

**Carter County Commission Meeting
Regular Session
March 18, 2013**

APPROVED
May 20, 2013

Chairman, Tom Bowers called the meeting to order at 9:00 A.M.

Chairman announced that an Emergency Security Drill for the Courtroom and the Courthouse is set for March 28, 2013, at 9:00 A.M.

Roll Call as follows:

Present: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Present)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers and Robert Gobble. (4 Absent)

Quorum Present.

Prayer was led by Lawrence Hodge, followed with the Pledge of Allegiance to the American flag led by Ronnie Trivett.

Chairman Bowers noted the placement change in the Public Comments on the Agenda. He stated guidelines concerning these that comments would be limited to two minutes and only items listed on the agenda would be addressed.

Public Comments were voiced by the following on various issues.
Roy Livingston- Landfill, Clean-Up date and Financial Reports.
John Pat Hampton-Landfill, Free Trash Day.

Nancy Brown asked that Keith Bowers, Jr. County Attorney, voice his opinion concerning the placement of Public Comments on the agenda. Attorney Bowers stated that the agenda is prepared by the Chairman of the Commission. However, the commission has the right to accept or reject the agenda as presented.

Under Public Comments, Mr. Jim Shepherd was recognized by Chairman Bowers. Mr. Shepherd stated that the agenda needed to be more detailed in order to address items being discussed. Mr. Shepard also spoke concerning the Pauper's Burial. It was his opinion that the current request should be paid. He stated that the current policy may need to be readdressed, reviewed and possibly changed.

Motion was made by John Lewis, seconded by Ken Arney to **accept the minutes of the last meeting, February 19, 2013, as printed.**

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

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

Notaries/Bonds as presented March 18, 2013

Amanda Collins	Lisa M. Light	Tammy Kyviakidis
Chris Guy	Rhonda Mullins	Linda M. Shouse
Eleanor Banks	Cynthia Karen Morgan	Gina Birchfield
Kelly Ensor	Susan Finney	Kimberly A. Lyons
Caroline F. Jennings	Katherine H. May	Vanessa S. Reine
Jim Muse	C. Deann Collins	Sharon Irwin

Elected and Appointed Officials/Guests and Veterans in attendance were recognized and thanked for their service.

Mayor's Report was presented and included the following:

Proclamation of April 2013 as Confederate History and Heritage Month in Carter County, Tennessee. Bill Hicks, Commander of Lt. Robert J. Tipton Camp #283 was recognized and presented a copy of the Proclamation by Mayor Humphrey. Recorded page 34.

Agenda's will now be scanned and placed on the County's Website by the Mayor's Office. It was noted, that many of these reports are draft copies. Once the reports have been approved, they too will be placed on the website.

Jeff Chambers was reappointed for another four (4) year term to the *Board of Commissioners of the South Elizabethton Utility District*. This was done under the TCA 7-82-307 guidelines and according to the list of nominees received February 28, 2013 by Mayor Humphrey. Therefore, Mayor Humphrey declared the reappointment of Jeff Chambers and requested this be reflected by the Clerk in the minutes.

Chairman Bowers asked why this item was not placed in the packets for review and consideration prior to the meeting, as the letter was dated February 29, 2013. Mayor Humphrey stated that this was one time that the Mayor had a "short coming" and failed to do so.

Request for federal funding thru the Emergency Water Shed Protection Program has been made. This is to restore those streams and waterways damaged by the excessive rains in January 2013. Response concerning these request should come quickly and necessary permits can be obtained.

Second Amendment Resolution-Right to Bear Arms was presented by Mayor Humphrey for re-consideration by the Commission. Mayor Humphrey stated that his office had received numerous contacts questioning the actions taken on the Resolution during the February Meeting.

Chairman Bowers also stated, that this Resolution was not forwarded to him as Chairman of the Commission, to be put on the agenda and placed in the Commissioners packets. To present this for reconsideration during the March Commission meeting was out of order.

Motion was made by Nancy Brown to present the Second Amendment Resolution-Right to Bear Arms for re-consideration vote by the Commission as presented.

Chairman Bowers stated that Nancy Brown was too out of order, due to this not being on the agenda and presented to the Commissioners prior to the meeting.

Motion was seconded by John Lewis to present the Second Amendment Resolution-Right to Bear Arms for re-consideration vote by the Commission as presented.

Chairman Bowers stated that this motion was also out of order.

Much discussion followed as concerning the presentation of the Resolution by Mayor Humphrey.

Motion to table until the next Commission meeting and be placed on the agenda, the Second Amendment Resolution-Right to Bear Arms vote for re-consideration was made by Ken Arney, seconded by Sonja Culler.

Roll Call Vote as follows:

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

Nays: Nancy Brown, Ronnie Trivett, Harry Sisk, Charles VonCannon, Charlie Bayless, John Lewis, Russell Kyte, and Scott Sams. (8 Nays)

Passing: Joel Street, L.C. Tester, JoAnn Blankenship, and Bobbie Gouge-Dietz. (4 Passing)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers and Robert Gobble. (4 Absent)

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

Following the motion table, Buford Peters requested that County Attorney Keith Bowers, Jr. read, which he did, the resolution in question,

"A RESOLUTION TO PRESERVE AND DEFEND THE RIGHTS OF THE CITIZENS OF CARTER COUNTY, TENNESSEE TO KEEP AND BEAR ARMS AS GRANTED BY THE CONSTITUTION OF THE UNITED STATES OF AMERICA AND THE CONSITUTION OF THE STATE OF TENNESSEE." Recorded on pages 32-33.

Being that this was on the floor for reconsideration, Joseph Kolodziejski was recognized by Chairman Bowers and allowed to speak. Mr. Kolodziejski approached the podium and expressed his opinion on the vote about to be taken.

Chairman Bowers noted that the **original motion (to accept as presented)** was back on the floor and would be accepted for consideration and requested a roll call vote.

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, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, John Lewis, Russell Kyte, Scott Sams, and Bill Armstrong. (16 Ayes)

Nays: Tom Bowers, and Pat Hicks. (2 Nays)

Passing: Ken Arney, and Sonja Culler. (2 Passing)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent).

By majority roll call vote, **motion carried. Resolution No. 584.** Recorded on pages 32-33.

Motion was made by Ronnie Trivett, seconded by Nancy Brown to enter into a ten (10) minute recess.

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

Following the ten (10) minute recess, Chairman Tom Bowers called the meeting **back to order** with the Mayor's Report continuing.

Commission Downsizing. Mayor Humphrey stated that that many desired a smaller commission as was shown in a recent survey. He ask that a motion be initiated allowing a Private Act to be presented concerning the downsizing of the Commission allowing this request to be placed on the ballot in the 2014 election.

Chairman Bowers, stated that once again this item was not placed in the packet for placement on the agenda. Mr. Bowers stressed that information needed to be placed in the packet the same as other reports and committees do and that information that is not in the packets, would be deleted from the agenda.

Mayor Humphrey replied that the reason the items were not placed in the packet was that he (Mayor Humphrey) would be guilty of allowing "You sir, and the rest of the Commission, to violate this issue in Sunshine".

Chairman Bowers stated that these accusations of violating the law would no longer be tolerated.

Several Commissioners spoke concerning accusations and downsizing issues.

Chairman Bowers stated that items only placed in the packets would be presented before the Commission for consideration during Commission meetings.

COMMITTEE REPORTS/RECOMMENDATIONS

Monthly Committee Minutes are placed on file in the County Clerk's Office and are available for review upon request.

BUDGET COMMITTEE

Motion was made by Harry Sisk upon recommendation from the Budget Committee, and seconded by Nancy Brown to approve a request from Tax Assessor Ronnie Taylor, a tax refund to Doe River Gorge Christian Camp \$4,929.00 and Burger Hut \$732.00 due to the fact that they were deemed exempt by the State Board of Equalization and filed incorrectly. Request references see pages 35- 36.

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk and seconded by Sonja Culler and upon request from Landfill Committee and upon recommendation from the Budget Committee, to approve and allow the Landfill to use \$5,848.00 in line item 64000-599. This is to be used to cover the expenses of tires brought to the landfill for disposal by the Sheriff's Department and Highway Department, as well as cover expenses for the annual River Cleanup Day. This line item was designated for county cleanup projects.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (19 Ayes)

Nays: Nancy Brown (1 Nay)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Ronnie Trivett, to transfer \$600.00 from Fund Balance to pay the current outstanding Pauper's Burial of cremation, under the current policy, that was being held for payment. It was noted that all funds in the Pauper Burial line item had been exhausted.

Several comments were made concerning the current policy concerning Pauper's Burial.

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, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (18 Ayes)

Nays: Tom Bowers, and Ken Arney. (2 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Joel Street to pay **\$865.00 from the Courtroom Security Reserve for the cost of relocating the camera in Circuit Clerk, John Paul Mathes' office.**

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Nancy Brown to accept and approve **\$4,718.00 in donations as received by and for the Elizabethton Carter County Animal Shelter.** Listed on pages 37-38.

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble (4 Absent)

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

Motion was made by Harry Sisk, seconded by Joel Street to accept and approve **\$600.00 in donations, as listed on page 39 as received by and for the Carter County Clean Team.** This is a group of students who travel to area classrooms and encourage recycling and other "green" efforts. These donations will be used to feed the members when they present programs in the classrooms.

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Lawrence Hodge to approve **General Fund 101 Budget Amendment # 6, with 8 items for a total of \$25,640.85 and \$0 coming from Fund Balance.** Recorded on page 39.

Discussion followed concerning the status of the Fund Balance.

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Ronnie Trivett to approve **Solid Waste Fund 116 Amendment #3 with 1 item for a total of \$600.00 and \$0 coming from Fund Balance.**
Recorded on page 40.

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, Ken Arney, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk, seconded by John Lewis to approve **General Purpose School Fund Amendment # 6 with 1 item for a total of \$79,868.71 and \$0 coming from Fund Balance.**
Recorded on page 40.

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, *Ken Arney, John Lewis, *Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)
(Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Sonja Culler, to approve **Federal Projects Fund 142 Amendments #5 with 2 items for a total of \$8,160.00 and \$0 coming from Fund Balance.**
Recorded on page 40.

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, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, *Ken Arney, John Lewis, *Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, and Pat Hicks. (20 Ayes)
(Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Steve Lowrance, Steve Chambers, and Robert Gobble. (4 Absent)

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

FINANCIAL MANAGEMENT COMMITTEE

JoAnn Blankenship presented an update concerning the most recent tax sale of properties with back taxes due from 2003 and 2004.

Ms. Blankenship stated that County Attorney, Keith Bowers, Jr. had received a letter from the Carter County Rescue Squad terminating their agreement.

Motion was made by Ken Arney, seconded by Ronnie Trivett to **open and receive bids for Emergency/Ambulance and Rescue Services in Carter County.**

During discussion, it was stated that this item was not on the agenda and should not be brought up for consideration.

However, Chairman Bowers noted that other items not on the agenda, had been brought before the Commission today for consideration therefore, he ask for a voice vote. The voice vote was inconclusive and a roll call vote on the motion was requested by Chairman Bowers.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Ronnie Trivett, Tom Bowers, Charlie Bayless, Ken Arney, Russell Kyte, and Bill Armstrong. (8 Ayes)

Nays: Charles VonCannon, L.C. Tester, John Lewis, and Scott Sams. (4 Nays)

Passing: Nancy Brown, Joel Street, Harry Sisk, JoAnn Blankenship, Bobbie Gouge-Deitz, Sonja Culler, and Pat Hicks. (7 Passing)

Absent: Gebe Ritchie, Richard Winters, Steve Lowrance, Steve Chambers, and Robert Gobble. (5 Absent)

Due to not receiving a majority vote, **motion failed.**

Motion was made by Ronnie Trivett, seconded by Nancy Brown to **refer to the Health & Welfare Committee, and then to the Financial Management Committee the matter of the Emergency/Ambulance and Rescue Services in Carter County for reconsideration.**

County Attorney, Keith Bowers, Jr. advised that additional data was needed from all parties before final action is made concerning these services.

Financial Director Ingrid Deloach, also stated, that she too had spoken with several others on this matter. Many codes were confusing and until rates were defined and presented, a decision would be too difficult to be reached.

Chairman Bowers called for a voice vote on the motion. By majority voice, all ayes, **motion carried.**

HEALTH & WELFARE COMMITTEE

Ken Arney stated that he had spoken with the Pastor of First Freewill Baptist Church concerning the use of the church as a shelter, should evacuation of the Courthouse become necessary. The Pastor, along with the Deacons of the Church, informed him that "It would be a pleasure to be of help the county." It was also noted that the nearby Courtyard Apartments would be able to use the building for shelter should it become necessary.

The EMA Director and the Sheriff would be the designated people concerning the opening of the church building as needed.

Questions were asked concerning Delinquent Property Tax Sales held by the County. Clerk and Master, Melissa Moreland, stated that these were advertised in the local paper and sales were held in the main Courtroom.

BUILDING & GROUNDS COMMITTEE

Motion was made by L.C. Tester, upon recommendation from the Building & Grounds Committee, seconded by Ronnie Trivett, to **approve transfer of surplus kitchen items from the old jail, as a gift, to the Elizabethton City Fire Department** following guidelines as set forth. Finance Director, Ingrid Deloach is to process and complete transfer of items gifted noting such on inventory. Any items not desired by the Elizabethton City Fire Department are to be placed for sale at auction.

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

COUNTY ATTORNEY'S REPORT – KEITH BOWERS, JR. Items included the following:

Insurance Claim – Additional information for claim, has been requested concerning an inmate injured at the jail and later passing at a local hospital.

Litigation's – Attorney Jeff Ward has been retained at the insurance rate, as counsel concerning pending cases. A letter is being prepared desiring a dismissal.

SIA Project – Tom Anderson of Carter County Tomorrow, along with others are working to secure a release of road right of ways to further project completion.

Landfill – Advanced Disposals Company bid received, currently working on terms for final contract. April 1, 2013 is the date set as a goal to begin services.

Rescue Squad – Numbers concerning charges and fees must be presented before a final recommendation can be reached.

Elizabethton/Carter County Animal Shelter – New and revised forms now being used. These new form will be helpful in providing better services.

COMMISSIONER COMMENTS

John Lewis asked that Roy Livingston be recognized from the floor and allowed to speak. Chairman Bowers noted that this was out of order, as Public Comments had been presented.

Chairman Bowers stated that several items had been presented for consideration and discussion today that were not on the agenda nor placed in the packets. He asked that for the benefit of the Commission, as well as for informing the public, that all items being discussed be placed on the agenda as well be placed in the packets. This will be necessary for the item(s) to be presented during a Commission meeting. It was noted that the only exception would be an emergency situation needing immediate attention.

Chairman Bowers ask for a motion concerning the above request.

Motion was made by Ken Arney, seconded by Sonja Culler that **all items being recognized for consideration and discussion during Commission Meetings be placed on the Agenda and in the packets prior to the meeting. The only exception, would be an emergency situation needing immediate attention and occurring after the packets and agenda had been prepared.**

By majority voice vote, Chairman Bowers declared the **motion had carried.** However, Nancy Brown requested a roll call vote on the previous motion to clarify the final vote.

Chairman Bowers called for a Roll Call Vote on the motion as follows:

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Harry Sisk, L.C. Tester, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, Ken Arney, Sonja Culler, Russell Kyte, Bill Armstrong, and Pat Hicks. (14 Ayes)

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

Absent: Gebe Ritchie, Richard Winters, Steve Lowrance, Steve Chambers, and Robert Gobble. (5 Absent).

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

Motion to adjourn was made by Ronnie Trivett, seconded by "many". By majority voice vote, motion carried and meeting adjourned at 11:30 AM.

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE
REGULAR MEETING, MONDAY, MARCH 18, 2013

RESOLUTION NO. 584

"A RESOLUTION TO PRESERVE AND DEFEND THE RIGHTS OF THE CITIZENS OF CARTER COUNTY, TENNESSEE TO KEEP AND BEAR ARMS AS GRANTED BY THE CONSTITUTION OF THE UNITED STATES OF AMERICA AND THE CONSTITUTION OF THE STATE OF TENNESSEE."

WHEREAS, the founders of this great country, in establishing a government free for the tyrannical rule of England, drafted the Constitution of the United States of America to provide a framework by which the citizens of this country could live and prosper free from fear and oppression; and

WHEREAS, in their wisdom the founders also ensured that certain rights and freedoms would be guaranteed to the citizens of this country through the ratification of the first ten amendments to United States Constitution, collectively referred to as the Bill of Rights; and

WHEREAS, the Second Amendment to the Constitution of the United States of America provides: "A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."; and

WHEREAS, the United States Supreme Court, in interpreting the Constitution of the United States, has repeatedly upheld the Second Amendment and the rights of individual citizens of the United States to keep and bear arms; and

WHEREAS, the drafters of the Constitution of the State of Tennessee also sought to ensure certain freedoms and rights would be guaranteed to the citizens of this state through Article I of the Tennessee Constitution, which is known as the Declaration of rights.

WHEREAS, Article I § 26 of the Constitution of the State of Tennessee provides "That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime."; and

WHEREAS, Article XI § 16 of the Constitution of the State of Tennessee provides "The declaration of rights hereto prefixed is declared to be a part of the Constitution of this State, and shall never be violated on any pretence whatever. And to guard against transgression of the high powers we have delegated, we declare that everything in the bill of rights contained, is excepted out of the General powers of government, and shall forever remain inviolate."; and

WHEREAS, the President of the United States, Vice President of the United States, and certain members of the United States Congress are reportedly considering taking certain actions, including the proposal and adoption of certain laws or regulations, which would infringe upon the rights of citizens of the United States of America and the State of Tennessee to keep and bear arms as guaranteed to said citizens by virtue of the Second Amendment to the Constitution of the United States and Article I § 26 of the Constitution of the State of Tennessee; and

WHEREAS, the Commission of Carter County, Tennessee, finds that it is in the best interest of the citizens of Carter County to pass a Resolution expressing the disdain of the citizens of Carter County toward these proposed infringements and petitioning the Governor and the General Assembly of the State of Tennessee to take preventative measures in this matter to ensure the preservation of the rights of the citizens of Carter County and the State of Tennessee to keep and bear arms.

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Carter County, Tennessee, meeting in regular session on this the 18th day of March, 2013, with a lawful quorum of said Commission being present and with a majority voting in the affirmative that the County Commission of Carter County, Tennessee hereby calls upon the Governor and the General Assembly of the great State of Tennessee to immediately pass any acts as may be

appropriate to protect, preserve, and defend the rights of the citizens of Carter County and the State of Tennessee guaranteed to them by the Second Amendment to the Constitution of the United States and Article I § 26 of the Constitution of the State of Tennessee to keep and bear arms; and specifically to immediately pass any acts as may be appropriate to nullify the implementation within the State of Tennessee of any Federal Law, Regulation, or Executive Order enacted to restrict the rights of the citizens of Tennessee to keep and bear arms; and

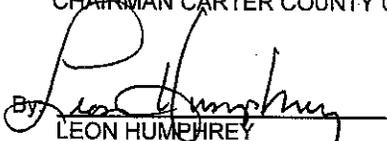
BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding, and further that this resolution shall be transmitted to the Clerks of the Senate and the Tennessee House of Representatives, as well as the office of the Governor of Tennessee.

Adopted this 18th day of March, 2013.

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

Confederate History and Heritage Proclamation

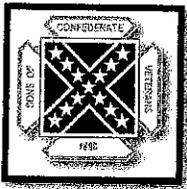
WHEREAS, April is the month in which the people of the Confederate States of America began and ended a four-year heroic struggle for states' rights, individual freedom, local government control and determined struggle for deeply held beliefs; and

WHEREAS, Carter County supplied citizen soldiers and officers who fought for their beliefs in this great struggle; and

WHEREAS, Carter County, Tennessee has long recognized her Confederate history, the officers and enlisted men of the Confederate States Army and the Navy and those at home who made sacrifices on behalf of their families, homes, communities, and country; and that it is just and right to do so; and

WHEREAS, the noble spirit and inspiring leadership of these great officers, leaders, and the ordinary men and women, free and not free, of the Confederate States is an integral part of the history of all of America; and

WHEREAS, it is important for all citizens of Carter County to reflect upon our past and to respect the devotion of her Confederate leaders, soldiers, and citizens to the cause of Southern liberty; and

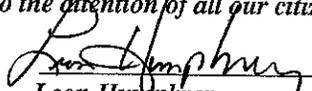


WHEREAS, Carter County, Tennessee is proud to recognize and celebrate the devotion of her Confederate soldiers and all those from Carter County who fought and sacrificed in this great struggle that divided families, the nation, and our State; and

WHEREAS, the knowledge of the role of the Confederate States of America in the history of our nation and our State is vital to understanding who we are and what we are; and

WHEREAS, we honor our past and from it draw the courage, strength and wisdom to reconcile ourselves, and go forward into the future together as citizens of Carter County, Tennesseans and Americans;

NOW, THEREFORE, I Leon Humphrey, Mayor of Carter County, on this 18th day of March do hereby recognize the month of April 2013 as Confederate History and Heritage Month in CARTER COUNTY, TENNESSEE and urge all citizens of the county to engage in a historical study of the events of the years 1861 to 1865, inclusive, and to solemnly contemplate that time in our history and I call this observance to the attention of all our citizens.



Leon Humphrey
Carter County Mayor



CARTER COUNTY
STATE OF TENNESSEE

Ronnie B. Taylor
Assessor of Property

801 E. Elk Avenue
Elizabethton, TN 37643
Phone: 423-542-1806
Fax: 423-547-1511

January 29, 2013

KEITH BOWERS JR.
CARTER COUNTY ATTORNEY
3863 HWY. 19E
ELIZABETHTON, TN. 37643

RE: Doe River Gorge Christian Camp
District 11 Map 66 Ctl Map 66 Parcel 30.00 S.I. 001

Doe River Gorge Christian Camp received exemption approval by the State Board of Equalization on November 15, 2012, but the effective date of exemption went back to November 13, 2009.

The exempted property consists of 2.0 acres and a lodge building on which Doe River Gorge Christian Camp has been paying taxes.

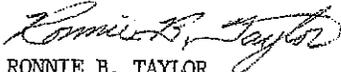
We request that Doe River Gorge Christian Camp be reimbursed as follows:

<u>TAX YEAR</u>	<u>COUNTY TAXES PAID</u>	<u>COUNTY REFUND</u>
2009	\$4,356	\$ 573 (Prorated)
2010	\$4,356	\$4,356

Total County Refund: \$4,929.

If there are any questions, or additional information is needed, please let us know.

Sincerely,


RONNIE B. TAYLOR
Assessor of Property



CARTER COUNTY
STATE OF TENNESSEE

Ronnie B. Taylor
Assessor of Property

801 E. Elk Avenue
Elizabethton, TN 37643
Phone: 423-542-1806
Fax: 423-547-1511

January 29, 2013

KEITH BOWERS JR.
CARTER COUNTY ATTORNEY
3863 HWY. 19E
ELIZABETHTON, TN. 37643

RE: Burger Hut
District 9 Map 35 Ctl Map 35 Parcel 68.00P S.I. 001

Betty's Burger Hut (now Burger Hut) submitted a 2010 Tangible Personal Property Schedule that listed incorrect equipment values. This schedule had Terry Whitehead's name on it, but was not his signature. Mr. Whitehead, the owner of Burger Hut, has now amended the original 2010 schedule, reflecting the current amounts.

We request that Terry Whitehead be reimbursed as follows:

<u>TAX YEAR</u>	<u>ORIGINAL ASSESSMENT</u>	<u>AMENDED ASSESSMENT</u>	<u>ASSESSMENT DIFFERENCE</u>	<u>COUNTY TAX RATE</u>	<u>COUNTY REFUND</u>	<u>CITY TAX RATE</u>	<u>CITY REFUND</u>
2010	\$34,010	\$1,919	\$32,091	\$2.28	\$732.00	\$1.78	\$571.00

Total County Refund: \$732.00
Total City Refund: \$571.00

If there are any questions, or additional information is needed, please let us know.

Sincerely,

RONNIE B. TAYLOR
Assessor of Property

ECCAS

Mailing Address: 136 South Sycamore Street, Elizabethton, TN 37643
Physical Address: 253 Sycamore Shoals Road, Elizabethton, TN 37643
Phone: 423-547-6359 Email: animalshelter@cartercountyttn.gov

March 6, 2013

Carter County Budget Committee

RE: ECCAS Budget Amendments

As of February 28, 2013, the ECCAS has accrued \$7,142 in adoption and return to owner fees and \$4,668 in donations. I am asking that you allow these funds to be moved as follows.

Adoption Revenue

1. The salary for the county animal control officer will be short approximately \$1,400 due to excess hours accumulated prior to August 2012.
2. Four shelter employees currently supply 100% of the trustees' food allowance each day. I would like to use \$6/day, 6d/wk to cover the end of the fiscal year. This would be approximately \$600.

Donation Revenue

1. Both animal control trucks need new dog cages to safely transport animals. These would be \$1460 plus \$137.50 for shipping.

Thank you for considering these amendments.

April Jones, ECCAS Director

July 2012 Donations	
Animal Shelter Donation-June Perry Memorial Donation (Curtis Bullock)	20.00
Animal Shelter Donation-Hazel Chambers	20.00
Animal Shelter Donation-Pat Middleton	100.00
	<u>\$ 140.00</u>
August 2012 Donations	
Animal Shelter Donation-Garrett Street	25.00
Animal Shelter Donation-Michelle Oliver	5.00
	<u>\$ 30.00</u>
October 2012 Donations	
Animal Shelter Donation-St. Thomas Episcopal Church	180.00
Animal Shelter Donation-Malory McKinney	25.00
	<u>\$ 205.00</u>
November 2012 Donations	
Animal Shelter Donation-Rec'd of Wal-Mart	1,000.00
Animal Shelter Donation-Stephanie Wood	20.00
Animal Shelter Donation-Peggy Newberry	1,000.00
Animal Shelter Donation-Brandy Stykes Wedding Donation	100.00
	<u>\$ 2,120.00</u>
December 2012 Donations	
Animal Shelter Donation-Glenn Ross	200.00
Animal Shelter Donation-Johnson City Environmental Office	75.00
Animal Shelter Donation-Unaka Elem	25.00
Animal Shelter Donation-TAD Chorus	73.00
Animal Shelter Donation-Dane Horton	50.00
Animal Shelter Donation-Elizabeth Larshus	1,000.00
Animal Shelter Donation-Hampton High Green Team	200.00
	<u>\$ 1,623.00</u>
January 2013 Donations	
Animal Shelter Donation-Sara Duncan for supplies	75.00
Animal Shelter Donation-Ellen Taylor	50.00
Animal Shelter Donation-Ruth Goodwin	100.00
Animal Shelter Donation-Holly Carlson Memorial Donation	50.00
Animal Shelter Donation- Avella Greenewell Memorial Donation (Claude Isaacs)	50.00
	<u>\$ 325.00</u>
February 2013 Donations	
Animal Shelter Donation-Teresa Jones Memorial Donation (Mary Heaton)	30.00
Animal Shelter Donation- Kenneth Andes	10.00
Animal Shelter Donation- Probation & Parole Board	165.00
Animal Shelter Donation- Joanne Spears	20.00
	<u>\$ 225.00</u>
March 2013 Donations	
Animal Shelter Donation- Robin Federspiel	10.00
Animal Shelter Donation- Sharon Woodby	40.00
	<u>\$ 50.00</u>
Total Donations Received FY 2012-2013 for Animal Shelter	\$ 4,718.00

February 2013 Donations

Carter County Clean Team- Rec'd of Food City	100.00
Carter County Clean Team- Debbie Street	300.00
	<u>\$ 400.00</u>

March 2013 Donations

Carter County Clean Team-Keith Bowers Jr. & Associates	100.00
Carter County Clean Team-Northeast Community Credit Union	100.00
	<u>\$ 200.00</u>
Total Donations Received FY 2012-2013 for Clean Team	\$ 600.00

General Fund 101
Budget Amendment #6
18-Mar-13

Item #1	44170	Miscellaneous Refunds		\$ 575.00	Decrease
	54110-353	Tow-In Services	\$ 575.00		Increase
Reimbursements for Tow-In Services					
Item #2	49700	Insurance Recovery		\$ 1,803.35	Decrease
	54110-338	Maintenance & Repairs-Vehicles	\$ 1,803.35		Increase
Recognize Insurance Reimbursement for Smithpeters Accident.					
Item #3	49700	Insurance Recovery		\$ 3,215.00	Decrease
	54110-338	Maintenance & Repairs-Vehicles	\$ 3,215.00		Increase
Recognize Insurance Reimbursement for Freeman Accident.					
Item #4	54110-170	School Resource Officers		\$ 500.00	Decrease
	54110-353	Tow-In Services	\$ 500.00		Increase
Reallocate funds to cover additional tow-in services.					
Item #5	44150	Sale of Animals		\$ 1,400.00	Decrease
	55120-169	Part-Time Personnel	\$ 1,315.00		Increase
	55120-201	Social Security	\$ 75.00		Increase
	55120-212	Employer Medicare	\$ 10.00		Increase
Reallocate adoption fees to cover part-time ACO hours above budget.					
Item #6	44150	Sale of Animals		\$ 600.00	Decrease
	55120-599	Other Charges	\$ 600.00		Increase
Reallocate adoption fees to cover trustee meals.					
Item #7	48610	Donations		\$ 1,597.50	Decrease
	55120-790	Other Equipment	\$ 1,597.50		Increase
To budget donations for purchase of new transport cages.					
Item #8	51500-499	Other Supplies and Materials		\$ 14,500.00	Decrease
	51500-435	Office Supplies		\$ 1,450.00	Decrease
	51500-719	Office Equipment	\$ 15,950.00		Increase
Reallocate funds within Election Budget to cover cost of voting machine printers.					
	Total		\$ 25,640.85	\$ 25,640.85	

Solid Waste Fund #116

Budget Amendment #3

18-Mar-13

Item #1	55754-599 Other Charges		\$	600.00	Decrease
	55754-355 Travel		\$	600.00	Increase

To reallocate funds to cover conference attendance.

Total		\$	600.00	\$	600.00
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Carter County Schools

General Fund 141

Budget Amendment #6

Item #1	71200-116	Teachers		\$	13,286.73	Decrease
	71200-128	Homebound Teachers		\$	7,942.00	Decrease
	71200-163	Educational Assistants	\$	17,222.75		Increase
	71200-171	Speech Pathologist		\$	18,386.04	Decrease
	71200-201	Social Security		\$	4,283.13	Decrease
	71200-204	State Retirement		\$	4,981.36	Decrease
	71200-206	Life Insurance		\$	336.24	Decrease
	71200-207	Medical Insurance	\$	5,547.32		Increase
	71200-208	Dental Insurance	\$	288.30		Increase
	71200-210	Unemployment Compensation	\$	363.18		Increase
	71200-212	Employer Medicare		\$	1,266.72	Decrease
	71200-310	Contracts w/Public Agencies		\$	15,930.00	Decrease
	71200-336	Maintenance & Repairs-Equip.	\$	1,600.00		Increase
	71200-399	Other Contracted Services	\$	20,000.00		Increase
	71200-429	Inst. Supplies & Materials	\$	5,847.16		Increase
	71200-499	Other Supplies & Materials	\$	2,000.00		Increase
	71200-599	Other Charges	\$	4,000.00		Increase
	71200-725	Special Education Equipment	\$	4,000.00		Increase
	72220-105	Supervisor/Director		\$	5,543.63	Decrease
	72220-124	Psychological Personnel	\$	5,000.00		Increase
	72220-135	Assessment Personnel		\$	135.00	Decrease
	72220-162	Clerical Personnel		\$	337.07	Decrease
	72220-204	State Retirement		\$	792.36	Decrease
	72220-206	Life Insurance		\$	50.40	Decrease
	72220-207	Medical Insurance		\$	1,334.34	Decrease
	72220-208	Dental Insurance		\$	217.90	Decrease
	72220-210	Unemployment Compensation		\$	45.79	Decrease
	72220-355	Travel		\$	5,000.00	Decrease
	72220-499	Other Supplies & Materials	\$	3,000.00		Increase
	72220-524	Inservice/Staff Development	\$	5,000.00		Increase
	72220-599	Other Charges	\$	3,000.00		Increase
	72220-790	Other Equipment	\$	3,000.00		Increase

To reallocate funds within the General Purpose Special Education Budgets.

Total	\$	79,868.71	\$	79,868.71
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Carter County Schools

Federal Projects Fund 142

Budget Amendment #5

Item #1	46590-893 Other Federal Through State		\$	3,000.00	Increase
	72220-524-893 Inservice/Staff Development	\$	3,000.00		Increase

To recognize additional funds in SPED Discretionary Grant.

Item #2	72220-189-892 Other Salaries & Wages		\$	2,000.00	Decrease
	72220-201-892 Social Security		\$	15.00	Decrease
	72220-204-892 State Retirement		\$	30.00	Decrease
	72220-210-892 Unemployment Compensation		\$	10.00	Decrease
	72220-212-892 Employer Medicare		\$	6.00	Decrease
	72220-399-892 Other Contracted Services		\$	99.00	Decrease
	72220-599-892 Other Charges		\$	3,000.00	Decrease
	72220-790-892 Special Education Equipment	\$	5,160.00		Increase

To amend Pre-School Discretionary Grant Budget.

Total	\$	8,160.00	\$	8,160.00
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