effect at the end of the year at June 30, 2013.

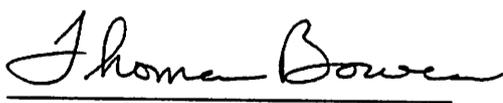
SECTION 9. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which heretofore has been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

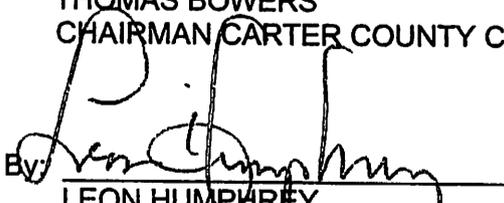
SECTION 10. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2012. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 16th day of July, 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: 
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: 
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

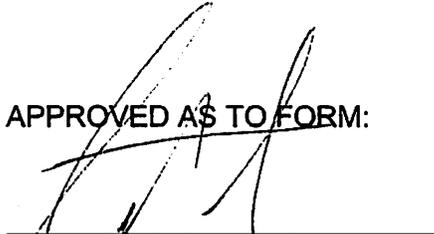
Date: _____

ATTEST:



MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:



KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE
REGULAR MEETING, MONDAY, JULY 16, 2012

RESOLUTION NO. 573

"A RESOLUTION MAKING APPROPRIATIONS TO NONPROFIT CHARITABLE ORGANIZATIONS OF CARTER COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013"

WHEREAS, Section 5-9-109, T.C.A., authorizes the Carter County Legislative Body to make appropriations to various nonprofit charitable organizations and,

WHEREAS, the Carter County Legislative Body recognizes the various nonprofit charitable organizations providing services in Carter County have great need of funds to carry on their nonprofit charitable work.

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 16th day of July, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, and;

SECTION 1. That eight hundred fifty three thousand, nine hundred eighty seven dollars and fifty cents (\$853,987.50) be appropriated to nonprofit organizations in Carter County as reflected below.

No.	Agency	Amount
101-54310-316	Volunteer Fire Departments	\$ 330,000.00
101-54420-599	Rescue Squad	104,354.50
101-55130-316	Emergency 911 Service	173,858.00
101-55180-316	Vocational Rehabilitation	20,727.00
101-55520-316	Community Day Care	1,500.00
101-55900-316	Red Cross	1,425.00
101-56300-316	Senior Citizens	14,440.00
101-56300-316	First TN Human Resource Agency	30,570.00
101-56300-316	Retired Senior Volunteer Program	1,000.00
101-56500-316	Library	31,587.50
101-56500-316	Imagination Library	5,000.00
101-56700-316	Parks and Recreation	22,562.50
101-57900-309	Soil Conservation	18,952.50
101-57900-316	Department of Agriculture	902.50
101-58190-316	First Tennessee Development District	8,986.00
101-58190-316	Pathology	38,622.00
101-58500-316	Carter County Tomorrow	40,000.00
101-58500-316	Boys and Girls Club	9,500.00
Total		<u>\$ 853,987.50</u>

BE IT FURTHER RESOLVED that all appropriations enumerated in Section 1 above are subject to the following conditions:

1. That the non-profit charitable organizations to which funds are appropriated shall file with the County Clerk and the disbursing official a copy of an annual report of its business affairs and transactions and the proposed use of the County's funds in accordance with rules promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the Chief Financial Officer of such non-profit organization in accordance with Section 5-9-109 (c), Tennessee Code Annotated.
2. That said funds must only be used by the named non-profit charitable organization in furtherance of their non-profit charitable purpose benefitting the general welfare of the residents of Carter County.
3. That it is the expressed interest of the County Commission of Carter County providing these funds to the above named non-profit charitable

organizations to be fully in compliance with Chapter 0380-2-7 of the Rules of the Comptroller of the Treasury, and Section 5-9-109 of Tennessee Code Annotated and any and all other laws which may apply to County appropriations to non-profit organizations and so this appropriation is made subject to compliance with any and all of these laws and regulations.

BE IT FURTHER RESOLVED that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2012. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 16th day of July, 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:

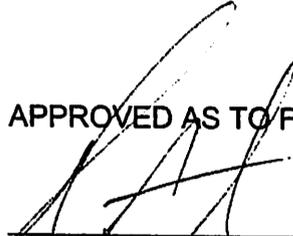
By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: _____

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:



KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY