

Carter County Commission
Regular Session
April 18, 2016

5-16-16
APPROVED
w/Corrections
460, 468, 478

Call to Order

Chairman, Leon Humphrey, called the meeting to order at 6:00 P.M.

Courthouse-Emergency Egress Plan – Gary Smith, EMA Director, presented the Egress Plan for the Courthouse should an unforeseen emergency occur.

Roll Call – Mary Gouge, County Clerk as follows:

Name of Configuration File: C:\RollCall-Pro\Configurations\April 18 2016 Commission Meeting.rcc
Date and Time of New Session: 4/18/2016 6:03:18 PM

Beginning Roll Call for New Session:

Leon Humphrey is present
Willie Campbell is present
Buford Peters is present
Robert Acuff is present
Nancy Brown is present
Mike Hill is present
Al Meehan is present
Bradley Johnson is present
Ronnie Trivett is present
Charles Von Cannon is present
Isaiah Grindstaff is present
L.C. Tester is present
Danny Ward is present
Ross Garland is present
Bobbie Gouge-Dietz is present
Timothy Holdren is present
Randall Jenkins is present
John Lewis is present
Larry Miller is present
Sonja Culler is present
Ray Lyons is present
Scott Simerly is present
Robert Carroll is present
Vacant is absent
Cody McQueen is present

Number of PRESENT Voters for Roll Call: 24

Number of ABSENT Voters for Roll Call: 1

County Clerk Mary Gouge, declared that a **quorum was present.**

Commissioner John Lewis, was welcomed back by Chairman Humphrey, following his recent sickness, as well as the rest who were present. A card of thanks from Commissioner Lewis was also read by Chairman Humphrey.

Approval of Agenda

Motion was made by Timothy Holdren, seconded by Mike Hill, to move Item # 13, 8th District Commission Interviews and Appointments by placing prior to Item # 8, Attorney Client Session regarding PIC/CCT Litigation. (Item # 1)

Commissioner Holdren noted this was needed in order for the 8th District to be properly represented during the Attorney Client Session.

Roll Call Vote as follows (Item # 1):

1. Vote Results for: Item No. 1
Time of Vote: 6:08:48 PM
Type of Vote: 50% Needed to Pass
Leon Humphrey does not vote

01/01/11

Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: N
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Vacant was absent
Cody McQueen voted: Y

Passed (22 Y - 1 N - 1 A - 1 Absent)

Number of Abstain Votes: 1

Motion was made by Danny Ward, seconded by Randall Jenkins, to accept the Agenda of the April 18, 2015 Carter County, Tennessee Board of County Commissioners, Regular Session, with amendments as approved. Recorded on page 479 (Item # 2)

Roll Call Vote as follows (Item # 2):

2. Vote Results for: Item No. 2
Time of Vote: 6:09:13 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Vacant was absent
Cody McQueen voted: Y

Passed (23 Y - 0 N - 1 A - 1 Absent)

Number of Abstain Votes: 1

Opening Prayer was led by Willie Campbell.

Pledge of Allegiance was led by Robert Carroll.

Recognition of Elected and Appointed Officials/Guests was by Chairman Humphrey. Those present were requested to stand and be thanked for their service.

8th District Commission Interviews and Appointments

Chairman Humphrey noted three applications had been received, those being, Kelly E. Collins, Travis J. Eggers, and Rick Q. Richardson. Each were given the opportunity to come, one at a time, to address the Commission, followed by a question and answer period. It was noted that Travis Eggers was not present.

Chairman Humphrey opened the floor for nominations, noting that a second was not needed. Kelly Collins was nominated by Sonja Culler. Rick Richardson was nominated by Scott Simerly. Being that there were no other nominations, nominations ceased without objection.

A roll call vote was called for by Chairman Humphrey who requested that Commissioners voice the name for whom they wish to vote for when called upon.

Roll Vote as follows:

Voting for Kelly Collins: Buford Peters, Willie Campbell, Robert Acuff, Mike Hill, Al Meehan, Bradley Johnson, L.C. Tester, Danny R. Ward, Ross Garland, Bobbie Gouge-Dietz, Larry Miller, and Sonja Culler. **(12 Votes for Kelly Collins)**

Voting for Rick Richardson: Nancy Brown, Ronnie Trivett, Charles VonCannon, Isaiah Grindstaff, Timothy Holdren, Randall Jenkins, John Lewis, Ray Lyons, Scott Simerly, Cody McQueen, and Robert Carroll. **(11 Votes for Rich Richardson)**

Kelly Collins receiving a majority vote, was elected to fill the vacancy of the 8th District Commissioner.

County Clerk Mary Gouge, proceeded to administer the Oath of Office of County Commissioner to Ms. Kelly Collins.

Ms. Kelly Collins was welcomed to the Commission and assumed her new position as 8th District Commissioner. *Clerks Note: Ms. Collins was present during the Attorney Client Session. It was necessary for her to be marked present prior to vote for Item # 3 being taken.*

Attorney Client Session regarding PIC/CCT Litigation

Chairman, Leon Humphrey, recessed the meeting and requested that the Courtroom be cleared of everyone other than Commissioners.

Following the Attorney/Client Session, the meeting was called back into session.

Leader marked Kelly Collins as Present at: 8:13:37 PM

Motion was made by L.C. Tester, seconded by Sonja Culler, to accept as presented, Memorandum of Understanding (Carter County, Tennessee and the First Tennessee Private Industry Council, Inc. and Carter County Tomorrow). (Item # 3) Recorded on pages 480-483.

Commissioner Cody McQueen, began the discussion concerning this Memorandum.

Chairman Humphrey, vacated his chair to Vice-Chairman Buford Peters, in order to speak.

Buford Peters presided over the meeting and discussion period until the vote was taken on Item # 3.

Following discussion, and upon advice from the County Attorney, **a friendly amendment was made and accepted by L.C. Tester and Sonja Culler. It was recommended that the wording be consistent throughout the Memorandum in reference to entities.**

Vice-Chairman Buford Peters, called for a Roll Call Vote as follows (Item # 3):

3. Vote Results for: Item No. 3

Time of Vote: 8:14:40 PM

Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote

Willie Campbell voted: Y

Buford Peters voted: Y

Robert Acuff voted: Y

Nancy Brown voted: N

Mike Hill voted: Y

Al Meehan voted: Y

Bradley Johnson voted: Y

Ronnie Trivett voted: N

Charles Von Cannon voted: Y

Isaiah Grindstaff voted: Y

L.C. Tester voted: Y

Danny Ward voted: Y

Ross Garland voted: Y

Bobbie Gouge-Dietz voted: Y

Timothy Holdren voted: N

Randall Jenkins voted: N

John Lewis voted: N

Larry Miller voted: N

Sonja Culler voted: Y

Ray Lyons voted: Y

Scott Simerly voted: Y

Robert Carroll voted: N

Kelly Collins voted: Y

Cody McQueen voted: N

Passed (16 Y - 8 N - 1 A - 0 Absent)

Number of Abstain Votes: 1

Vice-Chairman Buford Peters, turned the chair back to Chairman Humphrey following the vote.

Public Comments – The following spoke on various items on today's agenda.

Lisa Germaine, spoke on Item # 10, Confederate History and Heritage Proclamation.

Dawn Peters, spoke on Item # 10, Confederate History and Heritage Proclamation.

Roy Livingston spoke on Item # 8, PIC/CCT Litigation, as well as possible fund discrepancies.

Financial Director, Christa Byrd, responded to the implied accusations concerning fund discrepancies. Mrs. Byrd stated that nothing is hidden, and she would be happy to answer questions. She also stressed that if someone feels something is being done illegal, it should be reported to the Comptroller and it would be investigated.

Carter County Director of Schools, Dr. Kevin Ward, also responded to the implied accusations concerning fund discrepancies. Dr. Ward noted funding is being used to pay off debts early, not necessarily a school debt. Therefore, this is saving interest on loans.

Paul Curzon (sp ?) spoke during Public Comments. He stated everyone needs to work together. If people don't like the way things are being handle, they need to "get out there and vote."

Motion was made by Ronnie Trivett, seconded by John Lewis, to **accept, as drafted, Confederate History and Heritage Proclamation.**

It was noted during discussion that a copy of the Proclamation had not been placed in the packet for review.

County Attorney, Joshua Hardin, read the Confederate History and Heritage Proclamation.

Commissioner Nancy Brown recognized Mr. Jack Peters, who addressed the Commission. Mr. Peters stated that both Confederate and Union Soldiers were from Carter County and

fought in the Civil War. It was stated all Civil War soldiers should be recognized in this Proclamation.

Chairman Humphrey stated he would be happy to draft a Proclamation recognizing all soldiers of the Civil War if so desired.

A Friendly Amendment was made by Buford Peters, to defer any action on the Confederate History and Heritage Proclamation until the next meeting, May 16, 2016. (Item # 4)
Commissioner Ronnie Trivett and John Lewis agreed to accept the amendment.
Recorded on page 484.

Discussion followed with Mrs. Kay Milsaps, who was present and in Civil War time era costume, speaking concerning the Proclamation being presented.

Chairman Humphrey called for a roll call on vote on deferring action on the Proclamation until next month. (Item # 4)

Roll Call Vote as follows (Item # 4):

4. Vote Results for: Item No. 4
Time of Vote: 8:41:10 PM
Type of Vote: 50% Needed to Pass

*Leon Humphrey voted: N
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: N
Al Meehan voted: N
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: N
Isaiah Grindstaff voted: N
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: N
Bobbie Gouge-Dietz voted: N
Timothy Holdren voted: N
Randall Jenkins voted: N
John Lewis voted: Y
Larry Miller voted: N
Sonja Culler voted: N
Ray Lyons voted: Y
Scott Simerly voted: N
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: N

Failed (12 Y - 13 N - 0 A - 0 Absent)

Number of Abstain Votes: 0

***Note: Vote was a tie. Therefore, Leon Humphrey voted as tie-breaker.**

Chairman Humphrey closed the Public Comments as no one else desired to speak.

At this time, Chairman Humphrey made the presentation and presented a framed copy of the Confederate History and Heritage Proclamation to Mrs. Kay Millsaps and others representatives of Lt. Robert J. Tipton Sons of the Confederate Veterans Camp # 2083.

Acceptance of Minutes from Previous Meeting

Motion was made by Ray Lyons, seconded by Isaiah Grindstaff, to accept the minutes as presented. (Item # 5)

Discussion followed with request for corrections as follows:

Page 356: Paragraph beginning with Attorney Hardin, "rechartered" changed to "uncharted".

Page 367: Motion (Item # 18) negations changed to negotiation.

Page 369: Motion (Item # 21) Danny Ward did not make the motion. Motion was made by Mike Hill.

There were no objections to the request, therefore Chairman Humphrey called for a roll call vote as follows.

Roll Call Vote as follows (Item # 5):

5. Vote Results for: Item No. 5

Time of Vote: 8:46:23 PM

Type of Vote: 50% Needed to Pass

- Leon Humphrey does not vote
- Willie Campbell voted: Y
- Buford Peters voted: Y
- Robert Acuff voted: Y
- Nancy Brown voted: Y
- Mike Hill voted: Y
- Al Meehan voted: Y
- Bradley Johnson voted: Y
- Ronnie Trivett voted: Y
- Charles Von Cannon voted: Y
- Isaiah Grindstaff voted: Y
- L.C. Tester voted: Y
- Danny Ward voted: Y
- Ross Garland voted: Y
- Bobbie Gouge-Dietz voted: Y
- Timothy Holdren voted: Y
- Randall Jenkins voted: Y
- John Lewis voted: Y
- Larry Miller voted: Y
- Sonja Culler voted: Y
- Ray Lyons voted: Y
- Scott Simerly voted: Y
- Robert Carroll voted: Y
- Kelly Collins voted: Y
- Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)

Number of Abstain Votes: 1

Notaries/Bonds

Motion was made by Isaiah Grindstaff, seconded by Mike Hill, to approve the following Notaries/Bonds as presented. (Item # 6)

Traci N. Proffitt	David R. Ferguson	Tammy Perkins
Traci Blackburn	Sonja Miller	Abigail Banks
Tonya Clark	Lillie Davenport	David Jackson
Hailey Kenner	Allena Lipford	Kelly Shook
Richard Alan Shipley	*****	Ashley Lea Walsh

Roll Call Vote as follows (Item # 6):

6. Vote Results for: Item No. 6

Time of Vote: 8:47:28 PM

Type of Vote: 50% Needed to Pass

- Leon Humphrey does not vote
- Willie Campbell voted: Y

Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis voted: Y
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (24 Y - 0 N - 1 A - 0 Absent)
Number of Abstain Votes: 1

Judicial Commissioner Interviews & Appointment

Chairman Humphrey announced that applications had been received from, Jason Fuller, Jeffery Lee Jackson, and Danny Michael Nash. Each was given the opportunity to approach the podium to present their experience and qualifications for the position. Following each applicant's presentation, a question and answer session was opened for the Commissioners.

Mr. Jason Fuller was not in attendance.

The floor was now opened by Chairman Humphrey for nominations. The nomination does not require a second, and only those receiving a nomination would be considered for the position.

Jeffrey Lee Jackson was nominated by Ray Lyons.
Danny Michael Nash was nominated by John Lewis.

No other nominations was received, therefore nominations ceased. Chairman Humphrey called for a roll call vote, with Commissioners voicing the name of whom they wished to vote for.

Roll Call Vote as follows:

Voting for Jeffrey Jackson: Nancy Brown, Mike Hill, Charles VonCannon, Ross Garland, and Ray Lyons. **(5 Votes for Jeffrey Jackson)**

Voting for Danny Michael Nash: Buford Peters, Willie Campbell, Robert Acuff, Al Meehan, Bradley Johnson, Ronnie Trivett, L.C. Tester, Isaiah Grindstaff, Danny Ward, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, John Lewis, Sonja Culler, Scott Simerly, Cody McQueen, Robert Carroll, and Kelly Collins.
(19 Votes for Danny Michael Nash)

Danny Michael Nash, receiving a majority vote, was elected to fill the position of Judicial Commissioner.

County Attorney Interviews & Appointment

Chairman Humphrey announced a single application had been received from Attorney Joshua Hardin. Attorney Hardin was given the opportunity to state his experience and qualifications. This was followed by a question and answer session from the Commissioners.

Floor was opened for nominations. Attorney Joshua Hardin was nominated by Sonja Simerly. No
Culler

others nominations were confirmed as being an Attorney, which is a requirement for position, therefore nominations ceased.

Leader marked John Lewis as absent at: 9:03:20 PM

Roll Call Vote as follows:

Voting for Attorney Joshua Hardin: Buford Peters, Willie Campbell, Robert Acuff, Nancy Brown, Mike Hill, Al Meehan, Bradley Johnson, Ronnie Trivett, Charles VonCannon, L.C. Tester, Isaiah Grindstaff, Danny Ward, Ross Garland, Timothy Holdren, Bobbie Gouge-Dietz, Randall Jenkins, Larry Miller, Ray Lyons, Sonja Culler, Scott Simerly, Cody McQueen, Robert Carroll, and Kelly Collins. (23 Votes for Joshua Hardin)

Absent: John Lewis (1 Absent)

Attorney Joshua Hardin, receiving a majority vote, was elected to the position as County Attorney. The term of this position is two years and will begin September 1, 2016.

Audit Committee Interviews & Appointment – No applications were received for this position. No applications were received for the appointment to the Parks and Recreation Board representing the 8th Legislative District.

Property Additions & Deletions to Tax Rolls (10/01/2014 – 03/31/2016)

Randal Lewis, Carter County Trustee and Sequa Shields, Deputy Assessor of Property, approached the podium and distributed information to the Commissioners and opened the floor for questions.

Motion was made by Ronnie Trivett, seconded by L.C. Tester, to accept as presented, **Property Additions and Deletions to the Tax Rolls for the Period October 1, 2014 through March 31, 2016. (Item # 7)** Recorded on pages 485-490.

Roll Call Vote as follows (Item # 7):

7. Vote Results for: Item No. 7
Time of Vote: 9:05:47 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (23 Y - 0 N - 1 A - 1 Absent)
Number of Abstain Votes: 1

Chairman Humphrey adjourned the meeting in order to enter and open the **Public Hearing concerning the following Resolution A.**

^{Doug}
Mr. ~~7~~ Hornsby, Steve Stevenson, Mrs. Steve (Katerina) Stevenson, and Ms. Tracey Coppage, addressed the Commission during the Public Hearing. Members of the Commission also presented questions and/or comments during this period.

Being that no one else expressed the desire to speak, the Public Hearing was closed by Chairman Humphrey, and the meeting was called back to order.

Director of Planning and Zoning, Chris Scheuttler, approached the podium noting the changes being made in the Amending of the Resolution as being presented. This was followed by a brief discussion session.

Resolutions

A. Amending Carter County Zoning Resolution (Campground)

Motion was made by Nancy Brown, seconded by Mike Hill, to adopt as submitted, **RESOLUTION No. 644**, "A Resolution for Amending the Zoning Resolution of Carter County, Tennessee." (Item # 8) Recorded on pages 491-495.

Chairman Humphrey called for a Roll Call Vote (Item # 8)

Roll Call Vote as follows (Item # 8):

8. Vote Results for: Item No. 8
Time of Vote: 9:43:42 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: N
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (22 Y - 1 N - 1 A - 1 Absent)
Number of Abstain Votes: 1

Resolutions

B. To Adopt Regulations Governing the use of County Right-of-Way by Utilities

Motion was made by Bradley Johnson, seconded by Randall Jenkins, to suspend the rules and to defer the reading of the Resolution, "A Resolution to Adopt Regulations Governing the Use of the County Right-of-Way by Utilities."

Chairman Humphrey called for a voice vote. By majority voice vote, all ayes, motion carried.

Motion was made by Danny Ward, seconded by Mike Hill, to adopt, **RESOLUTION No. 645**, "A Resolution to Adopt Regulations Governing the Use of the County Right-of-Way by Utilities." (Item # 11) Recorded on pages 496-508.

Discussion followed. Highway Superintendent, Roger Colbaugh (also one and the same, as The Chief Administrative Officer of the Highway Department), spoke in regards to materials. It was stated the permit would determine other specifications and requirements.

Chairman Humphrey called for a roll call vote.

Disclaimer for Employees of Carter County, Tennessee was read by Willie Campbell prior to the vote being taken.

Roll Call Vote as follows (Item # 9):

9. Vote Results for: Item No. 9
Time of Vote: 9:54:03 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester voted: Y
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (23 Y - 0 N - 1 A - 1 Absent)
Number of Abstain Votes: 1

Resolutions

C. Designating Old Highway 143 as Durward Julian Drive

Motion was made by Sonja Culler, seconded by Danny Ward, to suspend the rules and waive the reading of the Resolution, "A Resolution Honoring Cyril "Durward" Julian and Officially Designating Old Highway 143 in the Roan Mountain Community of Carter County as "Durward Julian Drive." (See Item # 10)

Chairman Humphrey called for a voice vote. Several voiced a "no" vote. Therefore, Chairman Humphrey called for a roll call vote on the previous motion as follows (Item # 10).

Leader marked L.C. Tester as absent at: 9:55:15 PM

Roll Call Vote as follows (Item # 10):

10. Vote Results for: Item No. 10
Time of Vote: 9:57:10 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: N
Al Meehan voted: N
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: N
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: N
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: N
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: N
Robert Carroll voted: A
Kelly Collins voted: Y
Cody McQueen voted: N

Passed (14 Y - 7 N - 2 A - 2 Absent)
Number of Abstain Votes: 2

Motion was made by Ronnie Trivett, seconded by Nancy Brown, to adopt,
RESOLUTION No. 646, "A RESOLUTION HONORING CYRIL "DURWARD"
JULIAN AND OFFICIALLY DESIGNATING OLD HIGHWAY 143 IN THE ROAN
MOUNTAIN COMMUNITY OF CARTER COUNTY AS "DURWARD JULIAN
DRIVE." (Item # 11) Recorded on pages 509-510.

Commissioner Hill informed the Commission family members of Mr. Julian that were present and recognized them.

Chairman Humphrey, requested that County Attorney read the Resolution Designating Old Highway 143 as "Durward Julian Drive at this time.

A roll call vote was requested by Chairman Humphrey following the reading of the Resolution.

Roll Call Vote as follows (Item # 11):

11. Vote Results for: Item No. 11
Time of Vote: 10:00:20 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y

Al Meehan voted: Y
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen voted: Y

Passed (22 Y - 0 N - 1 A - 2 Absent)
Number of Abstain Votes: 1

Chairman Humphrey moved that the Commission recess for five (5) minutes. Following the recess, Chairman Humphrey called the meeting **back to order**.

Leader marked Al Meehan as absent at: 10:11:36 PM
Leader marked Cody McQueen as absent at: 10:14:00 PM

Committee Reports/Recommendations

Budget Committee – Sonja Culler, Chairwoman, presented the following recommendations.

Motion was made by Sonja Culler, seconded by Ronnie Trivett, to **amend \$10,000 from General Fund Balance for a Sheriff's Deputy to keep the old courthouse secure. (Item # 12)**
This was coming as a recommendation from the Courthouse Security Committee.

Disclaimer for Employees of Carter County, Tennessee were read by Isaiah Grindstaff prior to the vote being taken.

Chairman Humphrey called for a roll call vote (Item # 12).

Roll Call Vote as follows (Item # 12):

12. Vote Results for: Item No. 12
Time of Vote: 10:14:11 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y

John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Nancy Brown, to pay Mark Little the normal **Judicial Commissioner pay while he fills the vacancy. (Item # 13)**

Roll Call Vote as follows (Item # 13):

13. Vote Results for: Item No. 13
Time of Vote: 10:14:44 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Randall Jenkins, to accept as presented, the March 2016 Donations totaling \$217.50 for the Animal Shelter. (Item # 14)
Recorded on page 511.

Roll Call Vote as follows (Item # 14):

14. Vote Results for: Item No. 14
Time of Vote: 10:15:19 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y

Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Robert Acuff, to approve General Fund 101 Amendment # 8 for a total of \$245,435.37 with 18 items and nothing coming from Fund Balance. (Item # 15) Recorded on pages 512-513

Disclaimer for Employees of Carter County, Tennessee was read by Isaiah Grindstaff prior to the vote being taken.

Roll Call Vote as follows (Item # 15):

15. Vote Results for: Item No. 15
Time of Vote: 10:17:00 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve Highway Fund 131 Amendment # 5 for a total of \$302,100 with 2 items and nothing coming from Fund Balance. (Item # 16) Recorded on page 511.

Disclaimer for Employees of Carter County, Tennessee was read by Willie Campbell prior to the vote being taken.

Roll Call Vote as follows (Item # 16):

16. Vote Results for: Item No. 16
Time of Vote: 10:17:44 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Ross Garland, to approve General Purpose School Fund 141 Amendment # 10 with 1 item for a total of \$50,000 with zero coming from Fund Balance. (Item # 17) Recorded on page 511.

Disclaimer for Employees of Carter County, Tennessee were read by Kelly Collins prior to the vote being taken.

Roll Call Vote as follows (Item # 17):

17. Vote Results for: Item No. 17
Time of Vote: 10:18:38 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y

Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Motion was made by Sonja Culler, seconded by Danny Ward, to approve Federal Projects Fund 142 Amendment # 6 with 1 item for a total of \$9,890.27 and nothing coming from Fund Balance. (Item # 18) Recorded on page 511.

Disclaimer for Employees of Carter County, Tennessee were read by Kelly Collins prior to the vote being taken.

Roll Call Vote as follows (Item # 18):
18. Vote Results for: Item No. 18
Time of Vote: 10:19:30 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Dr. Kevin Ward, Carter County Director of School presented information concerning two school referendum projects to be presented for approval. These were for the parking lot at Cloudland High School (\$138,137) and handicap accessible bleacher renovations at Hampton High School (\$270,400).

Motion was made by Sonja Culler, seconded by Bobbie Gouge-Dietz, to approve \$408,537 coming from School Referendum money, to complete the two projects, parking lot at Cloudland High School, and the bleacher renovations at Hampton High School. No new money. (Item # 19).

Disclaimer for Employees of Carter County, Tennessee were read by Kelly Collins prior to the vote being taken.

Roll Call Vote as follows (Item # 19):

19. Vote Results for: Item No. 19
Time of Vote: 10:22:15 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Building and Grounds Committee – Committee Chairman, Ray Lyons, reported the minutes reflect actions of the Committee. No recommendations presented.

Financial Management Committee – Committee Chairman, Ray Lyons reported he had no recommendations to be presented.

Education Committee – Charles VonCannon, Committee Chairman presented the report. No recommendations were presented.

Health and Welfare Committee – Timothy Holdren Committee Chairman, reported the Drug Free Workshop is set for May 12, 2016 from 5:00 – 7:00 PM and would be held in the Main Courtroom. Any recommendations made during the workshop, would be presented for approval by the full Commission.

Robert Acuff, Chairman, announced the Emergency Task Force Committee would be meeting May 19, 2016 and report would be forth coming.

Highway Committee – Mike Hill, Committee Chairman stated the minutes reflected actions taken during the committee's meeting. No recommendations were made other than the actions recommended previously concerning Durward Julian Drive.

Landfill Committee – Committee Chairwoman, Bobbie Gouge-Dietz, presented a brief report. It was announced the State Household Waste Event would be held on May 7, 2016 from 9AM – 1 PM at the recycling center.

Landfill Director, Benny Lyons, informed the Commission that we have been approved for the grant from the State for purchasing of recycle tubs. A request for more information regarding the used oil grant has been made also by the State.

A thank-you, to Sheriff Dexter Lunceford, and his trustees for services at the Landfill was expressed.

Law Enforcement – Committee Chairman, Cody McQueen was not present. No report.

Nominating Committee – Ronnie Trivett, Committee Chairman, presented the following recommendation concerning Beverly "Joyce" Matherly as requested by Assessor of Property, Ronnie Taylor.

Motion was made by Ronnie Trivett, seconded by Isaiah Grindstaff, to confirm appointment of Beverly "Joyce" Matherly to the Equalization Board. Ms. Matherly will be replacing M.L. Jack following his resignation. (Item # 20)

Roll Call Vote as follows. (Item # 20):

20. Vote Results for: Item No. 20
Time of Vote: 10:37:35 PM
Type of Vote: 50% Needed to Pass

Leon Humphrey does not vote
Willie Campbell voted: Y
Buford Peters voted: Y
Robert Acuff voted: Y
Nancy Brown voted: Y
Mike Hill voted: Y
Al Meehan was absent
Bradley Johnson voted: Y
Ronnie Trivett voted: Y
Charles Von Cannon voted: Y
Isaiah Grindstaff voted: Y
L.C. Tester was absent
Danny Ward voted: Y
Ross Garland voted: Y
Bobbie Gouge-Dietz voted: Y
Timothy Holdren voted: Y
Randall Jenkins voted: Y
John Lewis was absent
Larry Miller voted: Y
Sonja Culler voted: Y
Ray Lyons voted: Y
Scott Simerly voted: Y
Robert Carroll voted: Y
Kelly Collins voted: Y
Cody McQueen was absent

Passed (20 Y - 0 N - 1 A - 4 Absent)
Number of Abstain Votes: 1

Parks and Recreation – Randall Jenkins, County Liaison. No recommendations.

Rules and By-Laws – Randall Jenkins, Committee Chairman, reported the minutes were in the packets and no recommendations were to be presented. He also wished to express thanks,

to the Tennessee College of Applied Technology and intern, Ciara Ward. Ms. Ward has volunteered to do the minutes for the Rules & By-Laws, Health & Welfare, Building & Grounds, and the Law Enforcement Committees.

Agricultural Committee – Commissioner, Ross Garland, reported that interviews were completed and Emily ~~Barker~~ ^{Barton} would be replacing former 4-H Leader, Ms. Camille Jesse.

County Attorney Report – Joshua Hardin, County Attorney

General Litigation update as follows:

Potential settlement of PIC/CCT litigation.

2012-2013 Delinquent tax sale litigation progress. Service of process has now been achieved on all defendants by personal service and/or publication. Tax sale set for September 23, 3016 at 9:00 AM. Approximately 180 remaining parcels.

2014 Delinquent tax suit was filed on March 31. There are in excess of 600 parcels currently in said lawsuit. We are currently in the process of issuing and serving process.

Litigation against Carter County dismissed with prejudice—Johnson V. Carter County & Hampton Utility District, et al.

Carter County was named as defendant in new litigation filed in the Circuit Court this month – Wilson v. Carter County, et al. The complaint has been forwarded to our insurance carrier.

Other Work performed/ongoing:

Research completed this month and opinions rendered for various county office holders and commissioners as requested.

Circuit Court Clerk's Office – Continued assistance provided with employment law matters. Appeals hearing conducted with TN Department of Labor re: employee claim.

Sheriff's Department – Review of two contracts: King University graduate student placement and leads online service.

Highway Department – Draft agreement re: Morrell Cemetery Road matter, ongoing work with Cooter Lane abandoned road issue, Slemp Lane matter, draft of formal road adoption policy.

Finance Department – Assistance provided with employment law matter and open records request.

Attended various committee meetings and performing ongoing work as requested.

Research conducted, multiple meetings attended extensive settlement negotiations regarding PIC litigation.

Draft of Resolutions considered at tonight's meeting.

Commissioner Comments

Chairman, Leon Humphrey, recognized Highway Superintendent, Roger Colbaugh. He spoke on concerning the Rittertown bridge project.

Commissioner, Ross Garland, wanted to express appreciation to Roger Colbaugh, Joshua Hardin, Christa Byrd, and staff, as well as the many others that helps to make these projects complete and for doing a good job.

Carter County Expenditure Budget Report for the Month of March was provided to Carter County Commissioners by Christa Byrd, Financial Director. Included in the report were Account Numbers, Account Description, Budget Amounts, Budget Amendments, and Amended Budgets, Month-to-day expenditures, Outstanding encumbrances, and Unencumbered Balances.

Adjourn

Motion to adjourn was made by Randall Jenkins, seconded by Danny Ward. By majority voice vote, all ayes, motion carried.

Meeting Ended at: 10:43:37 PM

AGENDA
CARTER COUNTY, TENNESSEE
Board of County Commissioners
REGULAR SESSION
Monday, April 18, 2016 6:00 PM

1. Call to Order
2. Courthouse-Emergency Egress Plan
3. Roll Call-County Clerk
4. Approval of Agenda
5. Opening Prayer
6. Pledge of Allegiance
7. Recognition of Elected and Appointed Officials/Guests
8. Attorney Client Session regarding PIC/CCT Litigation
9. Public Comments
10. Confederate History and Heritage Proclamation
11. Acceptance of Minutes from Previous Meeting
12. Notaries/Bonds
13. 8th District Commission Interviews & Appointment
14. Judicial Commissioner Interviews & Appointment
15. County Attorney Interviews & Appointment
16. Audit Committee Interviews & Appointment
17. Property Additions & Deletions to Tax Rolls (10/1/2014-3/31/2016)
18. Resolutions
 - A. Adjourn meeting and conduct public hearing concerning Amending Carter County Zoning Resolution (Campgrounds). Reconvene meeting and consider Resolution Amending Carter County Zoning Resolution (Campgrounds).
 - B. To Adopt Regulations Governing the Use of County Right-of-Way by Utilities
 - C. Designating Old Highway 143 as Durward Julian Drive
19. Committee Reports/Recommendations
20. County Attorney Report
21. Commission Comments
22. Adjourn

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("agreement") is entered into by Carter County, Tennessee (hereinafter "County"), the First Tennessee Private Industry Council, Inc. (hereinafter "FTPIC"), and Carter County Tomorrow, LLC, (hereinafter "CCT") for the purpose of expressing their agreement in principle to the terms of a formal settlement of the issues of dispute currently existing between the parties, including the pending litigation in the Carter County Chancery Court, Case No. 29198.

The parties agree in principle to the terms herein, agree to bind themselves according to the provisions herein as applicable to the individual parties, and to formally complete the required documentation to settle the issues of dispute between them as expeditiously as possible.

NOW THEREFORE, the parties hereto desire to formally set forth their agreement to the following terms:

1. The parties agree not to oppose the passage of a new interlocal agreement between all appropriate parties to establish a new joint economic and community development board pursuant to Public Chapter 1101, and specifically Tenn. Code Ann. § 6-58-114, as soon as possible so grant opportunities will not be jeopardized.

2. CCT/FTPIC agrees to install an elevator at the workforce development complex (hereinafter "Complex") as expeditiously as possible and to continue to perform all reasonably appropriate maintenance at the Complex as required by the terms of the lease, including roof repair as required.
3. CCT/FTPIC agrees to use its best efforts to maintain the existing relationships with the current sub-lessees of the Complex.
4. The parties agree that the term of the existing lease for the Complex between County and CCT/FTPIC shall be reduced by one half and will therefore expire on July 31, 2022. The parties' agreement shall be expressed in a written novation/modification of the existing lease approved by the parties.
5. CCT/FTPIC agrees to fairly assess the operations of the to be newly established joint economic and community development board once operations begin. It is the intent of CCT/FTPIC to ensure that all corporate financial obligations and the goals and purpose and intent of CCT/FTPIC are met. CCT/FTPIC shall consider the transfer of any remaining assets, including the remaining reduced term of the lease for the Complex, to the proposed new joint economic and community development board if it is determined that said transfer is appropriate.
6. CCT/FTPIC will waive any funding or contribution currently owed by the County and will make no claims or requests for past or future funding of any

type from the County for the remainder of the lease term and/or existence of CCT and/or FTPIC as entities.

7. The parties generally support regional economic development efforts and will not unreasonably hinder such efforts should the legislative bodies of the appropriate governmental entities approve such arrangements.

8. The County acknowledges the current corporate existence of CCT and the validity of the current lease and agrees to dismiss the Chancery Court litigation currently pending between the parties with prejudice upon the terms of and conditions of this Memorandum of Understanding.

9. Upon the satisfactory legislative action being taken by Carter County to confirm the substance of this settlement Memorandum of Understanding, all parties to the pending Chancery Court litigation shall execute mutual global releases of liability in favor of each other. Said releases shall not include the ongoing obligations under the lease, including the elevator and roof obligations.

10. The parties agree to split the court costs of litigation on a 50/50 basis. Each party shall bear its own attorney's fees.

11. The parties' counsel of record shall file appropriate pleadings to secure the dismissal of the Chancery Court litigation.

12. Upon the express mutual agreement of the parties to the terms of this Memorandum of Understanding, each party authorizes its counsel of record to sign its consent to this agreement.



JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

4/18/16
Date

CHARLTON R. DEVAULT, JR.
ATTORNEY FOR FTPIC/CCT

Date

Confederate History and Heritage Proclamation

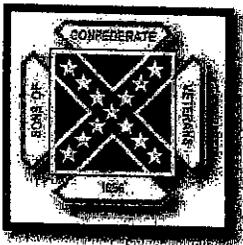
WHEREAS, April is the month in which the people of the Confederate States of America began and ended a four-year heroic struggle for states' rights, individual freedom, local government control and determined struggle for deeply held beliefs; and

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

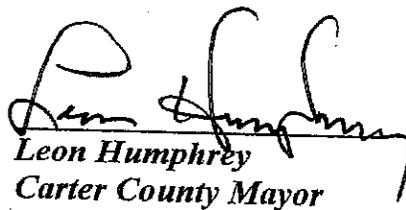


WHEREAS, Carter County, Tennessee is proud to recognize and celebrate the devotion of her Confederate soldiers and all those from Carter County who fought and sacrificed in this great struggle that divided families, the nation, and our State; and

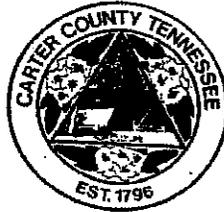
WHEREAS, the knowledge of the role of the Confederate States of America in the history of our nation and our State is vital to understanding who we are and what we are; and

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 April do hereby recognize the month of April 2016 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 said time in our history and I call this observance to the attention of all our citizens.


Leon Humphrey
Carter County Mayor

Randal Lewis
Trustee



801 Elk A
(423) 54
FAX: (423) 54

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, 2014
THROUGH MARCH 31, 2016.

NAME	VALUE	TAX
Barker, Terry	875.00 \$	21.00
Bertochini, John R	14,000.00 \$	343.00
Bfalock Charles and Sons	82,522.00 \$	2,022.00
Bowers, David Eugene	8,275.00 \$	203.00
Bowman, Jeffrey	5,375.00 \$	132.00
Bridges, Charles G		
Buckner, Richard A	Rollback Tax \$	251.00
Davis, Christopher	Rollback Tax 3 Years \$	622.00
Enkema, James W	59,675.00 \$	1,462.00
Estep, Larry Wayne	9,525.00 \$	233.00
Fitzgerald, Arthur	1,700.00 \$	42.00
Greenlee, James	10,700.00 \$	262.00
Grindstaff, Owen	725.00 \$	18.00
Harrison, Nancy	1,150.00 \$	28.00
Hess, William	2,425.00 \$	59.00
Holly, Gloria ETAL	3,150.00 \$	77.00
Holtsclaw, Kenneth	Rollback Tax 3 Years \$	136.00
Hyder Basil B	Rollback Tax \$	5.00
Jenkins, Kristy	Rollback Tax 3 Years \$	743.00
L G P Realty Holdings LP	3,400.00 \$	83.00
McMahan, Jackie	61,880.00 \$	1,516.00
Myers Wesley	5,725.00 \$	140.00
Perry, Paul	7,625.00 \$	187.00
Prayer Tabernacle	10,050.00 \$	246.00
Richardson, Mildred	13,050.00 \$	320.00
Riddle, Brenda L/E	150.00 \$	4.00
Ritchie, Hugh Gene	1,475.00 \$	36.00
Singleton, Arland	Rollback Tax \$	31.00
Smith, Cale	3,275.00 \$	80.00
Smith, Lois Ann	19,650.00 \$	481.00
Strauch, Clint B	12,625.00 \$	310.00
The Hump Mountain Co.	10,275.00 \$	252.00
Townsend, Gary	1,050.00 \$	25.00
Vest, Walter and JoAnn	10,675.00 \$	262.00
Whitehead, Tammy K	Rollback Tax \$	765.00
	250.00 \$	6.00
	361,252.00 \$	11,403.00



CARTER COUNTY
STATE OF TENNESSEE
ELIZABETHTON

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

Randal Lewis
Trustee

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, 2014
TO MARCH 31, 2016.

NAME	VALUE	TAX AMOUNT
A D P, Inc.	(5,100.00) \$	125.00
A Plus School Supply Store	(300.00) \$	7.00
A Y M, Inc	(1,019.00) \$	25.00
Aggregates USA Watauga LLC	(890.00) \$	22.00
Andersons Precision Maintenance	(1,888.00) \$	46.00
Anzel, Melissa	(24,800.00) \$	608.00
Arnett, John Lester	(1,500.00) \$	36.00
Ashley, Roselyn	(5,675.00) \$	139.00
Bailey, Steven Sr.	(5,085.00) \$	124.00
Barker, Terry	(14,350.00) \$	352.00
Betsytown TN Realty LLC	(283,000.00) \$	6,933.00
Bland, John	(6,525.00) \$	159.00
Blossman Gas Inc.	(229.00) \$	5.00
Bowers, Christopher	(9,450.00) \$	231.00
Bowman, Jeffrey	(5,975.00) \$	146.00
Bratvold, Delma	(11,075.00) \$	271.00
Bratvold, Delma	(15,575.00) \$	382.00
Brown Lynn B	(4,825.00) \$	118.00
Buck, Kenneth	(4,050.00) \$	99.00
Buckles, Douglas	(7,600.00) \$	186.00
Bunton, William G	(4,525.00) \$	111.00
Burgess, Christina	(5,600.00) \$	137.00
Burleson Construction Co. Inc.	(187.00) \$	4.00
Burrell, Helen	(925.00) \$	23.00
C B M Ministries	(15,625.00) \$	383.00
C B M Ministries	(10,300.00) \$	252.00
Cambro Partners	(481.00) \$	11.00
Camp Renfro LLC	(2,200.00) \$	54.00
Camp Renfro LLC	(775.00) \$	19.00
Campbell, George H Jr.	(1,840.00) \$	26.00
Campbell, George H Jr.	(1,025.00) \$	25.00
Carden's Garage	(330.00) \$	8.00
Carrie's Chatterbox	(437.00) \$	11.00
Carson, Susan Taylor	(11,525.00) \$	283.00
Carter County Bank	(33,440.00) \$	819.00

CC Enterprises	(300.00)	\$	7.00
Charles Blalock and Sons	(82,522.00)	\$	2,022.00
Charles Blalock and Sons	(1,829.00)	\$	45.00
Charter Communications	(121.00)	\$	3.00
Charter Communications	(382.00)	\$	9.00
Charter Communications	(361.00)	\$	9.00
Citizens Bank	(358.00)	\$	9.00
Colorworks	(496.00)	\$	12.00
Concrete Creations	(432.00)	\$	10.00
Cookie's Hair Design	(300.00)	\$	7.00
Crain, Kelly	(2,079.00)	\$	51.00
D R Welding	(19,275.00)	\$	472.00
Darling, Shane and Amy	(4,485.00)	\$	33.00
Dave's Carpentry	(27,750.00)	\$	680.00
Developer's Corp	(300.00)	\$	7.00
Dish Network	(70,000.00)	\$	1,715.00
Donaldson, James T	(610.00)	\$	15.00
E L B Aviation Services	(300.00)	\$	7.00
E Z Boat Rentals	(303.00)	\$	7.00
Eclectic Mysts LLC	(6,403.00)	\$	157.00
Eluminate Lighting LLC	(300.00)	\$	7.00
Enkema, James	(3,182.00)	\$	78.00
Erickson, John A	(9,525.00)	\$	233.00
Estep, Christopher	(4,975.00)	\$	122.00
Estep, George	(2,140.00)	\$	52.00
Estep, Larry	(9,950.00)	\$	244.00
Estep, Raymond	(2,950.00)	\$	72.00
Fine,, Corliss	(20,500.00)	\$	502.00
First Medical	(925.00)	\$	23.00
First Medical Group	(943.00)	\$	23.00
Food City #631	(7,138.00)	\$	175.00
Frederick, James & Deborah	(512.00)	\$	12.00
Frederick, James & Deborah	(2,425.00)	\$	59.00
Gibbs, Thomas Ray	(1,925.00)	\$	47.00
Glover, Robert W	(1,525.00)	\$	37.00
Gold, Daniel	(1,400.00)	\$	34.00
Gorilla Wireless	(2,600.00)	\$	64.00
Gouge, Ted	(3,128.00)	\$	77.00
Greenlee, James W	(8,875.00)	\$	218.00
Greenwell's Handyman	(2,900.00)	\$	71.00
Grindstaff, David	(300.00)	\$	7.00
Grindstaff, Owen	(2,375.00)	\$	58.00
Grindstaff, Terry	(9,975.00)	\$	244.00
Grindstaff, Warren	(12,950.00)	\$	317.00
Grindy's Gun Shop	(1,000.00)	\$	24.00
Guinn, Richard	(2,823.00)	\$	69.00
Guinn, Thomas	(9,525.00)	\$	233.00
Gwinn, George Jr	(9,500.00)	\$	233.00
H T Tennessee	(24,700.00)	\$	605.00
Hamilton, Charles	(53,240.00)	\$	1,305.00
Haney, Shannon	(175.00)	\$	4.00
	(1,925.00)	\$	47.00

Happy Valley Credit Union		
Hardesty's Handyman	(500.00)	\$ 12.00
Harrison, Nancy	(300.00)	\$ 7.00
Harrison, Nancy	(475.00)	\$ 12.00
Hayes, Jerry	(5,175.00)	\$ 127.00
Hayes, Molly C ETAL	(800.00)	\$ 19.00
Hazelwood, Dorothy	(3,500.00)	\$ 86.00
Hazelwood, Ronnie	(1,700.00)	\$ 42.00
Hazelwood, Ronnie ETAL	(2,175.00)	\$ 53.00
Healthsource of the Tri Cities	(2,075.00)	\$ 51.00
Hess, William	(5,605.00)	\$ 137.00
Hodge, Joel	(3,775.00)	\$ 92.00
Hodge, Joel	(11,950.00)	\$ 293.00
Hoilman, Jack and Betty	(3,975.00)	\$ 97.00
Holly, Gloria	(11,125.00)	\$ 273.00
Holtsclaw, Wayne	Rollback Tax	\$ 136.00
Honeycutt, J C	(2,150.00)	\$ 53.00
Hopland, Arnold MD	(3,675.00)	\$ 90.00
House Heroes	(517.00)	\$ 12.00
Hunter's Lawn Care	(135.00)	\$ 3.00
Hurley, Bobby	(2,081.00)	\$ 51.00
Hyder, Howard	(125.00)	\$ 3.00
Ingles Market	(1,750.00)	\$ 43.00
Iron Mountain Counseling	(861.00)	\$ 21.00
J & B's Gold and Glamour	(238.00)	\$ 6.00
Julian, Norman L/E	(475.00)	\$ 12.00
Kemp, Phillip	(2,425.00)	\$ 59.00
Kimbrel HVAC	(6,650.00)	\$ 163.00
Langley, David	(693.00)	\$ 17.00
Laughing Bear Ice Cream	(10,000.00)	\$ 245.00
Ledford, Sam Morris	(4,741.00)	\$ 116.00
Lewis, Joyce Clark	(8,325.00)	\$ 204.00
Lewis, Ray	(10,475.00)	\$ 256.00
Lewis, Russell	(600.00)	\$ 14.00
Liberty Tax Service	(2,925.00)	\$ 71.00
Little Suzi CPA	(771.00)	\$ 19.00
Livingston, Dwight	(543.00)	\$ 13.00
Lowe's Home Centers	(1,075.00)	\$ 27.00
Lynnwood II LP	(434.00)	\$ 11.00
M M Restoration	(199,000.00)	\$ 4,876.00
Mapes Piano String Co.	(1,058.00)	\$ 26.00
Michelle's Metal Recycling	(2,144.00)	\$ 52.00
Miller, Danny	(300.00)	\$ 7.00
Moffitt, Buzie Joe	(23,750.00)	\$ 582.00
Montgomery, Bonnie	(4,025.00)	\$ 98.00
Montgomery, Richard	(1,475.00)	\$ 36.00
Montgomery, Terry	(3,750.00)	\$ 92.00
Montgomery, Terry	(75.00)	\$ 2.00
Montgomery, Terry	(680.00)	\$ 16.00
Montgomery, Terry	(100.00)	\$ 2.00
Montgomery, Terry	(475.00)	\$ 11.00
Montgomery, Terry	(320.00)	\$ 8.00
Montgomery, Terry	(80.00)	\$ 2.00

Montgomery, Terry	(50.00)	\$	1.00
Montgomery, Terry	(400.00)	\$	9.00
Montgomery, Terry	(975.00)	\$	24.00
Montgomery, Terry	(1,075.00)	\$	27.00
Moore, Michael Professional Painting	(300.00)	\$	7.00
Mountain State Properties	(279,280.00)	\$	6,842.00
Mountain States Properties	(1,160.00)	\$	29.00
Mountain States Properties	(20,400.00)	\$	500.00
Mountain View Plumbing	(1,824.00)	\$	45.00
Myers, Wesley	(9,000.00)	\$	221.00
N C R Corporation	(5,307.00)	\$	130.00
Nave, Tonia Jean	(125.00)	\$	3.00
New Great Wall Buffet	(1,395.00)	\$	34.00
Newhouse Painting	(300.00)	\$	7.00
Norman Charles B	(1,300.00)	\$	32.00
Norman, Charles	(9,800.00)	\$	240.00
Odies Custom Auto Care	(300.00)	\$	7.00
Odom, Timothy	(5,750.00)	\$	141.00
Oliver, Kenneth	(21,750.00)	\$	533.00
Omnisource Southeast	(511.00)	\$	13.00
Petals 1 Eleven	(300.00)	\$	7.00
Picture Portrait Studio	(855.00)	\$	21.00
PIP Berry Lane	(99.00)	\$	2.00
Pitman, Jimmy	(24,175.00)	\$	592.00
Poppy's Pizza	(255.00)	\$	6.00
Prayer Tabernacle	(34,120.00)	\$	836.00
Prayer Tabernacle	(30,640.00)	\$	751.00
R & L Variety	(330.00)	\$	8.00
Rag Dolls	(191.00)	\$	5.00
Ricoh Americas Corp.	(78.00)	\$	2.00
Ricoh Americas Corp.	(197.00)	\$	5.00
Ricoh Americas Corp.	(3,943.00)	\$	97.00
Riddle, Brenda L/E	(4,000.00)	\$	98.00
Riddle, Brenda L/E	(2,100.00)	\$	51.00
Ritescreen Company	(952.00)	\$	23.00
Riverview Baptist Church	(17,675.00)	\$	434.00
Roark, Verdia L/E	(550.00)	\$	13.00
Robertson-CECO Corp	(3,390.00)	\$	83.00
Rogers DC Family Limited PTR	(61,880.00)	\$	1,516.00
Ron's Small Engines	(830.00)	\$	20.00
S B F, II, LLC	(3,927.00)	\$	97.00
Safe Haven Farm	(300.00)	\$	7.00
Scullin, Kenneth	(6,300.00)	\$	154.00
Shabby Chic's Unique	(300.00)	\$	7.00
Sharp, Karl W Jr.	(32,300.00)	\$	790.78
Shirley's Shop	(413.00)	\$	10.00
Short, Mary	(3,420.00)	\$	83.00
Singleton, Arland	(8,650.00)	\$	212.00
Smith, Lois Ann	(12,625.00)	\$	310.00
Smith, Verlin	(1,050.00)	\$	26.00
Snap-on Tools Manufacturing	(13,109.00)	\$	321.00
Sossner Sales	(567.00)	\$	14.00

Southern Appalachian Motor Sports	(39.00)	\$	1.00
Stoney Creek Baptist Church	(8,400.00)	\$	206.00
Street, Jimmy	(38,400.00)	\$	941.00
Summers Taylor Inc	(1,440.00)	\$	36.00
Summers Taylor Materials	(1,331.00)	\$	32.00
Teilhet, Mollie A	(3,950.00)	\$	97.00
Tennessee Housing Development	(11,950.00)	\$	293.00
Tester, Elva	(2,625.00)	\$	65.00
The Coca Cola Company	(1,161.00)	\$	28.00
The Coca Cola Company	(857.00)	\$	21.00
The Coca Cola Company	(15,898.00)	\$	390.00
The Courtyard	(316,960.00)	\$	7,765.00
The Ontime Machine	(228.00)	\$	6.00
Things	(615.00)	\$	15.00
Tin, Inc.	(590.00)	\$	15.00
Townson, Larry	(1,750.00)	\$	42.00
Trophy Trout Cabins	(1,461.00)	\$	36.00
Turbyfield, Millard	(29,000.00)	\$	711.00
Vest, Walter	(3,825.00)	\$	94.00
Vest, Walter	(16,200.00)	\$	397.00
Wal-Mart Stores	(855.00)	\$	21.00
Wanna Be Thrifty	(300.00)	\$	7.00
Warner, Susan	(8,575.00)	\$	210.00
Whaley, Jason Wayne	(875.00)	\$	22.00
Whetsell, Rickey	(5,850.00)	\$	143.00
Whitehead, Tammy K	(300.00)	\$	8.00
Ye Olde Rebel Candle	(163.00)	\$	4.00
	(2,389,185.00)	\$	58,561.78

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR CARTER
COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, April 18, 2016

RESOLUTION NO. 644

**“A RESOLUTION FOR AMENDING THE ZONING RESOLUTION
OF
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 Set Aside Resolution #528, better known as Campground Resolution of Carter County, and replacing said Resolution with the following Resolution; and

WHEREAS, the Carter County Regional Planning Commission did study this proposal on DECEMBER 15, 2015, JANUARY 26, 2016 and FEBRUARY 23, 2016, and recommended that the Carter County Commission amend the Zoning Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Carter County Commission amend the Carter County Zoning Resolution to read as follows:

CARTER COUNTY CAMPGROUND RESOLUTION 2016

Definitions of Terms

Except as specifically defined herein, all words used in the ordinance have their customary dictionary definition. For the purpose of this ordinance, certain words or terms used herein shall be defined as follows: Words used in the present tense include the future tense. Words used in the singular number include the plural, and words used in the plural include the singular. The word “person” includes a firm, partnership, company, organization, trust, association, corporation, as well as an individual. The word “lot” includes the word “plot” or “parcel.” The word “building” includes the word “structure.”

The word "shall" as used herein shall be construed to mean the matter is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the word "intended," arranged or designed to be used or occupied.

1. **Campground.** A plot of ground containing *two (2)* acres upon which two (2) or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes.
2. **Camper.** Any individual who occupies a campsite or otherwise assumes charge of, or is placed in charge of, a campsite.
3. **Camping Unit.** Any tent, trailer, cabin, lean-to or similar structure established or maintained and operated in a campground as temporary living quarters for recreation, education or vacation purposes.
4. **Campsite.** Any plot of ground within a campground intended for the exclusive occupancy by a camping unit or units under the control of a camper, said site not used for a permanent housing unit but only for temporary, recreational usage.
5. **Common Area.** An area which may be utilized by any camper who is currently camping at the campground in question.

Use Requirements by District

Campgrounds. The purpose of this section is to provide opportunities for quality designed campgrounds and recreational vehicle parks that are properly located in the community while protecting the public health, safety, and welfare. A campground shall be permitted on a parcel which is zoned A-1, A1-a, A1-b, B-2, or B-3. A campground shall be defined as any plot of ground containing *two (2)* acres upon which two (2) or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes. The campground shall be maintained under one ownership and the land shall not be subdivided for resale.

1.1 The owner of the land parcel proposed for a campground shall submit a plan for development to the Carter County Planning Commission. The plan shall show:

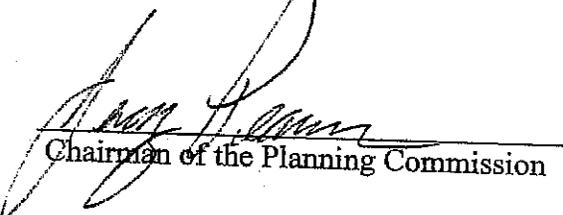
- a. The campground plan drawn to scale.
- b. The area and dimensions of the proposed campground.
- c. The location and width of all roadways and walkways.
- d. The location and dimensions of any proposed buildings and structures.
- e. The location of all water and sewer lines.
- f. The location of all equipment and facilities for refuse disposal and other park improvements.
- g. A drainage plan of the campground.
- h. A certificate of accuracy signed by the surveyor or engineer that the engineering work is correct.
- i. Certificate and signature of the health officer.
- j. Any other information deemed pertinent by the planning commission.

- 1.2 Each campground site shall meet the following minimum standards:
- a. The tract of land designated to be used as a campground shall consist of a minimum lot area of *two (2)* acres.
 - b. Each campground space shall be at least *eight hundred (800)* square feet, *including* parking area.
 - c. Each campground space shall be situated so that there is at least *ten (10)* feet between each campground space, which shall be "common area" between campsites.
 - d. All permanent structures shall be outside of any designated floodway.
 - e. The site shall not be exposed to objectionable smoke, noise, odors, insect or rodent harborage or other adverse influences.
 - f. A loop or other system of internal private roads shall be built so that all campground spaces take their access from such internal roads rather than directly from a public road to provide safe and convenient movement of traffic in and out of the campground or as prescribed by the planning commission.
 - g. Buffer strips shall be a minimum of ten feet in width and shall be landscaped with tree, grass or ornamental fencing. The Director of Planning and Zoning shall specify the manner for the buffer and review and make a final determination on a case by case basis. Other material or method of screening than that outlined above may be approved by the planning commission. The buffer strip may utilize existing vegetation as a portion of said buffer strip for the purposes of satisfying the requirements as forth in this document.
 - h. The campground shall be adequately lighted.
 - i. The storage, collection, and disposal of refuse within a campground shall be so managed as to create no health hazards. All refuse shall be stored in fly-tight, watertight, and rodent-proof containers. Garbage and refuse shall be collected and disposed of no less than one (1) time each week.
 - j. Each campground shall provide two (2) parking spaces per campground space. Each parking space shall be at least ten (10) feet by twenty (20) feet and contain at least a 4" compacted gravel base.
 - k. The minimum widths of roads (working surface) within a campground shall comply with the following:
 1. One-way street 12 feet wide (with no on street parking)
 2. Two-way street 18 feet wide (with no on-street parking)
 - l. All roads shall contain at least a 4" compacted gravel base.
 - m. A campground shall be:
 1. Located on a single lot/*parcel* or on adjacent lots/*parcels* of the same ownership;
 2. A *campsite shall be a minimum of 200 feet from any adjoining residence physical primary dwelling*; and
 3. Planned so as to facilitate the efficient management and administration of the campground.
 - n. The maximum density of a campground shall not exceed *twenty (20) camp sites per acre for full service sites and thirty (30) campsites per acre for primitive sites.*

- o. Any campfire at a campsite or community campfire at a campground shall only utilize natural wood for burning. There shall be no other substance, including but not limited to, treated wood or treated wood product for burning at a campsite or campground.

BE IT RESOLVED by the Carter County Board of Commissioners, that this amendment of the Carter County Zoning Resolution, shall take effect immediately, the public welfare requiring it.

Approved by the Carter County
Regional Planning Commission


Chairman of the Planning Commission

2-26-2016
Date

DATE OF PUBLIC HEARING:

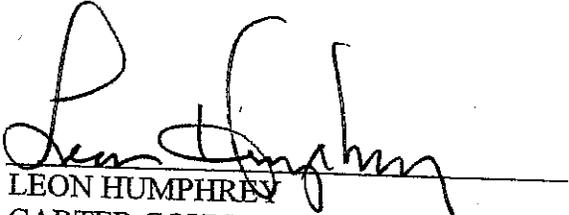
April 18, 2016

Date

Adopted this 18th day of April, 2016.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: 

LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:



MARY GOUGE
CARTER COUNTY CLERK

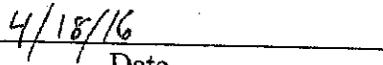


Date

APPROVED AS TO FORM:



JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY



Date

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, APRIL 18, 2016

RESOLUTION NO. 645

"A RESOLUTION TO ADOPT REGULATIONS GOVERNING THE USE OF
THE COUNTY RIGHT-OF-WAY BY UTILITIES"

WHEREAS, the Tennessee Code generally allows utilities to be placed within the county right-of-way; and

WHEREAS, the Tennessee Code, although varying in particulars concerning specific types of utilities, generally requires that permission be obtained from the county legislative body or the chief administrative officer of the highway department prior to entering upon the county right-of-way to perform any work; and

WHEREAS, the Tennessee Code also generally requires that work performed within the county right-of-way be performed under the direction of the chief administrative officer of the highway department; and

WHEREAS, it is impractical for permission to be granted on a case-by-case basis by the county legislative body for work performed within the county right-of-way; and

WHEREAS, it is necessary to establish clear procedures and rules, to be administered and enforced by the chief administrative officer of the highway department, for use of the county right-of-way by utilities, so as to minimize interference with vehicular traffic, minimize damage to the county right-of-way, and to minimize risks to the public safety and convenience.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 18th day of April, 2016, with a lawful quorum of said Board being present and with a majority voting in the affirmative as follows:

SECTION 1. The following regulations apply to all utilities. "Utilities" includes any line, system or facility used for producing, storing, conveying, transmitting, or distributing communications, electricity, gas, petroleum products, hazardous liquids, water, steam, sewerage, and other underground facilities and appliances. The regulations apply to all persons performing work within the county right-of-way. "Persons" includes, but is not limited to, individuals, utility districts, authorities, governmental entities, and companies. "Persons" may also be referred to herein as "applicants." The regulations apply to the installation, maintenance, and removal of utilities unless otherwise provided.

SECTION 2. Except in cases of an emergency as defined herein, persons must obtain a permit from the county highway department prior to performing any work within the county right-

of-way. The permit request shall state the nature and purpose of the work to be performed, the date, location, and estimated time of the beginning and end of the work at each site, and the company or party to be performing the work. The permit request shall be accompanied by construction plans detailing the work to be performed. Persons making requests to perform work in the county right-of-way shall use the permit request form designated as "Attachment A" to this resolution. The permit may include special conditions, as determined in the sole discretion of the chief administrative officer, for the protection of the county's property, roads, and rights-of-way, as well as the welfare and safety of the general public. Acknowledgment of receipt of a copy of these regulations shall be part of the permit request. By issuance of a permit, applicants will be required to conform to these regulations as well as any additional conditions set forth in writing by the chief administrative officer. Once physical work has commenced within the right-of-way, applicants, as recipients of a permit, agree to perform the work in accordance with the provisions and conditions of the permit, these regulations, and all the applicable laws, regulations, agency rules, resolutions, and ordinances. Carter County assumes no responsibility for any damage to utilities installed after the effective date of these regulations and that are not installed in accordance with the provisions and conditions of the permit and these regulations. Carter County assumes no responsibility for any damage to utilities not maintained or removed in accordance with the provisions and conditions of the permit and these regulations.

SECTION 3. Applicants shall submit a permit fee in the amount of \$100.00 along with their permit request. The fee will be used to offset the county's administrative and personnel costs related to the enforcement of these regulations. The permit fee shall be deposited into the budget of the Carter County Highway Department.

SECTION 4. All utility installations, maintenance, and removals shall be done in accordance with the applicable technical specifications set forth in "Attachment B" to this resolution and any subsequent specifications adopted by the county legislative body. Persons shall pay the salary and expenses for any inspector(s) that the highway department may see fit to place upon the work site to ensure compliance with such technical specifications while any such inspector(s) may be assigned to the work site. The chief administrative officer, before incurring any expenses expected to be charged to the applicant, shall advise the applicant in writing of this fact.

SECTION 5. The Department of Commerce and Insurance of the State of Tennessee (the "department") requires that all persons contracting to perform construction work within the state be qualified and licensed by the department if the work is equal to or in excess of \$25,000.00. Requirements for obtaining such a license are determined by the commissioner of the department and may be obtained by contacting the Regulatory Boards Division. All persons and/or the company for which they are employed shall be duly licensed by the department, the state of Tennessee, and any other appropriate governmental agency. Proof of a currently valid license shall be presented when request for a permit is made.

SECTION 6. As a condition of the issuance of a permit, applicants must provide proof of liability insurance with a minimum policy in the amount of \$1,000,000.00.

SECTION 7. If the work which is the subject of the permit request is not of an emergency nature, the chief administrative officer may refuse or delay approval of the permit request if approval would unduly interfere with the work of the county highway department or would cause undue inconvenience to the public. However, the chief administrative officer's approval of the permit request shall not be unreasonably withheld. In the event of an emergency, persons will not be required to comply with the regular permitting requirements set forth herein. For purposes of these regulations, "emergency" means an imminent danger to life, health, or property, whenever there is a substantial likelihood that loss of life, health, or property will result before the procedures in these regulations can be fully complied with. In the event of an emergency, notice of any work within the county right-of-way shall be given to the chief administrative officer, in writing in the manner provided in Section 2 or by telephone, within two (2) hours of the beginning of any such activity. If notice is given by telephone, the agent of the person making the call shall enter the date and time of the call, the nature, purpose and location of the work to be performed, the estimated beginning and ending times, and the company or party to be performing the work, on a standard permit request form, and deliver it to the chief administrative officer within twenty-four (24) hours.

SECTION 8. The chief administrative officer may require an applicant to post collateral to ensure that the county road and right-of-way will be repaired to the same quality as before the excavation or other work was performed. The chief administrative officer will determine the form, amount, and sufficiency of the collateral. Should the chief administrative officer execute settlement of the collateral, the proceeds from such execution shall be payable to the county highway fund in the event the county right-of-way is damaged by the person posting the collateral and not repaired in the time and manner specified by these regulations. In the event of an emergency, as defined herein, the chief administrative officer may require the person to post collateral as provided herein for non-emergency work as a condition for continuing work in the county right-of-way. In the event work is abandoned for a period of thirty (30) consecutive days or a time period specified in the permit, whichever is less, then the chief administrative officer shall be authorized to execute settlement of the collateral in his sole discretion. The proceeds from such execution shall be used to finish the project and to pay all other reasonable costs associated with the project. Any leftover proceeds will be returned to the applicant.

SECTION 9. Persons shall replace or repair any portion of the pavement, shoulders, bridges, culverts, or any other part of the county right-of-way that may be disturbed or damaged as a result of their work performed in the right-of-way. Repair of road damage includes, but is not limited to, protection of road ditches and banks from erosion through placing growing sod or other erosion control devices as necessary. The county right-of-way shall be repaired if following installation, maintenance, and/or removal of utilities. The right-of-way shall also be repaired if damaged as a result of future line failure or leakage. The chief administrative officer shall be notified prior to any backfilling or bedding of any utility. In the event a person covers, conceals, or obscures work in violation of these regulations or in violation of a directive from the chief administrative officer, such work shall be uncovered and displayed for the county's inspection upon request and shall be reworked at no cost in time or money to the county. Whenever practical, the chief administrative officer, upon the county highway department receiving a permit request, shall inspect the site after the work is completed. Inspection by an

engineering firm, paid for by the applicant, and hired or approved by the county, shall be required, at the discretion of the chief administrative officer, for extensive construction or work within the county right-of-way as a condition to issuance of the permit. If, in the opinion of the chief administrative officer, the condition of the roadway or right-of-way has been damaged, the chief administrative officer shall determine the nature of the work necessary to return the roadway or right-of-way to a condition substantially equal to its condition before the work was performed. The chief administrative officer shall give persons written notice of any deficiency in returning the roadway or right-of-way to its proper condition and such persons shall, at no cost in time or money to the county, correct the work rejected by the county as defective. In addition, persons shall reimburse the county for all testing, inspections, reasonable attorney and professional fees, and other expenses incurred as a result of the rejected work. Persons shall correct any deficiency as soon as practicable, and if the corrective work is not completed to the satisfaction of the chief administrative officer within thirty (30) days of the notice of the deficiency, the chief administrative officer shall be authorized to execute settlement of the collateral and use the proceeds to repair the damaged roadway or right-of-way. In the alternative, the chief administrative officer may, in his sole discretion, facilitate the necessary repairs himself, in which event the applicant will reimburse the county highway department for the cost of such repairs. Except in cases of emergency, the chief administrative officer will notify the applicant of the nature and extent of such repairs to be accomplished prior to undertaking the work.

SECTION 10. Persons performing work within the county right-of-way shall be responsible for road damages, personal injury, property damages, or any other damages caused by any negligence on their part, including but not limited to, the improper placing of or failure to display construction signs, danger signs, and other required signage and will bear any expense proximately caused by their operation on the right-of-way. This applies whether the applicant or someone acting on the applicant's behalf performs the work. Persons shall provide proper signage, barricades, flashing lights, or other methods to warn the public of open trenches, obstructions, or other impediments to travel. Signage shall conform to the Manual on Uniform Traffic Control Devices. Persons shall keep all traveled ways clear of obstructions and equipment not directly connected with the project or operation. Any inspection or control exercised by the chief administrative officer shall in no way relieve the applicant from any duty or responsibility to the general public nor shall such services and/or control by the chief administrative officer relieve that applicant from any liability for loss, damage, or injury to persons or adjacent properties.

SECTION 11. For all utilities located above ground, including location signage, persons shall maintain sufficient weed and brush control within a 10-foot radius such that said utilities are easily visible. Carter County assumes no responsibility for any damage to any utility that is improperly located, signed, or maintained for visibility.

SECTION 12. If, at any future time, it should become necessary in the maintenance, construction, or reconstruction of a county highway to have applicant's utilities removed in order that said highway may be properly maintained, constructed, or reconstructed, or in the event said utilities should, at any time, interfere with the use of said highway, the applicant agrees,

upon being requested to do so by the highway department, to remove said utilities promptly, at its own expense and without cost to the highway department, unless any requested removal should be contrary to any law of the State.

SECTION 13. Applicant shall be responsible for any conflicts with other utilities or appurtenances that are on the county highway right-of-way and shall notify the respective owner(s) of any conflicts and secure the owner's permission for any alterations.

SECTION 14. By approving applicant's permit request, the highway department does not grant the application any right, title, or claim to any highway right-of-way and in granting the permission to go upon the right-of-way does not, in any way, assume the maintenance of the applicant's utilities.

SECTION 15. Approval of an applicant's permit request shall become void if the work that is the subject of the request is not commenced within six (6) months of the date of the permit request.

SECTION 16. The chief administrative officer may employ the county attorney, or other attorney as provided in Tennessee Code Annotated Section 54-7-110, to seek an injunction against any party in violation of these regulations. The chief administrative officer may issue a stop work order if work is being performed in violation of these regulations. Any person violating these regulations shall also be subject to a fine of up to five hundred dollars (\$500) per violation pursuant to Tennessee Code Annotated Section 5-1-121.

SECTION 17. A permit may be denied, suspended, or revoked by the chief administrative officer when the chief administrative officer has determined that the operation is not being and/or will not be conducted in a manner as prescribed by applicable regulations, rules, resolutions, ordinances, or laws. Any violations deemed of a significant nature by the chief administrative officer, or unwarranted damages done to the highway system, may result in a permit being denied, suspended, or revoked. The chief administrative officer shall report all such actions to the county legislative body. Failure to obtain a permit, abandoning the project, conducting work which is not in accordance with the plans approved by the chief administrative officer, or obtaining a permit under the emergency provision when no emergency exists, may also be grounds for denial of future permit requests.

SECTION 18. Pursuant to the Competitive Cable and Video Services Act, Tennessee Code Annotated Section 7-59-310, as a condition of the issuance of a permit allowing for open trenching, the applicant shall provide at least sixty (60) days notice prior to the initiation of any work in the county right-of-way to all providers of cable or video services within the county. The notice shall include the particular dates in which the trenches will be available for such cable or video service providers for the installation of conduit, pedestals or vaults, and laterals. This requirement shall be limited to new construction or property development in which utilities will be laid in the county right-of-way.

SECTION 19. In addition to complying with the regulations set forth herein, applicants shall also comply with any and all applicable subdivision regulations.

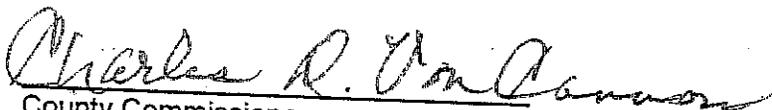
SECTION 20. In the event of the occurrence of extraordinary circumstances, the chief administrative officer may modify provisions of these regulations to address the particular situation. The burden of proving such extraordinary circumstances rests with the individual seeking relief. Any such approval of a variance from these regulations and any modified conditions or specifications issued by the chief administrative officer shall be in writing.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding.

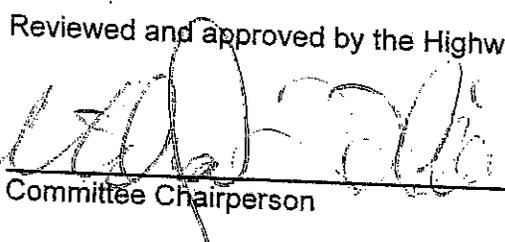
BE IT FURTHER RESOLVED that if any clause, section or provision of this Resolution is found to be illegal, invalid or unenforceable in any respect, the illegality, invalidity or unenforceability of the remaining clauses, sections, or provisions herein shall not in any way be affected or impaired thereby. Furthermore, all references to dollar amounts or time periods contained herein are current according to applicable state law as of the time of adoption of this Resolution and any subsequent legislation resulting in modifications to said dollar amounts or time periods not materially changing this Resolution shall be incorporated herein without the necessity of a formal amendment of this Resolution.

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.

Sponsored by:


County Commissioner

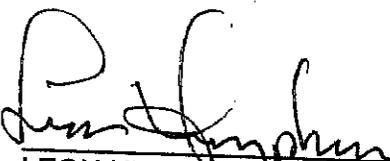
Reviewed and approved by the Highway Committee on 4-4-16


Committee Chairperson

Adopted this 18th day of April, 2016.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

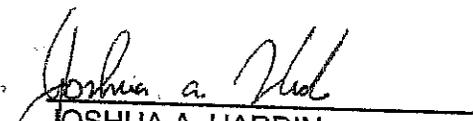
APPROVED:

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

U:\Carter County Attorney\Resolutions\Right of Way Regulations Resolution.docx

ATTACHMENT A
CARTER COUNTY HIGHWAY DEPARTMENT

COUNTY CONTACT INFORMATION:

Staff Contact: _____

Phone Number: _____

Email: _____

** Applicant shall remit a permit fee in the amount of \$100.00 along with the permit request. **

PERMIT REQUEST TO WORK WITHIN THE COUNTY RIGHT-OF-WAY

Date and Time of Permit Request: _____

Applicant Name, Address, and Contact Information:

Applicant seeks permission to install, maintain, and/or remove the following described utilities within the county right-of-way:

At the following described location:

GPS Location: _____

Log miles (beginning/ending): _____

Type of work to be performed:

Expected starting date: _____

Expected completion date: _____

Contractor, subcontractor, or party to perform work:

Address and telephone number of company or party to perform work:

Is this an emergency? _____

If yes, why?

IF EMERGENCY TELEPHONE CALL MADE:

Date and time of emergency call:

Name of agent of applicant who made call:

*If an emergency call is made, the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY still require that certain information be provided to the chief administrative officer, using the permit request form, within twenty-four (24) hours of the call.

Applicant will deliver collateral in the form of: _____ (Ex. Surety bond, letter of credit, cashier's check, etc.) to the chief administrative officer of the highway department to guarantee that applicant's work within the right-of-way is done in accordance with the construction plan, applicable regulations, and any special conditions specified herein. The collateral is to be in the amount of \$ _____. Applicant will be informed by the chief administrative officer in writing of any other requirements or conditions to the collateral.

The Department of Commerce and Insurance of the State of Tennessee (the "department") requires that all persons contracting to perform construction work within the work the state be qualified and licensed by the department if the work is equal to or in excess of \$25,000.

Has applicant supplied the chief administrative officer with proof of liability insurance with a currently valid license? ____ Y ____ N ____ N/A

As a condition of the issuance of a permit, applicants must provide proof of liability insurance with a minimum policy in the amount of \$1,000,000.00.

Has applicant supplied sufficient proof of required liability insurance? ____ Y ____ N

Applicant in applying for this permit agrees to the following:

1. Applicant agrees to perform all work in accordance with the attached construction plans, the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY, adopted by the Board of County Commissioners for Carter County by Resolution No. _____ on April 18, 2016, and any special conditions set forth herein.

Special Conditions:

In the case of extraordinary circumstances, whereby the chief administrative officer modifies any provisions of the regulations to address such circumstances, any such approval of a variance from these regulations and any modified conditions or specifications issued by the chief administrative officer shall be in writing and incorporated as part of this permit request.

2. Applicant, before commencing any work, shall submit to the chief administrative officer of the county highway department detailed construction plans showing the location, type, and scope of all work to be done in order that the chief administrative officer may review and approve the proposed work. No work other than that specifically described in the construction plans and approved by the chief administrative officer is authorized.
3. Applicant agrees that it will be responsible for any damages caused by any negligence on its part, including but not limited to, the improper placing of or failure to display construction signs, danger signs, and other required signage and will bear any expense approximately caused by its operation on the county right-of-way.
4. Applicant shall pay the salary and expenses of any inspector(s) that the chief administrative officer may see fit to place upon the work site while such inspector(s) is/are assigned to the work site. The chief administrative officer, before incurring any expenses expected to be charged to the applicant, shall advise the applicant in writing of this fact.
5. Applicant shall replace or repair any portion of the pavement, shoulders, bridges, culverts, or any other part of the county right-of-way that may be disturbed or damaged as a result of their work performed in the right-of-way. Replacement and repairs shall be made in accordance with the REGULATIONS GOVERNING THE USE OF THE COUNTY RIGHT-OF-WAY issued by Carter County and any additional instructions issued by the chief administrative officer. In the event that the replacement or repairs made by applicant are not satisfactory to the chief administrative officer, applicant agrees that the chief administrative officer may either, in his sole discretion, execute settlement of the collateral and use the proceeds to accomplish the necessary replacement or repairs or facilitate further replacement or repairs himself, in which event the applicant will reimburse the county highway department for the cost of such other replacement or repairs. Except in cases of emergency, the chief administrative officer shall notify the applicant of the nature and extent of such further replacement or repairs to be accomplished prior to undertaking the work.

6. In the event work is abandoned for a period of thirty (30) consecutive days, the chief administrative officer shall be authorized to execute settlement of the collateral in his sole discretion. The proceeds from such execution shall be used to finish the project and to pay all other reasonable costs associated with the project. Any leftover proceeds will be returned to the applicant.
7. If, at any future time, it should become necessary in the maintenance, construction, or reconstruction of said highway to have applicant's utilities removed in order that said highway may be properly maintained, constructed, or reconstructed, or in the event said utilities should, at any time, interfere with the use of said highway, the applicant agrees upon being requested to do so by the chief administrative officer to remove said utilities as promptly as the magnitude of the work to be accomplished will permit, at its own expense and without cost to the county highway department, unless any requested removal should be contrary to any law of the State of Tennessee.
8. Applicant shall be responsible for any conflicts with other utilities or appurtenances that are on the county highway right-of-way and shall notify the respective owner(s) of any conflicts and secure the owner's permission for any alterations.
9. Applicant agrees to indemnify and hold harmless the county as well as its employees, officers, and agents from and against any and all claims, liabilities, losses, and causes of action which may arise, accrue, or result to any person, firm, corporation, or other entity which may be injured or damaged as a result of acts, omissions, or negligence on the part of the applicant, its employees, its contractors, or any person acting for or on its or their behalf in the performance of the work related to this permit. Applicant further agrees it shall be liable for the reasonable cost of attorneys for the county highway department in the event such services are necessitated to enforce the terms of this permit or otherwise enforce the obligations of the applicant to the county highway department. In the event of any such suit or claim, applicant shall give the county highway department immediate notice thereof and shall provide all assistance required by the county highway department in the county highway department's defense. The county highway department shall give applicant written notice of any such claim or suit, and applicant shall have full right and obligation to conduct applicant's own defense thereof. Nothing contained herein shall be deemed to accord to applicant, through its attorney(s), the right to represent the county highway department in any legal matter.
10. The county highway department does not grant applicant any right, title, or claim on any highway right-of-way and in granting this permission to go upon the right-of-way does not, in any way, assume the maintenance of applicant's facility.
11. The permit shall become void if work is not commenced within six (6) months from the date of the permit request.

The requesting party (applicant), by the undersigned agent, agrees to comply with the Carter County right-of-way regulations, a copy of which it has received, in carrying out work proposed above.

Signature of Agent

Date

Approval of Permit:

Request approved as presented _____

Request approved subject to the following conditions:

Request rejected _____

Reason for rejection: _____

By: _____

Title: _____

Date: _____

PERMIT NUMBER ASSIGNED: _____

ATTACHMENT B

UNDERGROUND UTILITIES INSTALLATIONS, MAINTENANCE, AND REMOVALS

1. All underground utilities must be placed on the back five (5) feet of right-of-way of the declared county road except when written permission is granted by the chief administrative officer of the county highway department.
2. All utilities placed in the county rights-of-way are to be placed a minimum of thirty-six (36) inches deep and installed with tracer wire.
3. Utilities placed under paved, county maintained roads will be placed by appropriate boring methods a minimum of thirty-six (36) inches deep, cased with tracer wire.
4. Asphalt pavement shall not be cut for at least five (5) years following new paving and three (3) years following fresh chip seal.
5. Asphalt cuts: All cuts must be approved by the chief administrative officer of the highway department in writing; installed at a minimum depth of thirty-six (36) inches, cased, and tracer wire added.
6. Repair of Asphalt Cuts: Replaced with all virgin materials; twelve (12) inch lifts compacted, twelve (12) inches concrete or hot mix materials; return within six (6) months and pave fifty (50) feet on both sides of the cut.
7. Utility lines shall not be placed in drainage ditches, attached to bridges, culverts, tiles, or other road structures, and shall not be run through or over road drainage tile.
8. Natural Gas Utilities: All installation shall be outside the county declared rights-of-way. Written permission from the chief administrative officer must be obtained prior to installation of natural gas lines in the county rights-of-way. If approved by the chief administrative officer installation shall be at a minimum depth of thirty-six (36) inches, cased with tracer wire.

ABOVE GROUND UTILITIES

1. Permitting not required for overhead utility installation and maintenance. However, a county permit must be obtained if excavation is required.
2. All utility markers, location, and advertising signage located in the county rights-of-way must be maintained free of weeds and brush within a ten (10) foot radius so said facility is easily visible. The county assumes no responsibility for any damage to any facility that is not properly maintained by a utility provider.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, APRIL 18, 2016

RESOLUTION NO. 646

"A RESOLUTION HONORING CYRIL "DURWARD" JULIAN AND OFFICIALLY DESIGNATING OLD HIGHWAY 143 IN THE ROAN MOUNTAIN COMMUNITY OF CARTER COUNTY AS "DURWARD JULIAN DRIVE"

WHEREAS, Cyril "Durward" Julian is a native of Carter County who was born on May 25, 1916 and has lived his entire life in the Roan Mountain Community of Carter County; and

WHEREAS, Mr. Julian has dedicated his life to the service of his state, county, and community and is beloved throughout Carter County for his generous contributions to the whole county, and particularly to Roan Mountain; and

WHEREAS, Mr. Julian was instrumental in securing state funding and support for the improvement of numerous areas of Roan Mountain, including the Roan Mountain State Park, the Carter County Work Camp, and obtaining a paved road to the top of Roan Mountain; and

WHEREAS, Mr. Julian is a charter member of the Roan Mountain Citizens Club where he worked tirelessly to help organize and host the annual Rhododendron Festival for much of his life with the assistance of his loving wife, Audrey Julian; and

WHEREAS, Mr. Julian served as chairman on the Carter County School Board and supported the start of the band program at Cloudland High School and building the Cloudland Elementary School on Old Highway 143, among many other projects and improvements at all of the Carter County Schools; and

WHEREAS, Mr. Julian is a charter member of the Roan Mountain Volunteer Fire Department and worked throughout his life in support of the department; and

WHEREAS, Mr. Julian was named a Colonel by Governor Winfield Dunn to serve on his staff and to be recognized for all of the volunteer work he did benefitting the state of Tennessee and his community; and

WHEREAS, Mr. Julian is the only living charter member of the Magill Memorial Presbyterian Church where he served as an Elder, Clerk of the Session, Sunday School Superintendent, Adult Sunday School Teacher, Song Leader, Groundskeeper, and on various church committees; and

WHEREAS, Mr. Julian has lived his life based upon the principles instilled in him by his father to be dedicated and supportive to his family, be a good citizen who is proud of his community and actively worked to support his community, county, state and country, and to love God and serve him through his church; and

WHEREAS, the Board of County Commissioners for Carter County, Tennessee has the authority to dedicate roads within Carter County in honor of individuals who have made significant contributions to the rich culture and history of Carter County; and

WHEREAS, the Board of County Commissioners for Carter County, Tennessee would like to formally recognize and honor the life of Cyril "Durward" Julian by adopting this Resolution in his honor officially designating Old Highway 143 in Roan Mountain as the "Durward Julian Drive".

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for Carter County, Tennessee, meeting in regular session on this the 18th day of April, 2016, with a lawful quorum of said Board being present and with a majority voting in the affirmative as follows:

1. That the Board of County Commissioners for Carter County, Tennessee hereby adopts this Resolution honoring the life of Durward Julian and his selfless service to others in the Roan Mountain community and throughout Carter County.

2. That the Board of County Commissioners for Carter County, Tennessee hereby officially designates Old Highway 143 in Roan Mountain as "Durward Julian Drive", and directs that said road shall always bear the name of Mr. Julian.

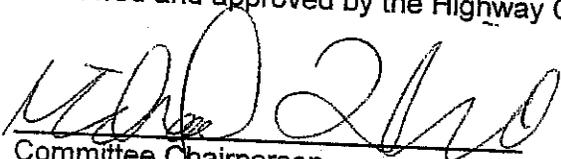
BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding.

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.

Sponsored by:


County Commissioner

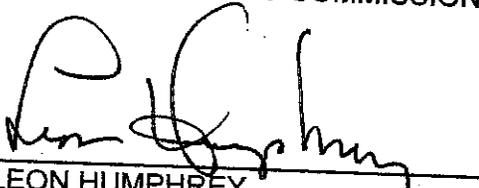
Reviewed and approved by the Highway Committee on April 4, 2016.


Committee Chairperson

Adopted this the 18th day of April, 2016.

CARTER COUNTY, TENNESSEE
BOARD OF COUNTY COMMISSIONERS

APPROVED:

By: 
LEON HUMPHREY
CARTER COUNTY MAYOR &
BOARD OF COUNTY COMMISSIONERS CHAIRMAN

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


JOSHUA A. HARDIN
CARTER COUNTY ATTORNEY

Z:\Carter County Attorney\Resolutions\Resolution - Durward Julian Drive.docx

March 2016 Donations

Animal Shelter Donation- Rachel Shultz	50.00
Animal Shelter Donation- Susan Putnam	25.00
Animal Shelter Donation- Deborah Umina	20.00
Animal Shelter Donation- Karen Sams	50.00
Animal Shelter Donation- Steven Bowers	7.50
Animal Shelter Donation- Victoria Moldt	65.00
March Total	\$ 217.50

**Carter County
Highway Fund 131
Budget Amendment #5
18-Apr-16**

Item #1	44530 Sale of Equipment 68000-714 Highway Equipment	\$ 72,100.00	\$ 72,100.00	Increase Increase
----------------	--	--------------	--------------	----------------------

Recognize sale of Highway Department

Item #2	68000-714 Highway Equipment	\$ 230,000.00		Increase
	63100-412 Diesel Fuel		\$ 130,000.00	Decrease
	63100-425 Gasoline		\$ 100,000.00	Decrease

Reallocate within the Highway Department budget.

Total \$ 302,100.00 \$ 302,100.00

**Carter County
General Purpose School Fund 141
Budget Amendment #10
18-Apr-16**

Item #1	72710-313 Contract with Parents	\$ 5,000.00		Increase
	72710-338 Maint. & Repair Service		\$ 3,000.00	Decrease
	72710-399 Other Contracted Services	\$ 2,000.00		Increase
	72710-424 Garage Supplies		\$ 2,000.00	Decrease
	72710-412 Diesel Fuel		\$ 15,000.00	Decrease
	72710-425 Gasoline		\$ 25,000.00	Decrease
	72710-433 Lubricants		\$ 5,000.00	Decrease
	72710-450 Tires and Tubes	\$ 10,000.00		Increase
	72710-453 Vehicle Parts	\$ 15,000.00		Increase
	72710-499 Other Supplies & Materials	\$ 10,000.00		Increase
	72710-599 Other Charges	\$ 8,000.00		Increase

Reallocate within Transportation Budget.

Total \$ 50,000.00 \$ 50,000.00

**Carter County Schools
Federal Projects Fund 142
Budget Amendment #3
18-Apr-16**

Item #1	71300-429-801 Instructional Supplies & Materials	\$ 7,808.41		Decrease
	71300-730-801 Vocational Instruction Equipment		\$ 7,692.42	Increase
	72130-189-801 Other Salaries & Wages	\$ 2,024.34		Decrease
	72130-355-801 Travel		\$ 973.31	Increase
	72130-524-801 In Service/Staff Development		\$ 1,224.54	Increase
	72230-355-801 Travel	\$ 57.52		Decrease

Reallocate within the CTE Perkins Basic Grant.

Total \$ 9,890.27 \$ 9,890.27

Carter County
General Fund 101
Budget Amendment #8
18-Apr-16

Item #1	41120 Animal Registration		\$ 5,005.00	Increase
	55120-399-81 Other Contracted Services	\$ 5,005.00		Increase
Reallocate funds received for spay/neuter services for February and March 2016.				
Item #2	40110 Current Property Tax		\$ 32,041.00	Decrease
	51300-540 Tax Relief Program	\$ 32,041.00		Increase
Allocate Tax Relief				
Item #3	44170 Miscellaneous Refunds		\$ 1,184.57	Increase
	54310-316-14 Contributions	\$ 1,184.57		Increase
Recognize Fire Department refund				
Item #4	44170 Miscellaneous Refunds		\$ 38.50	Increase
	51500-499 Other Supplies and Materials	\$ 38.50		Increase
Recognize sale of disk				
Item #5	44170 Miscellaneous Refunds		\$ 169.34	Increase
	53900-194 Jury and Witness Expense	\$ 169.34		Increase
Recognize refund for jury expense				
Item #6	44170 Miscellaneous Refunds		\$ 42.61	Increase
	51300-355 Travel	\$ 42.61		Increase
Recognize refund for Mayor travel.				
Item #7	34990-34 Reserved for Other Gen Purposes-Securis		\$ 3,575.00	Decrease
	54110-716 Law Enforcement Equipment	\$ 3,575.00		Increase
Allocate from reserve for the repair of repeater on Buffalo Mountain.				
Item #8	34990-34 Reserved for Other Gen Purposes-Securis		\$ 24,910.40	Decrease
	54110-399 Other Contracted Services	\$ 24,910.40		Increase
Allocate from reserve for Pamet and Jail Tracker.				
Item #9	34990-36 Reserved for General Purposes-Commissary		\$ 6,978.27	Decrease
	54110-307 Communications	\$ 6,978.27		Increase
Allocate from reserve for patrol wireless access.				

Item #10	49700 Insurance Recovery					
	54110-338 Maintenance and Repair Services - Vehicles		\$ 5,794.94	\$ 5,794.94	Increase	Increase
Recognize insurance reimbursement for damage to SO vehicle.						
Item #11	34990-32 Reserve from Auction-Sheriff			\$ 2,850.00	Decrease	
	54110-718 Motor Vehicles		\$ 2,850.00		Increase	
Allocate from reserve for setup of new vehicle.						
Item #12	44170 Miscellaneous Refunds			\$ 23.49	Increase	
	54210-335 Maintenance and Repair Services - Buildings		\$ 23.49		Increase	
Recognize Sheriff's Department refund from Valley Protein.						
Item #13	44170 Miscellaneous Refunds			\$ 40.00	Increase	
	54110-435 Office Supplies		\$ 40.00		Increase	
Recognize refund for medical records requests.						
Item #14	44170 Miscellaneous Refunds			\$ 17.58	Increase	
	55900-499-53 Other Supplies and Materials		\$ 17.58		Increase	
Recognize refund of Tobacco Settlement overpayment.						
Item #15	44170 Miscellaneous Refunds			\$ 99.36	Increase	
	51300-320 Dues and Memberships		\$ 99.36		Increase	
Recognize refund of hotel overpayment.						
Item #16	47180 Community Development			\$ 134,048.01	Increase	
	58190-399-061 Other Contracted Services		\$ 134,048.01		Increase	
Recognize CDBG for water system Improvements.						
Item #17	64000-499 Other Supplies and Materials			\$ 1,057.30	Decrease	
	64000-429 Instructional Supplies		\$ 1,057.30		Increase	
Reallocate Litter funds						
Item #18	48140 Other Governmental Units			\$ 27,560.00	Increase	
	54110-106 Deputies		\$ 27,560.00		Increase	
Recognize Watauga reimbursement						
			Total	\$ 245,435.37	\$ 245,435.37	