

MEETING OF THE CARTER COUNTY COMMISSION REGULAR SESSION SEPTEMBER 15, 200

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BE IT REMEMBERED, that the County Commission of Carter County, Elizabethton, Tennessee, met in Regular Session on September 15, 2008, at 7:00 p.m. in the main courtroom of the Carter County Courthouse. Present and presiding were the Honorable Johnny Holder, County Mayor/Chairman; the Honorable Keith Bowers, Jr., County Attorney; and the Honorable Mary Gouge, County Clerk. The following Commissioners were present: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis and Robert Gobble

ROLL CALL.....QUORUM PRESENT
 PRAYER.....LAWRENCE HODGE
 PLEDGE.....ROBERT DAVIS



Carter County Commission

Johnny L. Holder
 County Chairman
 Lawrence Hodge
 Vice-Chairman

801 E. Elk Avenue
 Elizabethton, TN 37643
 (423) 642-1801
 (423) 642-9279 Fax

**PUBLIC NOTICE OF A REGULAR SESSION
 OF THE CARTER COUNTY COMMISSION**

NOTICE IS HEREBY GIVEN to all members of the Carter County Commission, to all residents of the County of Carter, Tennessee, and to all persons interested, that the Regular Session of the Carter County Commission will be held Monday, September 15, 2008, 7:00 p.m., Main Courtroom, Carter County Courthouse, 801 E. Elk Avenue, Elizabethton, Tennessee.

Agenda

- Call to Order
- Roll Call
- Opening Prayer
- Pledge of Allegiance
- Public Comments
- Appointment of Honorable John W. Walton, Sessions Court Judge, to Records Commission
- Don Hurst, Carter County Tomorrow
- Resolution to Levy an Additional Tax for the Purposes of Increasing Court Room Security in Carter County
- Resolution to Amend the Resolution to Provide Financial Assistance to be Paid From Carter County Tax Revenues to Low-Income Elderly Taxpayers, Totally and Permanently Disabled Homeowners, and Disabled Veterans in Addition to the Tax Relief Already Provided by the State of Tennessee
- Recognition of Elected Officials/Guests
- Acceptance of Minutes from Previous Meeting
- Notaries/Bonds
- Old Business
 - Appointments to Industrial Development Board
- Committee Reports/Recommendations
- Commissioner Comments
- Adjourn

All matters that may be normally considered may be taken up and acted on at such meetings.

Johnny Holder, County Chairman
 Carter County, Tennessee

On recommendation of the Records Committee, motion was made by Jo Ann Blankenship, seconded by Jim Whaley to appoint the Honorable John W. Walton, Sessions Court Judge to the Records Committee. By voice roll call vote, motion duly carried this September 15, 2008.

The County Attorney informed the Commissioners that Resolution No. 493 passed at the August 18, 2008, Commission meeting to provide financial assistance to low-income elderly taxpayers needed to be amended. He read the following Resolution No. 496 substituting the language in Section 5 of the previous resolution. Motion was made by Jack Buckles, seconded by Jerry Pearman to accept the resolution as presented. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: 0
PASSING: 0
ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried this September 15, 2008.

**BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE**

REGULAR MEETING September 15, 2008

RESOLUTION NO. 496

"A RESOLUTION TO AMEND THE RESOLUTION TO PROVIDE FINANCIAL ASSISTANCE TO BE PAID FROM CARTER COUNTY TAX REVENUES TO LOW-INCOME ELDERLY TAXPAYERS, TOTALLY AND PERMANENTLY DISABLED HOMEOWNERS, AND DISABLED VETERANS IN ADDITION TO THE TAX RELIEF ALREADY PROVIDED BY THE STATE OF TENNESSEE AND PROVIDED BY T.C.A. §67-5-701, ET SEQ."

WHEREAS, Resolution No. 493 was enacted by the Carter County Commission on August 18, 2008 to provide financial assistance to be paid from Carter County tax revenues to low-income elderly taxpayers, totally and permanently disabled homeowners, and disabled veterans in addition to the tax relief already provided by the state of Tennessee as provided by T.C.A. §67-5-701 et seq.

WHEREAS, Resolution No. 493 provided in Section 5 as follows:

"SECTION 5. The assistance set out herein is applicable solely for taxes levied and assessed for the 2008 calendar year. Eligible tax payers must apply for the assistance no later than February 28, 2009, or on the date of payment of the 2008 taxes, whichever occurs first. Failure to apply within the prescribed time shall constitute a waiver of all claims for the assistance hereby authorized."

WHEREAS, it is desirable to have the final eligibility date changed from February 28, 2009 to April 6, 2009 to correspond with the final eligibility date for the State of Tennessee to avoid confusion for the taxpayers who are eligible for said relief.

WHEREAS, Section 5 of Resolution No. 493 shall be deleted and the following language shall be substituted:

"SECTION 5. The assistance set out herein is applicable solely for taxes levied and assessed for the 2008 calendar year. Eligible tax payers must apply for the assistance no later than April 6, 2009, or on the date of payment of the 2008 taxes, whichever occurs first. Failure to apply within the prescribed time shall constitute a waiver of all claims for the assistance hereby authorized."

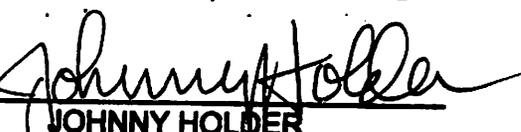
NOW, THEREFORE, BE IT RESOLVED by the County Commission of Carter County, Tennessee, meeting in a special session on this the ____ day of September, 2008, with a lawful quorum of said Commission voting in the affirmative as follows:

1. Resolution No. 493 is hereby amended deleting SECTION 5 and substituting the following:

"SECTION 5. The assistance set out herein is applicable solely for taxes levied and assessed for the 2008 calendar year. Eligible tax payers must apply for the assistance no later than April 6, 2009, or on the date of payment of the 2008 taxes, whichever occurs first. Failure to apply within the prescribed time shall constitute a waiver of all claims for the assistance hereby authorized."

2. This Resolution shall be effective from and after its adoption.

CARTER COUNTY, TENNESSEE

By: 
JOHNNY HOLDER
CARTER COUNTY MAYOR

ATTEST:


MARY GOUZE
CARTER COUNTY CLERK

KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

At this time Mayor Holder recognized the elected and appointed Officials in the audience by asking them to stand.

On motion by Lynn Tipton, seconded by Ken Arney the minutes of the August 18, 2008, County Commission were approved by voice roll call vote this September 15, 2008.

On motion by Lawrence Hodge, seconded by Nancy Brown the minutes of the Special Called Session of the County Commission on September 5, 2008, were approved by voice roll call vote. Commissioner Richard Tester informed the Commissioners that the motion made by Nancy Brown that was passed at the Special Called meeting for the Commissioners to forfeit their pay for that meeting was illegal. He stated that it was not an item on the agenda and therefore was null and void.

After much discussion concerning the Commissioner's voluntarily giving up their pay for the Special Called meeting on September 5, 2008, motion was made by Gebe Ritchie, seconded by Nancy Brown to have the Clerk call the roll and each Commissioner publicly stating whether or not they wanted to be paid for the meeting. Motion was then made by Harry Sisk, seconded by Jeff McKinney to TABLE Commissioner Ritchie's motion. Roll call vote to TABLE as follows:

AYES: Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong & Robert Davis
NAYS: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Steve Lowrance, Terry Montgomery, Ken Arney & Robert Gobble
PASSING: 0
ABSENT: 0

There being 16 ayes, 8 nays, 0 passing and 0 absent, motion to TABLE duly carried.

Motion was then made by Jim Whaley, seconded by Jack Buckles that a list of all the Commissioners be put out after the meeting and those attending the Special Called meeting mark it as to whether they wanted to be paid or wanted to give up their pay for that meeting. Motion was then made by Robert Davis, seconded by R. L. Miller to TABLE Commissioner Whaley's motion. Roll call vote to TABLE as follows:

AYES: R. L. Miller, L.C. Tester, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown,
 Jim Whaley, Harry Sisk, Jerry Pearman, Steve Lowrance & Ken Arney

PASSING: Jeff McKinney & Tom Bowers

ABSENT: 0

There being 13 ayes, 9 nays, 2 passing and 0 absent, motion to TABLE duly carried. Mayor Holder told the Commissioners that Jerome Kitchens would have a list of Commissioners and for them to see him after the meeting and tell him if they wanted to be paid or not.

On motion by Lynn Tipton, seconded by Jeff McKinney the following Notaries and/or bonds were approved by voice roll call vote.

Lesia Fields	Georgie R. Lyon
Tonia K. Sparks	Randall W. Birchfield
Lou Cooter	Tamara Curtis
Kimberlyn J. Nidiffer	Olivia Rumley
Fred Smith	Tanya L. Black
Brenda M. Gray	Tammie M. Jones
Sherry Maines	Todd Smith
John S. Brookshire	Rocky W. Ward
Stephen Folts	E. Kelly Beller
Collins Landstreet	Margarette S. Wallace
Roberta Macdonald	Shannon Renee Ford
Melissa Dawn Carr	Sherry Arlene McCormick
Betty W. Mustard	Ronnie B. Taylor-Tax Assessor Bond
	\$10,000.00

SURETY'S BOND NO. RSB4120900

STATE BOND FORM COB-7(82)

STATE OF TENNESSEE
 COUNTY OF CARTER
 OFFICIAL STATUTORY BOND
 FOR
 COUNTY PUBLIC OFFICIALS
 OFFICE OF ASSESSOR OF PROPERTY

KNOW ALL MEN BY THESE PRESENTS:

That Ronnie B. Taylor of Elizabethton (City or Town),
 County of Carter Tennessee, as Principal,
 and RLI Insurance Company as Surety, are held and firmly bound unto THE STATE
 OF TENNESSEE in the full amount of Ten Thousand and 00/100 Dollars
 (\$ 10,000.00) lawful money of the United States of America for the full and prompt payment whereof we bind
 ourselves, our representatives, successors and assigns, each jointly and severally, firmly and unequivocally by these presents.

WHEREAS, The said Principal was duly x elected appointed to the office of Assessor of Property of and
 for Carter County for the 4 year term beginning on the 1st day of September, 2008 and ending on
 the 31st day of August, 2012.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH:

- That if the said Ronnie B. Taylor, Principal, shall:
1. Faithfully perform the duties of the office of Assessor of Property of Carter County during his term of office or his continuance therein; and,
 2. Pay over to the persons authorized by law to receive them, all monies, properties, or things of value that may come into his hands during his term of office or his continuance therein without fraud or delay, and shall faithfully and safely keep all records required of him in his official capacity, and at the expiration of his term, or in case of his resignation or removal from office, shall turn over to his successor all records and property which have come into his hands, then this obligation shall be null and void; otherwise to remain in full force and effect.

WITNESS our hands and seals this 20th day of August, 2008.

WITNESS - ATTEST:
Walter F. Blank

COUNTERSIGNED BY:
[Signature]
 Tennessee Resident Agent

PRINCIPAL
Ronnie B. Taylor

SURETY: RLI Insurance Company

By: [Signature]

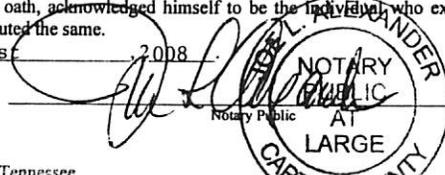
(Attorney-In-Fact)

(attach evidence of authority to execute bond)



ACKNOWLEDGEMENT OF PRINCIPAL

STATE OF TENNESSEE
 COUNTY OF CARTER
 Before me, a Notary Public, of the State and County aforesaid, personally appeared Ronnie B. Taylor
 with whom I am personally acquainted and who, upon oath, acknowledged himself to be the individual who executed the
 foregoing bond, and he acknowledged to me that he executed the same.
 Witness my hand and seal this 20th day of August, 2008.
 My Commission Expires: June 19, 2011.



On recommendation of the Nominating Committee, motion was made by Harry Sisk, seconded by Jerry Pearman to approve the appointments of Bill Cline and Dana Malone to the Industrial Development Board. By voice roll call vote, motion duly carried.

On recommendation of the Nominating Committee, motion was made by Harry Sisk, seconded by Jerry Pearman to approve the appointment of Sonja Culler to the Utilities, Cable; Education; Highway; Special Investigation; Solid Waste/Landfill Committee to replace Jack Campbell. By voice roll call vote, motion duly carried.

On recommendation of the Nominating Committee, motion was made by Harry Sisk, seconded by Jerry Pearman to approve the appointment of Tom Bowers to the Beer Board. By voice roll call vote, motion duly carried.

On recommendation of the Nominating Committee, motion was made by Harry Sisk, seconded by Jerry Pearman to approve the Financial Management Committee with the addition of Larry McKinney. By voice roll call vote, motion duly carried.

The County Attorney read the following Resolution No. 497 increasing litigation tax collected from \$10.00 to \$25.00 on cases filed in either civil or criminal courts of Carter County. Motion was made by Jack Buckles, seconded by Dickie Renfro to approve the resolution as presented. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0

PASSING: 0

ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried this September 15, 2008.

BEFORE THE COUNTY COMMISSION

OF CARTER COUNTY, TENNESSEE

REGULAR MEETING

September 15, 2008

RESOLUTION NO. 497

"A RESOLUTION INCREASING THE LITIGATION TAX COLLECTED FROM TEN DOLLARS TO TWENTY FIVE DOLLARS"

WHEREAS, T.C.A. §67-4-601 was amended by SB4019/HB3846 allowing counties to collect a litigation tax of twenty five dollars (\$25); and,

WHEREAS, Carter County was authorized by the newly executed Tennessee Code to increase the litigation tax from ten dollars (\$10) to twenty five dollars (\$25) with two-thirds (2/3) approval of the county commission; and

WHEREAS, The county commission deems that the best interest of Carter County can be served by increasing the litigation tax from ten dollars (\$10) to twenty five dollars (\$25); and

WHEREAS, the County Commission specifically acknowledges the use of said proceeds must comply with those set forth in T.C.A. §67-4-601(b)(1) and T.C.A. §67-4-601(b)(6).

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Carter County, Tennessee, meeting in regular session on this the 15 day of September, 2008, with a lawful quorum of said Commission voting in the affirmative as follows:

1. The Carter County Commission does hereby approve and adopt, by a two-thirds (2/3) majority, the increased litigation tax of twenty five dollars (\$25) to be imposed upon all litigation filed in either civil or criminal courts located within Carter County.
2. This Resolution shall be effective from and after its adoption.

CARTER COUNTY, TENNESSEE

By: 
JOHNNY HOLDER
CARTER COUNTY MAYOR

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

The County Attorney read the following Resolution No. 498 levying an additional litigation tax for the increase in Courtroom security. Motion was made by Lynn Tipton, seconded by Jeff McKinney to approve the resolution as presented. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Larry McKinney, Ken Arney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: 0
PASSING: 0
ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried this September 15, 2008.

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE

REGULAR MEETING September 15, 2008

RESOLUTION NO. 498

"TO LEVY AN ADDITIONAL LITIGATION TAX FOR THE PURPOSES OF INCREASING COURT ROOM SECURITY IN CARTER COUNTY"

WHEREAS, Chapter 1187 of the Public Acts of 2008 amends T.C.A. § 67-4-601(b)(6), to authorize counties, by a two-thirds majority vote of the county legislative body, to levy a local privilege tax not in excess of twenty-five dollars (\$25) on litigation in all civil and criminal cases instituted in the county, other than those instituted in municipal courts, such tax to be in addition to all other privilege taxes on litigation authorized by law; and

WHEREAS, Chapter 1187 of the Public Acts of 2008 requires that the proceeds of this tax be used exclusively for courthouse security, in addition to those purposes identified in T.C.A. § 67-4-601(b)(1); and

WHEREAS, the Board of County Commissioners of Carter County has determined that Carter County is in need of additional revenues for these authorized purposes and therefore desires to increase the litigation taxes for all civil and criminal cases in Carter County as authorized by T.C.A. § 67-4-601(b)(6):

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Carter County, Tennessee, meeting in regular session on this the 15 day of Sept., 2008, in Elizabethton, Tennessee, that:

Section 1. Effective on the first day of the month following the final passage of this resolution, the local litigation taxes on civil and criminal cases in Carter County shall be increased by twenty five dollars (\$25) as provided in this resolution.

Section 2. The clerks of court of Carter County are instructed to collect this litigation tax on civil and criminal cases in the same manner as all other litigation taxes.

Section 3. Such revenues shall be used exclusively for courthouse security, in addition to those purposes identified in T.C.A. § 67-4-601(b)(1).

Section 4. The taxes imposed by this resolution shall take effect on the first day of the month following the effective date of this resolution, the public welfare requiring it, and shall remain in effect until amended or repealed, unless otherwise provided by T.C.A. § 67-4-601.

Section 5. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provision or application and to that end the provisions of this resolution are declared to be severable.

Passed by a two-thirds majority vote of the Board of County Commissioners of CARTER County, this the 15 day of Sept 2008.

CARTER COUNTY, TENNESSEE

By: 
JOHNNY HOLDER
CARTER COUNTY MAYOR

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

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Jerry Pearman gave an update on the progress of placing the water tanks in the Little Milligan area. Mayor Holder thanked the businesses, individuals and County Departments for all their efforts to get a much needed water supply to this area.

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Robert Gobble to approve the Sheriff's request to compensate Deputy Stephanie Simpson, shot in the line of duty, for the deficit between the payments from worker's compensation and her regular salary. The funds to come from the Sheriff's salary line item. Several Commissioners voiced their concern that such compensation would set a precedent and other injured employees would seek the same assistance.

The County Attorney stated that if the language of the motion stated that the Sheriff would have the authority to use his discretion as to the length of time an employee would be further compensated the responsibility would be put directly on the office holder. Taking the County Attorney's advise, Commission Armstrong amended his motion to state that the length of the compensation from the county would be up to the Sheriff. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: Ken Arney
 PASSING: 0
 ABSENT: 0

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

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Dickie Renfro to approve the General Fund 101 additional items presented by the Sheriff as presented. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Harry Sisk, Jerry pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
 PASSING: 0
 ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly caried.

**General Fund 101
 Additional Items Presented by Sheriff**

43770	Telephone Comissions	\$	8,000.00	Increase
54110	716 Law Enforcement Equipment	\$	8,000.00	Increase

To budget additional revenue from Inmate telephone contract for radios

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Tom Bowers to add an additional \$35,000 to the contract with Dr. Daniel Paul, health care provider for the inmates, to cover Emergency Room visits. It was stated that Dr. Paul was to return any unused portion of this money at the end of the year and provide the Mayor with a letter stating what procedures and medications are included and excluded in his services. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Bill Armstrong & Robert Gobble

NAYS: Lawrence Hodge, Richard Tester & Robert Davis
PASSING: 0
ABSENT: 0

There being 21 ayes, 3 nays, 0 passing and 0 absent, motion duly carried.

39000	Fund Balance	\$ 35,000.00	Decrease
54210 340	Medical And Dental Services	\$ 35,000.00	Increase

To increase amount for Inmate healthcare contract from Fund Balance

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to authorize the County Mayor to sign the agreement for the Sanitary Landfill closure costs. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
PASSING: 0
ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried.

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to approve the following General Fund Budget Amendment #3, Items 1-8 as presented. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
PASSING: 0
ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried.

Carter County General Fund 101
Budget Amendment # 3 2008-09

Item #	1	44170 Reimbursement			\$ 316.34	Increase
		52500 351 Rental		\$ 316.34		Increase
Xerox refund on copier in the County Clerk Office						
Item #	2	47660 State Grant			\$ 196,841.16	Increase
		58130 321 Engineering Services		\$ 9,287.70		Increase
		58130 499 Other Materials (Contractors)		\$ 174,616.00		Increase
		58130 599 Other Charges		\$ 12,937.46		Increase
Funds for HOME Grant						
Item #	3	44170 Reimbursement		\$ 1,049.13		Increase
		58130 599 Other Charges				1049.13 Increase
Refund Cash Bond for HOME Grant						
Item #	4	44170 Reimbursement			\$ 42.04	Increase
		53100 351 Rental		\$ 42.04		Increase
Xerox refund on copier in Circuit Court Office						
Item #	5	44170 Sale of Maps			\$ 2,000.00	Increase
		52300 599 Other Charges		\$ 2,000.00		Increase
Funds for sale of maps in Assessor of Property Office						
Item #	6	34166 Reserved for Automation			\$ 1,090.00	Decrease
		53400 719 Office Equipment		\$ 1,090.00		Increase
Purchase 2 computers in Clerk and Master Office						
Item #	7	44170 Reimbursement			\$ 36.50	Increase
		51500 435 Office Supplies		\$ 36.50		Increase
Funds for sale of voters list in Election Commission Office						
Item #	8	44170 Reimbursement			\$ 178.39	Increase
		53900 194 Jury Fees		\$ 178.39		Increase
State reimbursement on jury cost						

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to approve the Solid Waste Fund Budget Amendment #1 as presented. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Guller, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
 PASSING: 0
 ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried.

Solid Waste Fund 116
Budget Amendment # 1 2008-09

Item #1	44170	Reimbursement			346.00	Increase
	55754 335	Building Maintenance		\$ 346.00		Increase
Reimbursement on water trench.						
Item #2	44170	Reimbursement			\$ 3,322.77	Increase
	55754 322	Testing		\$ 3,322.77		Increase
City share of cost of closed Landfill						

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to approve the following Schools Fund 141 Budget Amendment #1, items 1, 2, 4 & 5 as presented. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
 NAYS: 0
 PASSING: 0
 ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried.
 (Conflict of Interest Disclaimer noted by Charlie Bayless, Dickie Renfro, Ken Arney and Sonja Culler)

**Carter County Schools Fund 141
 Budget Amendment # 1 2008-09**

Item #1	46590		Other State Education Funds	105,000	Increase
	72120	131	Nurses	55,751	Increase
	72120	201	Social Security	3,457	Increase
	72120	204	Retirement	8,240	Increase
	72120	206	Life	51	Increase
	72120	207	Medical	10,981	Increase
	72120	208	Dental	450	Increase
	72120	210	Unemployment	52	Increase
	72120	212	Medicare	809	Increase
	72120	355	Travel	5,000	Increase
	72120	399	Other Contracted Services	3,000	Increase
	72120	413	Supplies	12,709	Increase
	72120	599	Other	4,500	Increase

To recognize Coordinated School Health Grant from State

Item #2	71100	116	Teachers	21,000	Increase
	71100	163	Educational Assistants,	5,569	Increase
	71100	201	Social Security	408	Increase
	71100	204	State Retirement	65	Increase
	71100	210	Unemployment Compensation	20	Increase
	71100	212	Employer Medicare	96	Increase
	71100	429	Instructional Supplies & Materie	23,560	Increase
	71100	449	Textbooks	15,000	Increase
	71100	599	Other Charges	3,000	Increase
	71100	722	Regular Instruction Equipment	12,000	Increase
	71150	163	Educational Assistants	5,569	Increase
	71150	204	State Retirement	346	Increase
	71150	210	Unemployment Compensation	20	Increase
	71150	212	Employer Medicare	81	Increase
	71200	116	Teachers	9,200	Increase
	71200	171	Speech Pathologist	5,000	Increase
	71200	201	Social Security	880	Increase
	71200	204	State Retirement	911	Increase
	71200	212	Employer Medicare	21	Increase
	71200	399	Other Contracted Services	10,000	Increase
	72130	322	Evaluation & Testing	6,000	Increase
	72210	432	Library Books/Media	10,500	Increase
	72210	499	Other Supplies & Materials	3,000	Increase
	72210	524	In Service/Staff Development	10,000	Increase
	34386		BEP Reserve		142,246 Decrease

Item #3 Item removed pending workshop discussion.

Item #4					
73300	105	Director	41,393		Increase
73300	169	Part-Time Personnel	423,306		Increase
73300	201	Social Security	28,811		Increase
73300	204	Retirement	20,462		Increase
73300	206	Life Insurance	30		Increase
73300	207	Medical Insurance	9,000		Increase
73300	208	Dental Insurance	240		Increase
73300	210	Unemployment	1,720		Increase
73300	212	Medicare	6,740		Increase
73300	355	Travel	6,867		Increase
73300	399	Other Contracted Services	7,480		Increase
73300	422	Food Supplies	100,368		Increase
73300	429	Instructional Supplies	17,760		Increase
73300	524	Staff Development	9,273		Increase
73300	599	Other Charges	6,918		Increase
47590		Other Federal Through State	580,000		Increase
47114		USDA _ Other Carter Cares Reimburs	100,368		Increase

To recognize Carter Cares After School Grant

Item #5					
73400	105	Director	35,000		Increase
73400	116	Teachers	108,489		Increase
73400	162	Clerical	3,000		Increase
73400	163	Educational Assistants	37,080		Increase
73400	195	Substitutes	3,000		Increase
73400	201	Social Security	11,570		Increase
73400	204	Retirement	12,490		Increase
73400	206	Life Insurance	200		Increase
73400	207	Medical Insurance	40,890		Increase
73400	208	Dental Insurance	1,490		Increase
73400	208	Unemployment	160		Increase
73400	212	Medicare	2,700		Increase
73400	355	Travel	6,000		Increase
73400	429	Instructional Supplies	23,698		Increase
73400	599	Other Charges	1,000		
46590		Other State Education Funds	286,767		Increase

To recognize Pre K Grant from State

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Harry Sisk to allow the Mayor to sign a letter of intent for a matching grant, our share being \$24,500, for rural bus transportation. The Mayor explained that because we once had a Greyhound Bus Station located in our County we qualified for this grant. The service would run from Hampton to Elizabethton and then to Johnson City and would be on a trial basis. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
 PASSING: 0
 ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried.

On recommendation of the Budget Committee, motion was made by Bill Armstrong, seconded by Tom Bowers to grant a letter of intent to the Carter County Hunting & Fishing Club that they would receive 1/2 of the proceeds from the next "cut" by the Forest Service when the timber was sold. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: 0
PASSING: 0
ABSENT: 0

There being 24 ayes, 0 nays, 0 passing and 0 absent, motion duly carried.

On recommendation of the Budget Committee, motion was made by Ken Arney, seconded by Jerry Pearman to earmark the \$130,000 anticipated increase in sales tax for Capitol education projects and recommend to the School Board that they do the same. After discussing the fact that the School Board did not necessarily have to earmark their portion for Capitol education projects and there was no guarantee that they would, motion was made by Gebe Ritchie, seconded by Jim Whaley to TABLE Commissioner Arney's motion. Roll call vote to TABLE as follows:

AYES: Gebe Ritchie, Nancy Brown, Jeff McKinney, Jim Whaley, L. C. Tester, Tom Bowers & Terry Montgomery
NAYS: Jack Buckles, Lawrence Hodge, R. L. Miller, Harry Sisk, Jerry Pearman, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
PASSING: 0
ABSENT: 0

There being 7 ayes, 17 nays, 0 passing and 0 absent, motion to TABLE failed. After discussing the original motion that was back on the floor, Ken Arney amended his motion to state that the County would earmark the additional funds generated by the increase in the sales tax if it was passed for Capitol education projects if and only if the School Board designated their additional funds generated from the sales tax increase for Capitol education projects also. Roll call vote as follows:

AYES: Jack Buckles, Gebe Ritchie, Lawrence Hodge, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Lynn Tipton, Sonja Culler, Richard Tester, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: Nancy Brown
PASSING: 0
ABSENT: 0

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

The Clerk noted Conflict of Interest statements from Charlie Bayless, Dickie Renfro, Ken Arney and Sonja Culler.

Ken Arney requested that a Special Closed meeting be held after the Commission adjourned with the Commissioners and the County Attorney. He stated that his request was concerning the pending litigation between the Sheriff and the County.

Jo Ann Blankenship commended Mayor Holder's secretary Diane Eggers for the exceptional job she has done on updating the County's website.

At this time Ken Arney confronted the Sheriff as to why he used an EXXON gas card to make gas purchases for his department instead of the discount Fuelman cards which save on taxes. Sheriff Mathes stated that his department had five (5) EXXON cards and he, Chief Deputy Street and the transportation officer carried one, the other two were locked up. Arney continued to question the Sheriff waiving what he said was \$7,000 in fuel invoices for gas purchased locally on the EXXON card. Sheriff Mathes ended the questioning by stating he resented the insinuations and if Mr. Arney felt he had done something wrong he needed to contact the District Attorney.

At the request of the County Attorney, motion was made by Jim Whaley, seconded by Jerry Pearman to authorize the County Mayor to secure an attorney for the pending litigation between the Sheriff's Department and the County. By voice roll call vote, motion duly carried.

Court was adjourned and the Commissioners, the County Attorney and the Mayor stayed for the Closed meeting requested by Ken Arney to discuss the Sheriff's lawsuit.