

MEETING OF THE COUNTY COMMISSION, REGULAR SESSION, AUGUST 30, 2010

Notice of meeting.....433

Proclamation honoring the 11u Lady Cyclones Basketball Team.....434

Plaque presented to out going Commissioners.....435

Plaque presented to widow of Lynn Tipton.....435

Andrew Worley-Emergency Management Director introduced.....435

Tom Anderson-Carter County Tomorrow President report.....435

Notaries approved.....435

Resolution No. 526-mulching regulations.....436

Resolution No. 527-amendments to Zoning Resolution TABLED.....436

Campground Resolution No. 528-approved with amendments.....437

Bond Resolution No. 529 approved.....439 - 459

General Sessions Budget-reallocate funds for employee comp time....459

Reimburse County Officials attending CTAS orientation.....460

Portion of Bill Garland Road-name changed to 500 Borla Drive.....460

Previous approval of expansion at Cove Ridge Marina & Campground
on August 24, 2010 revoked.....460

Rebidding of Jail parking lot approved..... 460

Veteran's to travel free on new transit system.....461

Mayor Holder commended on his many years of service and the
newly elected officials recognized.....461

BE IT REMEMBERED, that the County Commission of Carter County, Elizabethton, Tennessee, met in Regular Session on August 30, 2010, at 10:00 A.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: Paul Mottern, 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, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis and Robert Gobble.

ROLL CALL.....QUORUM PRESENT
PRAYER.....L. C. TESTER
PLEDGE.....ROBERT DAVIS



Carter County Commission

Johnny L. Holder
County Chairman
Lawrence Hodge
Vice-Chairman

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Elizabethton, TN 37643
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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, August 30, 2010 at 10:00 a.m., Main Courtroom, Carter County Courthouse, 801 E. Elk Avenue, Elizabethton, Tennessee.

Agenda

- Call to Order
- Roll Call
- Opening Prayer
- Pledge of Allegiance
- Acceptance of Minutes from Previous Meeting
- Recognition of Elected Officials/Guests
- Public Comments
- Carter County Tomorrow – Tom Anderson
- Notaries/Bonds
- Old Business
 - a) Amendments to Carter County Zoning Resolutions
 - b) Amendment to Carter County Zoning Resolution regarding Campground Regulations
- Bond Resolution
- Committee Reports/Recommendations
- County Attorney Report
- 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 motion by Jerry Pearman, seconded by Robert Davis the minutes of the July 19, 2010, Commission meeting were approved by voice roll call vote.

Mayor Holder recognized the elected and appointed officials in the audience at this time by asking that they stand.

The following Proclamation honoring the 11u Lady Cyclones Basketball Team was read by the County Attorney and presented to the team coaches by the County Mayor.

PROCLAMATION Honoring the 11u Lady Cyclones Basketball Team

WHEREAS, 11u Lady Cyclones Basketball Team is comprised of Alexis Bowers, Melenda Perry, Shy Bowers, Kayla Marosites, Keici Marosites, Cassidy Morton, and Autumn Lyon and coached by Todd Bowers and Michelle Bowers; and

WHEREAS, 11u Lady Cyclones Basketball Team exhibited good sportsmanship and honorably represented Carter County, Tennessee; and

WHEREAS, 11u Lady Cyclones Basketball Team won the title and were the 2010 11u Girls Champions of the Smokey Mountain Sports Complex Tournament held in Elizabethton, Tennessee; and

WHEREAS, 11u Lady Cyclones Basketball Team won the title and were the 2010 11u Girls Champions of the Shooting Star Tournament held in Johnson City, Tennessee; and

WHEREAS, 11u Lady Cyclones Basketball Team won the title and were the 2010 11u Girls Champions of the Knoxville Bailers No. 2 Tournament held in Clinton, Tennessee; and

WHEREAS, 11u Lady Cyclones Basketball Team won all three games in their group stage of the 11u Girls National Championship by an average of more than fifteen (15) points per game; and

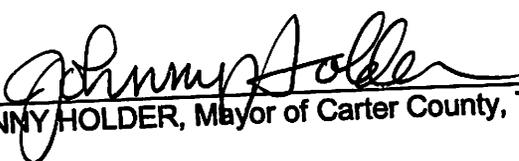
WHEREAS, 11u Lady Cyclones Basketball Team defeated Piedmont Pride by score of forty seven (47) to twenty seven (27) in the Quarterfinals of the 11u Girls National Championship; and

WHEREAS, 11u Lady Cyclones Basketball Team defeated South Carolina's 11u State Champion, High Point Lady Stars by score of thirty three (33) to eleven (11) in the Semi-Finals of the 11u Girls National Championship; and

WHEREAS, 11u Lady Cyclones Basketball Team defeated the Alabama 11u State Champion, Alabama Cardinals by score of forty five (45) to twenty one (21) in the Finals of the 11u Girls National Championship;

NOW, THEREFORE, I, JOHNNY HOLDER, MAYOR OF THE COUNTY OF CARTER, TENNESSEE by virtue of the authority vested in me by the laws of the great State of Tennessee do hereby proclaim that we honor and commend the 11u Girls National Basketball Champions, Lady Cyclones for their achievements and honorable representation of our community.

Proclaimed in Carter County, Tennessee on this the 30th day of August 2010.


JOHNNY HOLDER, Mayor of Carter County, Tennessee

Mayor Holder requested the out going Commissioners, which included Jeff McKinney, R. L. Miller, Jim Whaley, Jerry Pearman, Larry McKinney and Robert Davis to come to the front of the courtroom. He then presented them with a plaque of appreciation for their years of service to the County. The widow of Commissioner Lynn Tipton, recently deceased, was also presented a plaque in his memory.

Mayor Holder introduced Andrew Worley the newly appointed Emergency Management Director to the Commissioners.

Under Public Comments several private citizens and property owners criticized the Commissioners and the Planning Committee for their procrastination concerning the resolution regarding campground regulations. Billie Dabadanza stated that any action on the campground resolution taken at the August 24th meeting should be null and void due to the inefficient notice of the meeting by publication. Mayor elect Leon Humphrey stated that the commission and officials should protect the property and livelihood of the people they represent. House Speaker Kent Williams urged the commissioners to do the right thing for the sake of the county. Bill Loran, representing Cove Ridge Marina, said that overly restrictive regulations would result in fewer campgrounds and higher rates.

Tom Anderson, Carter County Tomorrow President, reported that the county had been certified to the state's Three Star Program and would receive an award in Nashville on September 17, 2010. He also reported that there were several transportation and prospective industrial project currently in the works which could potentially create several hundred jobs.

On motion by Jim Whaley, seconded by Jeff and by voice roll call vote, the following notaries were approved:

Whitney Greene	John G. Lewis
Robert Cable, Jr.	James L. Burrough
Jeff B. Livingston	Wendy Mahan
Sherri Wooldridge	Kim Parker
Stephanie Grindstaff	Teresa Ornduff
Deanna E. Cole	James W. Johnson
Curtis Brumit	Michelle L. Jackson
Jacob Frady	Sherri B. Kimbrel
April Bliss Gilbert	Valerie E. Vines

The following mulching operations Resolution 526 was read by the County Attorney. Motion was made by Jerry Pearman, seconded by Robert Davis to approve the resolution as presented. Roll call vote as follows:

AYES: Paul Mottern, 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, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
 PASSING: 0
 ABSENT: 0

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

**RESOLUTION TO AMEND NO. 526
 THE ZONING RESOLUTION FOR
 CARTER COUNTY, TENNESSEE**

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

WHEREAS, the Carter County Commission realizes that the Zoning Resolution may require changes periodically to provide for continued effectiveness;

WHEREAS, the Carter County Planning Commission proposes the following changes as follows:

Article II: Definitions of terms used in ordinance
Definitions Added:

1. **Mulching operations.** Manufacturing of organic and/or manmade mulching materials
2. **Mulching/Composting Sales.** The whole or retail sale of composting or mulching materials
3. **Composting Operations.** Manufacturing of compost either for whole or retail sales and or utilization by manufacturer to include vermicompost and/or compostee and/or with use of micro organisms

Article III Use Requirements by Districts
Uses Added:

Mulching operations will be allowed in zone A-1a, A-1b, M-1 and M-2

Composting operations will be allowed in zone A-1a, A-1b, M-1, and M-2.

Mulching/composting sales will be allowed in zone A-1, A-1a, A-1b, M-1, M-2, and B-3

Article VIII Section 803 (Enforcement)
Adding Subsections:

803a. "A survey shall be required showing all new commercial/industrial buildings on parcel. This will include preliminary and as built survey prior to issuance of building permits

803b. Survey shall be required showing all residential buildings on all parcels prior to issuance of building permits

803c. No building permits will be issued for existing nonconforming usage or addition of said will be issued until survey showing all buildings or expansions have been presented for approval by the Carter County Planning Commission.

BE IT RESOLVED by the Carter County Board of Commissioners, that this amendment shall take effect immediately after its passage, the welfare of the county requiring it.

Date certified by Planning Commission:

July 13, 2010

Date approved by County Commission:


County Mayor

Approved as to Form:

County Attorney

Attest:


County Register

The County Attorney read Resolution No. 527 amending Article II, Article IV and Article V of the Carter County Zoning Resolution. Motion was made by Jerry Pearman, seconded by Robert Davis to approve the resolution as read. After much discussion and confusion over the wording and enforcement of the resoltuion, motion was then made by Gebe Ritchie, seconded by Jeff McKinney to TABLE Commissioner Pearman's motion. Roll call vote to TABLE as follows:

AYES: Paul Mottern, 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, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble
NAYS: 0
PASSING: 0
ABSENT: 0

There being 23 ayes, 0 nays, 0 passing and 0 absent, motion to TABLE carried. Resolution No. 527 entered into the minutes on pages 462 to 463 for a source of future reference only.

The campground Resolution No. 528 was read by the County Attorney. After much more discussion, motion was made by Nancy Brown, seconded by Harry Sisk to go ahead and adopt the resolution as presented, making changes to it as necessary in the future. Motion was then made by R. L. Miller, seconded by Gebe Ritchie to TABLE Commissioner Brown's motion. Roll call vote to TABLE as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Jerry Pearman, Steve Lowrance, Tom Bowers, Terry Montgomery, Ken Arney, Larry McKinney & Robert Davis

NAYS: Harry Sisk, L. C. Tester, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Sonja Culler, Russell Kyte, Bill Armstrong & Robert Gobble

PASSING: 0
ABSENT: 0

There being 14 ayes, 9 nays, 0 passing and 0 absent, motion to TABLE passed.

At this time the meeting was recessed into a Public Hearing for further comments on the campground situation. The concensus of the majority of the discussion was to adopt the resolution as approved by the Planning Committee. After the meeting was called back to Regular Session, motion was made by R. L. Miller, seconded by Jerry Pearman to approve the proposed Campground Resolution No. 528 with the amendments of the tract of land designated to be used as a campground shall consist of a minimum of four (4) acres and shall be a minimum of 300 feet from any residence. Roll call vote as follows:

AYES: Paul Mottern, Lawrence Hodge, Jeff McKinney, R. L. Miller, Jim Whaley, Jerry Pearman, Tom Bowers, Terry Montgomery, Ken Arney, Larry McKinney, Sonja Culler, Russell Kyte & Robert Davis

NAYS: Gebe Ritchie, Nancy Brown, Harry Sisk, L. C. Tester, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro. Bill Armstrong & Robert Gobble

PASSING: 0
ABSENT: 0

There being 13 ayes, 10 nays, 0 passing and 0 absent, motion duly carried.

Resolution No. 528 entered on pages 464 to 467 before amendments.

Motion was made by Tom Bowers, seconded by Harry Sisk to approve Stephens, Inc. as financial consultant for the jail bond. Roll call vote as follows:

AYES: Paul Mottern, 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, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
PASSING: 0
ABSENT: 0

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

After suspending the reading of the following Resolution No. 529 authorizing the issuance of general obligation refunding bonds in the aggregate principal amount of approximately \$25,490,000, motion was made by Tom Bowers, seconded by Jerry Pearman to approve the resolution as presented. Roll call vote as follows:

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

NAYS: 0
PASSING: 0
ABSENT: 0

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

NO. 529

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF APPROXIMATELY TWENTY-FIVE MILLION FOUR HUNDRED NINETY DOLLARS (\$25,490,000) OF CARTER COUNTY, TENNESSEE; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS; ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; AND PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS.

WHEREAS, pursuant to authority granted by Sections 12-10-101, et seq., Tennessee Code Annotated, as amended, Carter County, Tennessee (the "County") has delivered its outstanding Loan Agreement, by and between The Public Building Authority of the County of Montgomery, Tennessee (the "Montgomery PBA") and the County, dated April 9, 2007 (the "2007 Loan"), in an original amount of \$18,000,000 and its outstanding Loan Agreement, by and between The Public Building Authority of the City of Clarksville, Tennessee (the "Clarksville PBA" and together with the Montgomery PBA, sometimes referred to herein as the "Authorities"), dated December 15, 2009 (the "2009 Loan" and together with the 2007 Loan, the "Outstanding Loans") in an original amount of \$8,000,000; and

WHEREAS, the Outstanding Loans, or a portion thereof, as shall be determined by the County Mayor, in consultation with Stephens Inc., the County's financial advisor, can now be prepaid in order to restructure debt service to permit the issuance of additional debt and to reduce the County's exposure to variations in interest rates born by the Outstanding Loans; and

WHEREAS, counties in Tennessee are authorized by Sections 9-21-101 et seq., Tennessee Code Annotated, as amended, to issue, by resolution, bonds or notes to refund, redeem or make principal and interest payments on their previously issued bonds, notes or other obligations; and

WHEREAS, a plan of refunding has been submitted to the Director of State and Local Finance (the "Director") for review as required by Section 9-21-903, Tennessee Code Annotated, and the Director has either issued a report on the plan of refunding or fifteen days have expired since the date of submission of the plan of refunding; and

WHEREAS, it is the intention of the Board of County Commissioners to adopt this resolution for the purpose of authorizing an approximate aggregate principal amount of \$25,490,000 in aggregate principal amount of said bonds, providing for the issuance, sale and payment of said bonds, establishing the terms thereof, and the disposition of proceeds therefrom, and providing for the levy of a tax under certain conditions for the payment of principal thereof, premium, if any, and interest thereon.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Carter County, Tennessee, as follows:

Section 1. Authority. The bonds authorized by this resolution are issued pursuant to Sections 9-21-101, *et seq*, Tennessee Code Annotated, as amended, and other applicable provisions of law

Section 2. Definitions. The following terms shall have the following meanings in this resolution unless the text expressly or by necessary implication requires otherwise:

- (a) "Bonds" means an approximate aggregate principal amount of \$25,490,000 General Obligation Refunding Bonds of the County, to be dated their date of issuance, and having such series designation or such other designation and such other dated date as shall be determined by the County Mayor pursuant to Section 8 hereof;
- (b) "Book-Entry Form" or "Book-Entry System" means a form or system, as applicable, under which physical bond certificates in fully registered form are issued to a Depository, or to its nominee as Registered Owner, with the certificate of bonds being held by and "immobilized" in the custody of such Depository, and under which records maintained by persons, other than the County or the Registration Agent, constitute the written record that identifies, and records the transfer of, the beneficial "book-entry" interests in those bonds;
- (c) "Code" means the Internal Revenue Code of 1986, as amended, and all regulations promulgated thereunder;
- (d) "County" means Carter County, Tennessee;
- (e) "Depository" means any securities depository that is a clearing agency under federal laws operating and maintaining, with its participants or otherwise, a Book-Entry System, including, but not limited to, DTC;
- (f) "DTC" means the Depository Trust Company, a limited purpose company organized under the laws of the State of New York, and its successors and assigns;
- (g) "DTC Participant(s)" means securities brokers and dealers, banks, trust companies and clearing corporations that have access to the DTC System;
- (h) "Escrow Agent" means the escrow agent appointed by the County Mayor of the County, or its successor;
- (i) "Financial Advisor" means Stephens Inc., Nashville, Tennessee;
- (j) "Governing Body" means the Board of County Commissioners of the County;
- (k) "Outstanding Loans" shall have the meaning ascribed to it in the preamble hereto;

(l) "Refunded Loans" means all or a portion of the Outstanding Loans, as shall be determined by the County Mayor, in consultation with the Financial Advisor to meet the refinancing objectives of the County;

(m) "Refunding Escrow Agreement" means the Refunding Escrow Agreement, dated as of the date of the Bonds, to be entered into by and between the County and the Escrow Agent, in substantially the form of the document attached hereto and incorporated herein by this reference as Exhibit A, subject to such changes therein as shall be permitted by Section 11 hereof; and

(n) "Registration Agent" means the registration and paying agent appointed by the County Mayor, or any successor designated by the Governing Body.

Section 3. Findings of the Governing Body. It is hereby found and determined by the Governing Body that the prepayment of the Refunded Loans as set forth herein through the issuance of the Bonds may result in the reduction in debt service payable by the County over the term of the Refunded Loans thereby effecting a cost savings to the public and will reduce the County's exposure to the variations in interest rates born by the Refunded Loans.

Section 4. Authorization and Terms of the Bonds. (a) For the purpose of providing funds to (i) prepay the Refunded Loans; and (ii) pay costs incident to the issuance and sale of the Bonds, there is hereby authorized to be issued bonds of the County in the aggregate principal amount of approximately \$25,490,000. The Bonds shall be issued in one or more emissions, in fully registered, book-entry form (except as otherwise permitted herein), without coupons, and subject to the adjustments permitted under Section 8, shall be known as "General Obligation Refunding Bonds, Series 2010", shall be dated their date of issuance, or have such other designation or such other dated date as shall be determined by the County Mayor pursuant to Section 8 hereof. Subject to the changes permitted in Section 8 hereof, the Bonds shall bear interest at a rate or rates not to exceed the maximum rate permitted by law on the sale date of the Bonds, or any emission thereof, payable (subject to the adjustments permitted under Section 8 hereof) semi-annually on May 1 and November 1 in each year, commencing May 1, 2011. The Bonds shall be issued initially in \$5,000 denominations or integral multiples thereof, as shall be requested by the original purchaser thereof. Subject to the adjustments permitted pursuant to Section 8 hereof, each emission of Bonds shall mature, either serially or through mandatory redemption, commencing on May 1, 2011, and continuing on the first day of May of each year thereafter through and including May 1, 2035, in such amounts as shall be established in an award certificate awarding the sale of the Bonds.

(b) Subject to the adjustments permitted under Section 8 hereof, Bonds maturing on or before May 1, 2021, shall mature without option of prior redemption and Bonds maturing May 1, 2022 and thereafter, shall be subject to redemption prior to maturity at the option of the County on May 1, 2021 and thereafter, as a whole or in part at any time at the redemption price of par plus accrued interest to the redemption date.

If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be selected by the Governing Body in its discretion. If less than all of the Bonds within a single

maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

(i) if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine; or

(ii) if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

(c) Pursuant to Section 8 hereof, the County Mayor is authorized to sell the Bonds, or any maturities thereof, as term bonds ("Term Bonds") with mandatory redemption requirements corresponding to the maturities set forth herein or as determined by the County Mayor. In the event any or all the Bonds are sold as Term Bonds, the County shall redeem Term Bonds on redemption dates corresponding to the maturity dates set forth herein, in aggregate principal amounts equal to the maturity amounts established pursuant to Section 7 hereof for each redemption date, as such maturity amounts may be adjusted pursuant to Section 7 hereof, at a price of par plus accrued interest thereon to the date of redemption. The Term Bonds to be redeemed within a single maturity shall be selected in the manner described in subsection (b) above.

At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such mandatory redemption date, the County may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and canceled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the County on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The County shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.

(d) Notice of call for redemption, whether optional or mandatory, shall be given by the Registration Agent on behalf of the County not less than thirty (30) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown

on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for redemption of any of the Bonds for which proper notice was given. As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the Bonds, as and when above provided, and neither the County nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant or Beneficial Owner will not affect the validity of such redemption. The Registration Agent shall mail said notices as and when directed by the County pursuant to written instructions from an authorized representative of the County (other than for a mandatory sinking fund redemption, notices of which shall be given on the dates provided herein) given at least forty-five (45) days prior to the redemption date (unless a shorter notice period shall be satisfactory to the Registration Agent). From and after the redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration Agent for the payment thereof and if notice has been duly provided as set forth herein.

(e) The Governing Body hereby authorizes and directs the County Mayor to appoint the Registration Agent and hereby authorizes and directs the Registration Agent so appointed to maintain Bond registration records with respect to the Bonds, to authenticate and deliver the Bonds as provided herein, either at original issuance or upon transfer, to effect transfers of the Bonds, to give all notices of redemption as required herein, to make all payments of principal and interest with respect to the Bonds as provided herein, to cancel and destroy Bonds which have been paid at maturity or upon earlier redemption or submitted for exchange or transfer, to furnish the County at least annually a certificate of destruction with respect to Bonds canceled and destroyed, and to furnish the County at least annually an audit confirmation of Bonds paid, Bonds outstanding and payments made with respect to interest on the Bonds. The County Mayor is hereby authorized to execute and the County Clerk is hereby authorized to attest such written agreement between the County and the Registration Agent as they shall deem necessary and proper with respect to the obligations, duties and rights of the Registration Agent. The payment of all reasonable fees and expenses of the Registration Agent for the discharge of its duties and obligations hereunder or under any such agreement is hereby authorized and directed.

(f) The Bonds shall be payable, both principal and interest, in lawful money of the United States of America at the main office of the Registration Agent. The Registration Agent shall make all interest payments with respect to the Bonds by check or draft on each interest payment date directly to the registered owners as shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding the interest payment date (the "Regular Record Date") by depositing said payment in the United States mail, postage prepaid, addressed to such owners at their addresses shown on said Bond registration records, without, except for final payment, the presentation or surrender of such registered Bonds, and all such payments shall discharge the obligations of the County in respect of such Bonds to the extent of the payments so made. Payment of principal of and premium, if any, on the Bonds shall be made upon presentation and surrender of such Bonds to the Registration Agent as the same shall become due and payable. All rates of interest specified herein shall be computed on the basis of a three hundred sixty (360) day year composed

of twelve (12) months of thirty (30) days each. In the event the Bonds are no longer registered in the name of DTC, or a successor Depository, if requested by the Owner of at least \$1,000,000 in aggregate principal amount of the Bonds, payment of interest on such Bonds shall be paid by wire transfer to a bank within the continental United States or deposited to a designated account if such account is maintained with the Registration Agent and written notice of any such election and designated account is given to the Registration Agent prior to the record date.

(g) Any interest on any Bond that is payable but is not punctually paid or duly provided for on any interest payment date (hereinafter "Defaulted Interest") shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such Defaulted Interest shall be paid by the County to the persons in whose names the Bonds are registered at the close of business on a date (the "Special Record Date") for the payment of such Defaulted Interest, which shall be fixed in the following manner: the County shall notify the Registration Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment, and at the same time the County shall deposit with the Registration Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Registration Agent for such deposit prior to the date of the proposed payment, such money when deposited to be held in trust for the benefit of the persons entitled to such Defaulted Interest as in this Section provided. Thereupon, not less than ten (10) days after the receipt by the Registration Agent of the notice of the proposed payment, the Registration Agent shall fix a Special Record Date for the payment of such Defaulted Interest which Date shall be not more than fifteen (15) nor less than ten (10) days prior to the date of the proposed payment to the registered owners. The Registration Agent shall promptly notify the County of such Special Record Date and, in the name and at the expense of the County, not less than ten (10) days prior to such Special Record Date, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first class postage prepaid, to each registered owner at the address thereof as it appears in the Bond registration records maintained by the Registration Agent as of the date of such notice. Nothing contained in this Section or in the Bonds shall impair any statutory or other rights in law or in equity of any registered owner arising as a result of the failure of the County to punctually pay or duly provide for the payment of principal of, premium, if any, and interest on the Bonds when due.

(h) The Bonds are transferable only by presentation to the Registration Agent by the registered owner, or his legal representative duly authorized in writing, of the registered Bond(s) to be transferred with the form of assignment on the reverse side thereof completed in full and signed with the name of the registered owner as it appears upon the face of the Bond(s) accompanied by appropriate documentation necessary to prove the legal capacity of any legal representative of the registered owner. Upon receipt of the Bond(s) in such form and with such documentation, if any, the Registration Agent shall issue a new Bond or the Bond to the assignee(s) in \$5,000 denominations, or integral multiples thereof, as requested by the registered owner requesting transfer. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular or Special Record Date and ending on the corresponding interest payment date of such Bond, nor to transfer or exchange any Bond after the publication of notice calling such Bond for redemption has been made, nor to transfer or exchange any Bond during the period following the receipt of instructions from the County to

call such Bond for redemption; provided, the Registration Agent, at its option, may make transfers after any of said dates. No charge shall be made to any registered owner for the privilege of transferring any Bond, provided that any transfer tax relating to such transaction shall be paid by the registered owner requesting transfer. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the County nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bonds shall be overdue. The Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in any authorized denomination or denominations.

(i) The Bonds shall be executed in such manner as may be prescribed by applicable law, in the name, and on behalf, of the County with the manual or facsimile signature of the County Mayor and with the official seal, or a facsimile thereof, of the County impressed or imprinted thereon and attested by the manual or facsimile signature of the County Clerk.

(j) Except as otherwise provided in this resolution, the Bonds shall be registered in the name of Cede & Co., as nominee of DTC, which will act as securities depository for the Bonds. References in this Section to a Bond or the Bonds shall be construed to mean the Bond or the Bonds that are held under the Book-Entry System. One Bond for each maturity shall be issued to DTC and immobilized in its custody. A Book-Entry System shall be employed, evidencing ownership of the Bonds in authorized denominations, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants pursuant to rules and procedures established by DTC.

Each DTC Participant shall be credited in the records of DTC with the amount of such DTC Participant's interest in the Bonds. Beneficial ownership interests in the Bonds may be purchased by or through DTC Participants. The holders of these beneficial ownership interests are hereinafter referred to as the "Beneficial Owners." The Beneficial Owners shall not receive the Bonds representing their beneficial ownership interests. The ownership interests of each Beneficial Owner shall be recorded through the records of the DTC Participant from which such Beneficial Owner purchased its Bonds. Transfers of ownership interests in the Bonds shall be accomplished by book entries made by DTC and, in turn, by DTC Participants acting on behalf of Beneficial Owners. SO LONG AS CEDE & CO., AS NOMINEE FOR DTC, IS THE REGISTERED OWNER OF THE BONDS, THE REGISTRATION AGENT SHALL TREAT CEDE & CO., AS THE ONLY HOLDER OF THE BONDS FOR ALL PURPOSES UNDER THIS RESOLUTION, INCLUDING RECEIPT OF ALL PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS, RECEIPT OF NOTICES, VOTING AND REQUESTING OR DIRECTING THE REGISTRATION AGENT TO TAKE OR NOT TO TAKE, OR CONSENTING TO, CERTAIN ACTIONS UNDER THIS RESOLUTION.

Payments of principal, interest, and redemption premium, if any, with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid by the Registration Agent directly to DTC or its nominee, Cede & Co. as provided in the Letter of Representation relating to the Bonds from the County and the Registration Agent to DTC (the "Letter of Representation"). DTC shall remit such payments to DTC Participants, and such payments

thereafter shall be paid by DTC Participants to the Beneficial Owners. The County and the Registration Agent shall not be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants.

In the event that (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the County determines that the continuation of the Book-Entry System of evidence and transfer of ownership of the Bonds would adversely affect their interests or the interests of the Beneficial Owners of the Bonds, the County shall discontinue the Book-Entry System with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully registered Bonds to each Beneficial Owner. In the event the purchaser certifies that it intends to hold the Bonds for its own account and has no present intent to reoffer the Bonds to the public, then the County may issue the Bonds as fully registered Bonds without utilizing the DTC book-entry system.

THE COUNTY AND THE REGISTRATION AGENT SHALL NOT HAVE ANY RESPONSIBILITY OR OBLIGATIONS TO ANY DTC PARTICIPANT OR ANY BENEFICIAL OWNER WITH RESPECT TO (i) THE BONDS; (ii) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DTC PARTICIPANT; (iii) THE PAYMENT BY DTC OR ANY DTC PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS; (iv) THE DELIVERY OR TIMELINESS OF DELIVERY BY DTC OR ANY DTC PARTICIPANT OF ANY NOTICE DUE TO ANY BENEFICIAL OWNER THAT IS REQUIRED OR PERMITTED UNDER THE TERMS OF THIS RESOLUTION TO BE GIVEN TO BENEFICIAL OWNERS, (v) THE SELECTION OF BENEFICIAL OWNERS TO RECEIVE PAYMENTS IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE BONDS; OR (vi) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC, OR ITS NOMINEE, CEDE & CO., AS OWNER.

(k) The Registration Agent is hereby authorized to take such action as may be necessary from time to time to qualify and maintain the Bonds for deposit with DTC, including but not limited to, wire transfers of interest and principal payments with respect to the Bonds, utilization of electronic book entry data received from DTC in place of actual delivery of Bonds and provision of notices with respect to Bonds registered by DTC (or any of its designees identified to the Registration Agent) by overnight delivery, courier service, telegram, telecopy or other similar means of communication. No such arrangements with DTC may adversely affect the interest of any of the owners of the Bonds, provided, however, that the Registration Agent shall not be liable with respect to any such arrangements it may make pursuant to this section.

(l) The Registration Agent is hereby authorized to authenticate and deliver the Bonds to the original purchaser, upon receipt by the County of the proceeds of the sale thereof and to authenticate and deliver Bonds in exchange for Bonds of the same principal amount delivered for transfer upon receipt of the Bond(s) to be transferred in proper form with proper documentation as hereinabove described. The Bonds shall not be valid for any purpose unless authenticated by

the Registration Agent by the manual signature of an officer thereof on the certificate set forth herein on the Bond form.

(m) In case any Bond shall become mutilated, or be lost, stolen, or destroyed, the County, in its discretion, shall issue, and the Registration Agent, upon written direction from the County, shall authenticate and deliver, a new Bond of like tenor, amount, maturity and date, in exchange and substitution for, and upon the cancellation of, the mutilated Bond, or in lieu of and in substitution for such lost, stolen or destroyed Bond, or if any such Bond shall have matured or shall be about to mature, instead of issuing a substituted Bond the County may pay or authorize payment of such Bond without surrender thereof. In every case the applicant shall furnish evidence satisfactory to the County and the Registration Agent of the destruction, theft or loss of such Bond, and indemnity satisfactory to the County and the Registration Agent; and the County may charge the applicant for the issue of such new Bond an amount sufficient to reimburse the County for the expense incurred by it in the issue thereof.

Section 5. Source of Payment. The Bonds shall be payable from unlimited ad valorem taxes to be levied on all taxable property within the County. For the prompt payment of principal of, premium, if any, and interest on the Bonds, the full faith and credit of the County are hereby irrevocably pledged.

Section 6. Form of Bonds. The Bonds shall be in substantially the following form, the omissions to be appropriately completed when the Bonds are prepared and delivered:

(Form of Face of Bond)

REGISTERED Number _____	UNITED STATES OF AMERICA STATE OF TENNESSEE COUNTY OF CARTER GENERAL OBLIGATION REFUNDING BOND, SERIES _____	REGISTERED \$ _____	
Interest Rate:	Maturity Date:	Date of Bond:	CUSIP No.:
Registered Owner:	CEDE & CO.		
Principal Amount:			

FOR VALUE RECEIVED, Carter County, Tennessee (the "County") hereby promises to pay to the registered owner hereof, hereinabove named, or registered assigns, in the manner hereinafter provided, the principal amount hereinabove set forth on the maturity date hereinabove set forth (or upon earlier redemption as set forth herein), and to pay interest (computed on the basis of a 360-day year of twelve 30-day months) on said principal amount at the annual rate of interest hereinabove set forth from the date hereof until said maturity date or redemption date, said interest being payable on [May 1, 2011], and semi-annually thereafter on the first day of [May] and [November] in each year until this Bond matures or is redeemed. The principal hereof and interest hereon are payable in lawful money of the United States of America

by check or draft at the principal corporate trust office of _____, _____, as registration agent and paying agent (the "Registration Agent"). The Registration Agent shall make all interest payments with respect to this Bond on each interest payment date directly to the registered owner hereof shown on the Bond registration records maintained by the Registration Agent as of the close of business on the fifteenth day of the month next preceding the interest payment date (the "Regular Record Date") by check or draft mailed to such owner at such owner's address shown on said Bond registration records, without, except for final payment, the presentation or surrender of this Bond, and all such payments shall discharge the obligations of the County to the extent of the payments so made. Any such interest not so punctually paid or duly provided for on any interest payment date shall forthwith cease to be payable to the registered owner on the relevant Regular Record Date; and, in lieu thereof, such defaulted interest shall be payable to the person in whose name this Bond is registered at the close of business on the date (the "Special Record Date") for payment of such defaulted interest to be fixed by the Registration Agent, notice of which shall be given to the owners of the Bonds of the issue of which this Bond is one not less than ten (10) days prior to such Special Record Date. Payment of principal of [and premium, if any, on] this Bond shall be made when due upon presentation and surrender of this Bond to the Registration Agent.

Except as otherwise provided herein or in the Resolution, as hereinafter defined, this Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the Bonds of the series of which this Bond is one. One Bond for each maturity of the Bonds shall be issued to DTC and immobilized in its custody. A book-entry system shall be employed, evidencing ownership of the Bonds in \$5,000 denominations, or multiples thereof, with transfers of beneficial ownership effected on the records of DTC and the DTC Participants, as defined in the Resolution, pursuant to rules and procedures established by DTC. So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the County and the Registration Agent shall treat Cede & Co., as the only owner of the Bonds for all purposes under the Resolution, including receipt of all principal and maturity amounts of, premium, if any, and interest on the Bonds, receipt of notices, voting and requesting or taking or not taking, or consenting to, certain actions hereunder. Payments of principal, maturity amounts, interest, and redemption premium, if any, with respect to the Bonds, so long as DTC is the only owner of the Bonds, shall be paid directly to DTC or its nominee, Cede & Co. DTC shall remit such payments to DTC Participants, and such payments thereafter shall be paid by DTC Participants to the Beneficial Owners, as defined in the Resolution. Neither the County nor the Registration Agent shall be responsible or liable for payment by DTC or DTC Participants, for sending transaction statements or for maintaining, supervising or reviewing records maintained by DTC or DTC Participants. In the event that (1) DTC determines not to continue to act as securities depository for the Bonds or (2) the County determines that the continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect its interests or the interests of the Beneficial Owners of the Bonds, the County may discontinue the book-entry system with DTC. If the County fails to identify another qualified securities depository to replace DTC, the County shall cause the Registration Agent to authenticate and deliver replacement Bonds in the form of fully registered Bonds to each Beneficial Owner. Neither the County nor the Registration Agent shall have any responsibility or obligations to any DTC Participant or any Beneficial Owner with

respect to (i) the Bonds; (ii) the accuracy of any records maintained by DTC or any DTC Participant; (iii) the payment by DTC or any DTC Participant of any amount due to any Beneficial Owner in respect of the principal or maturity amounts of and interest on the Bonds; (iv) the delivery or timeliness of delivery by DTC or any DTC Participant of any notice due to any Beneficial Owner that is required or permitted under the terms of the Resolution to be given to Beneficial Owners, (v) the selection of Beneficial Owners to receive payments in the event of any partial redemption of the Bonds; or (vi) any consent given or other action taken by DTC, or its nominee, Cede & Co., as owner.

[Bonds maturing May 1, 2011 through May 1, 2021, inclusive, shall mature without option of prior redemption and Bonds maturing May 1, 2022 and thereafter, shall be subject to redemption prior to maturity at the option of the County on May 1, 2021 and thereafter, as a whole or in part at any time at the redemption price of par plus accrued interest to the redemption date.]

If less than all the Bonds shall be called for redemption, the maturities to be redeemed shall be designated by the Board of County Commissioners of the County, in its discretion. If less than all the principal amount of the Bonds of a maturity shall be called for redemption, the interests within the maturity to be redeemed shall be selected as follows:

(i) if the Bonds are being held under a Book-Entry System by DTC, or a successor Depository, the amount of the interest of each DTC Participant in the Bonds to be redeemed shall be determined by DTC, or such successor Depository, by lot or such other manner as DTC, or such successor Depository, shall determine; or

(ii) if the Bonds are not being held under a Book-Entry System by DTC, or a successor Depository, the Bonds within the maturity to be redeemed shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall determine.

[Subject to the credit hereinafter provided, the County shall redeem Bonds maturing _____ on the redemption dates set forth below opposite the maturity dates, in aggregate principal amounts equal to the respective dollar amounts set forth below opposite the respective redemption dates at a price of par plus accrued interest thereon to the date of redemption. DTC, as securities depository for the series of Bonds of which this Bond is one, or such Person as shall then be serving as the securities depository for the Bonds, shall determine the interest of each Participant in the Bonds to be redeemed using its procedures generally in use at that time. If DTC, or another securities depository is no longer serving as securities depository for the Bonds, the Bonds to be redeemed within a maturity shall be selected by the Registration Agent by lot or such other random manner as the Registration Agent in its discretion shall select. The dates of redemption and principal amount of Bonds to be redeemed on said dates are as follows:

Final
Maturity

Redemption
Date

Principal
Amount
of Bonds
Redeemed

***Final Maturity**

At its option, to be exercised on or before the forty-fifth (45th) day next preceding any such redemption date, the County may (i) deliver to the Registration Agent for cancellation Bonds to be redeemed, in any aggregate principal amount desired, and/or (ii) receive a credit in respect of its redemption obligation under this mandatory redemption provision for any Bonds of the maturity to be redeemed which prior to said date have been purchased or redeemed (otherwise than through the operation of this mandatory sinking fund redemption provision) and canceled by the Registration Agent and not theretofore applied as a credit against any redemption obligation under this mandatory sinking fund provision. Each Bond so delivered or previously purchased or redeemed shall be credited by the Registration Agent at 100% of the principal amount thereof on the obligation of the County on such payment date and any excess shall be credited on future redemption obligations in chronological order, and the principal amount of Bonds to be redeemed by operation of this mandatory sinking fund provision shall be accordingly reduced. The County shall on or before the forty-fifth (45th) day next preceding each payment date furnish the Registration Agent with its certificate indicating whether or not and to what extent the provisions of clauses (i) and (ii) of this subsection are to be availed of with respect to such payment and confirm that funds for the balance of the next succeeding prescribed payment will be paid on or before the next succeeding payment date.]

Notice of call for redemption[, whether optional or mandatory,] shall be given by the Registration Agent not less than thirty (30) nor more than sixty (60) days prior to the date fixed for redemption by sending an appropriate notice to the registered owners of the Bonds to be redeemed by first-class mail, postage prepaid, at the addresses shown on the Bond registration records of the Registration Agent as of the date of the notice; but neither failure to mail such notice nor any defect in any such notice so mailed shall affect the sufficiency of the proceedings for the redemption of any of the Bonds for which proper notice was given. As long as DTC, or a successor Depository, is the registered owner of the Bonds, all redemption notices shall be mailed by the Registration Agent to DTC, or such successor Depository, as the registered owner of the Bonds, as and when above provided, and neither the County nor the Registration Agent shall be responsible for mailing notices of redemption to DTC Participants or Beneficial Owners. Failure of DTC, or any successor Depository, to provide notice to any DTC Participant will not affect the validity of such redemption. From and after any redemption date, all Bonds called for redemption shall cease to bear interest if funds are available at the office of the Registration

Agent for the payment thereof and if notice has been duly provided as set forth in the Resolution, as hereafter defined.

This Bond is transferable by the registered owner hereof in person or by such owner's attorney duly authorized in writing at the principal corporate trust office of the Registration Agent set forth on the front side hereof, but only in the manner, subject to limitations and upon payment of the charges provided in the Resolution, as hereafter defined, and upon surrender and cancellation of this Bond. Upon such transfer a new Bond or Bonds of authorized denominations of the same maturity and interest rate for the same aggregate principal amount will be issued to the transferee in exchange therefor. The person in whose name this Bond is registered shall be deemed and regarded as the absolute owner thereof for all purposes and neither the County nor the Registration Agent shall be affected by any notice to the contrary whether or not any payments due on the Bond shall be overdue. Bonds, upon surrender to the Registration Agent, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of the Bonds of the same maturity in authorized denomination or denominations, upon the terms set forth in the Resolution. The Registration Agent shall not be required to transfer or exchange any Bond during the period commencing on a Regular Record Date or Special Record Date and ending on the corresponding interest payment date of such Bond, nor to transfer or exchange any Bond after the notice calling such Bond for redemption has been made, nor during a period following the receipt of instructions from the County to call such Bond for redemption.

This Bond is one of a total authorized issue aggregating \$_____ and issued by the County for the purpose of providing funds to (i) prepay the County's outstanding [Loan Agreement, in the original aggregate principal amount of \$18,000,000 by and between The Public Building Authority of the County of Montgomery, Tennessee (the "Montgomery PBA") and the County, dated April 9, 2007 (the "2007 Loan") and] its outstanding [Loan Agreement, in the original aggregate principal amount of \$8,000,000 by and between The Public Building Authority of the City of Clarksville, Tennessee (the "Clarksville PBA" and together with the Montgomery PBA, sometimes referred to as the "Authorities") and the County, dated December 15, 2009]; and (ii) payment of costs incident to the issuance and sale of the Bonds of which this Bond is one, pursuant to Sections 9-21-101 *et seq.*, Tennessee Code Annotated, as amended, and pursuant to a resolution duly adopted by the Board of County Commissioners of the County on the thirtieth day of August, 2010 (the "Resolution").

This Bond is payable from unlimited ad valorem taxes to be levied on all taxable property within the County. For a more complete statement of the general covenants and provisions pursuant to which this Bond is issued, reference is hereby made to the Resolution.

This Bond and the income therefrom are exempt from all present state, county and municipal taxes in Tennessee except (a) inheritance, transfer and estate taxes, (b) Tennessee excise taxes on interest on the Bond during the period the Bond is held or beneficially owned by any organization or entity, other than a sole proprietorship or general partnership, doing business in the State of Tennessee, and (c) Tennessee franchise taxes by reason of the inclusion of the book value of the Bond in the Tennessee franchise tax base of any organization or entity, other than a sole proprietorship or general partnership, doing business in the State of Tennessee.

It is hereby certified, recited, and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Bond exist, have happened and have been performed in due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the County, does not exceed any limitation prescribed by the constitution and statutes of the State of Tennessee.

IN WITNESS WHEREOF, the County has caused this Bond to be signed by its County Mayor with his manual or facsimile signature and attested by its County Clerk with her manual or [facsimile] signature under an [impression or] [facsimile] of the corporate seal of the County, all as of the date hereinabove set forth.

CARTER COUNTY

BY: _____
County Mayor

(SEAL)

ATTESTED:

County Clerk

Transferable and payable at the principal corporate trust office of: _____

Date of Registration: _____

This Bond is one of the issue of Bonds issued pursuant to the Resolution hereinabove described.

Registration Agent

By: _____
Authorized Officer

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns, and transfers unto _____, whose address is _____
(Please insert Federal Identification or Social Security Number of Assignee _____),
the within Bond of Carter County, Tennessee, and does hereby irrevocably constitute and
appoint _____, attorney, to transfer the said Bond on the records kept for
registration thereof with full power of substitution in the premises.

Dated: _____

NOTICE: The signature to this assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of a Medallion Program acceptable to the Registration Agent.

Section 7. Levy of Tax. The County, through its Governing Body, shall annually levy and collect a tax upon all taxable property within the County, in addition to all other taxes authorized by law, sufficient to pay principal of, premium, if any, and interest on the Bonds when due, and for that purpose there is hereby levied a direct annual tax in such amount as may be found necessary each year to pay principal, premium, if any, and interest coming due on the Bonds in said year. Principal and interest falling due at any time when there are insufficient funds from this tax levy on hand shall be paid from the current funds of the County and reimbursement therefor shall be made out of the taxes hereby provided to be levied when the same shall have been collected. The tax herein provided may be reduced to the extent of any appropriations from other funds, taxes and revenues of the County to the payment of debt service on the Bonds.

Section 8. Sale of Bonds. (a) The Bonds shall be offered for public sale, in one or more series or emissions, by the County Mayor, in consultation with the Financial Advisor, by physical delivery of bids or by electronic bidding by means of an Internet bidding service at a price of not less than ninety-nine percent (99%) of par, plus accrued interest, as a whole or in part, from time to time, as shall be determined by the County Mayor in consultation with the Financial Advisor. No Bonds shall be sold at an interest rate exceeding the maximum rate permitted by law.

(b) The County Mayor, upon consultation with the Financial Advisor, is further authorized with respect to each emission of Bonds to:

- (1) change the dated date of the Bonds, or any emission thereof, to a date other than the date of issuance and to change the designation of the Bonds or any emission thereof to a designation or series designation other than "General Obligation Refunding Bonds, Series 2010";
- (2) change the first interest payment due on the Bonds or any emission thereof to a date other than May 1, 2011; provided that such date is not later than twelve months from the dated date of the Bonds or any emission thereof;
- (3) increase or decrease the total amount authorized to be issued herein in an amount necessary to maximize the objectives of refunding the Refunded Loans and provide funds sufficient to pay principal and interest on the Refunded Loans and the costs of issuance of each emission of the Bonds;
- (4) adjust the principal and interest payment dates and maturity amounts of the Bonds or any emission thereof, provided that (A) the total principal amount of all emissions of the Bonds does not exceed the total amount of Bonds authorized herein, as shall be adjusted pursuant to paragraph (3) above, and (B) the final maturity date of each emission shall not exceed twelve months later than the final maturity date of the related Refunded Loan;
- (5) adjust the County's optional redemption provisions of the Bonds, provided that the premium amount to be paid on the Bonds or any emission thereof does not exceed two percent (2%) of the principal amount thereof;
- (6) refund less than all of the Refunded Loans thereof to maximize the objectives of the County;
- (7) sell the Bonds or any emission thereof or any maturities thereof as serial Bonds or Term Bonds with mandatory redemption requirements corresponding to the maturity dates set forth herein or as otherwise determined by the County Mayor, as he shall deem most advantageous to the County; and
- (8) cause all or a portion of the Bonds to be insured by a bond insurance policy issued by a nationally recognized bond insurance company to achieve the purposes set forth herein and to serve the best interests of the County and to enter into agreements with such insurance company with respect to any emission of Bonds to the extent not inconsistent with this resolution.

(c) The County Mayor is authorized to sell the Bonds, or any series thereof, simultaneously with any other bonds or notes authorized by resolution or resolutions of the

Governing Body. The County Mayor is further authorized to sell the Bonds, or any series thereof, as a single issue of bonds with any other bonds with substantially similar terms authorized by resolution or resolutions of the Governing Body, in one or more series as he shall deem to be advantageous to the County and in doing so, the County Mayor is authorized to change the designation of the Bonds to a designation other than "General Obligation Refunding Bonds".

(d) The County Mayor is authorized to award the Bonds, or any series thereof, in each case to the bidder whose bid results in the lowest true interest cost to the County, provided the rate or rates on the Bonds does not exceed the maximum rate permitted by applicable Tennessee law. The award of the Bonds by the County Mayor to the lowest bidder shall be binding on the County, and no further action of the Governing Body with respect thereto shall be required. The form of the Bond set forth in Section 6 hereof shall be conformed to reflect any changes made pursuant to this Section 8 hereof.

(e) The County and the County Clerk, or either of them, are authorized to cause the Bonds, in book-entry form (except as otherwise permitted herein), to be authenticated and delivered by the Registration Agent to the successful bidder and to execute, publish and deliver all certificates and documents, including an official statement and closing certificates, as they shall deem necessary in connection with the sale and delivery of the Bonds. The County Mayor and the County Clerk, or either of them, are hereby authorized to enter into a contract with the Financial Advisor for financial advisory services in connection with the sale of the Bonds upon terms and conditions consistent with state law and the proposal submitted by the Financial Advisor and selected by the County.

Section 9. Disposition of Bond Proceeds. The proceeds of the sale of the Bonds shall be disbursed as follows:

(a) all accrued interest, if any, shall be deposited to the appropriate fund of the County to be used to pay interest on the Bonds on the first interest payment date following delivery of the Bonds;

(b) an amount, which together with investment earnings thereon and legally available funds of the County, if any, will be sufficient to prepay the Refunded Loans (subject to adjustments permitted by Section 8 above) shall be, at the option of the County Mayor in consultation with the Financial Advisor (i) transferred to the Escrow Agent under the Refunding Escrow Agreement to be deposited to the Escrow Fund established thereunder to be held and applied as provided therein with any earnings derived from funds held in an escrow fund to be used to (A) prepay the Refunded Loans on their earliest optional prepayment date following delivery of the Bonds; or (B) be transferred to the County's debt service fund to be used to pay principal and interest on the Bonds; or (ii) shall be deposited with the assignee of the Authority for the Refunded Loans; and

(c) the remainder of the proceeds of the sale of the Bonds shall be used to pay costs of issuance of the Bonds, including necessary legal, accounting and fiscal expenses, printing, engraving, advertising and similar expenses, administrative and clerical costs, Registration Agent

fees, bond insurance premiums, if any, and other necessary miscellaneous expenses incurred in connection with the issuance and sale of the Bonds.

Section 10. Official Statement. The County Mayor and the County Clerk, or either of them, are hereby authorized and directed to provide for the preparation and distribution, electronic or otherwise, of a Preliminary Official Statement describing the Bonds. After the Bonds have been sold, the County Mayor and the County Clerk, or either of them, shall make such completions, omissions, insertions and changes in the Preliminary Official Statement not inconsistent with this resolution as are necessary or desirable to complete it as a final Official Statement for purposes of Rule 15c2-12(e)(3) of the Securities and Exchange Commission. The County Mayor and the County Clerk, or either of them, shall arrange for the delivery of a reasonable number of copies of the Official Statement within seven business days after the Bonds have been sold to the successful bidder to each person requesting a copy of the Official Statement and to each person to whom such bidder and members of its bidding or selling group initially sell the Bonds.

The County Mayor and the County Clerk, or either of them, are authorized, on behalf of the County, to deem the Preliminary Official Statement and the Official Statement in final form, each to be final as of its date within the meaning of Rule 15c2-12(b)(1), except for the omission in the Preliminary Official Statement of certain pricing and other information allowed to be omitted pursuant to such Rule 15c2-12(b)(1). The distribution of the Preliminary Official Statement and the Official Statement in final form shall be conclusive evidence that each has been deemed in final form as of its date by the County except for the omission in the Preliminary Official Statement of such pricing and other information.

Section 11. Refunding Escrow Agreement. For the purpose of providing for the payment of the Refunded Loans, the County Mayor is hereby authorized and directed to execute and the County Clerk to attest on behalf of the County the Refunding Escrow Agreement with the Escrow Agent and to deposit with the Escrow Agent the amounts to be used by the Escrow Agent to purchase Government Securities as provided therein; provided, however, that the yield on such investments shall be determined in such manner that none of the Bonds will be an "arbitrage bond" within the meaning of Section 148 (a) of the Code. The form of the Refunding Escrow Agreement presented to this meeting and attached hereto as Exhibit A is hereby in all respects approved and the County Mayor and the County Clerk are hereby authorized and directed to execute and deliver same on behalf of the County in substantially the form thereof presented to this meeting, or with such changes as may be approved by the County Mayor and the County Clerk, their execution thereof to constitute conclusive evidence of their approval of all such changes, including modifications to the Refunding Escrow Agreement. The Escrow Agent is hereby authorized and directed to hold and administer all funds deposited in trust for the payment when due of the principal of, premium, if any, and interest on the Refunded Bonds and to exercise such duties as set forth in the Refunding Escrow Agreement.

Section 12. Prepayment of the Refunded Loans. The County Mayor and the County Clerk, or either of them, are hereby authorized and directed to take all steps necessary to prepay the Refunded Loans, or any portions thereof, in accordance with their terms. To the extent any interest rate cap has been obtained with respect to the Refunded Loans, or any portion thereof,

the County Mayor is hereby authorized to take steps necessary to cause the benefit of such cap or caps to transfer, to the extent permitted by applicable law, to other County obligations or investments or if such transfer is not permissible or cost effective, then to terminate such interest rate cap agreements.

Section 13. Tax Matters. The County recognizes that the purchasers and owners of the Bonds will have accepted them on, and paid therefor a price that reflects, the understanding that interest thereon is excludable from gross income for purposes of federal income taxation under laws in force on the date of delivery of the Bonds. In this connection, the County agrees that it shall take no action which may cause the interest on any of said Bonds to be included in gross income for federal income taxation. It is the reasonable expectation of the Governing Body of the County that the proceeds of the Bonds will not be used in a manner which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code, and to this end the said proceeds of the Bonds and other related funds established for the purposes herein set out shall be used and spent expeditiously for the purposes described herein. The Governing Body further covenants and represents that in the event it shall be required by Section 148(f) of the Code to pay any investment proceeds of the Bonds to the United States government, it will make such payments as and when required by said Section 148(f) and will take such other actions as shall be necessary or permitted to prevent the interest on the Bonds from becoming taxable. The County Mayor and County Clerk, or either of them, are authorized and directed to make such certifications in this regard in connection with the sale of the Bonds as either or both shall deem appropriate, and such certifications shall constitute a representation and certification of the County.

Section 14. Discharge and Satisfaction of Bonds. If the County shall pay and discharge the indebtedness evidenced by any of the Bonds in any one or more of the following ways, to wit:

(a) By paying or causing to be paid, by deposit of sufficient funds as and when required with the Registration Agent, the principal of and interest on such Bonds as and when the same become due and payable;

(b) By depositing or causing to be deposited with any trust company or financial institution whose deposits are insured by the Federal Deposit Insurance Corporation or similar federal agency and which has trust powers ("an Agent"; which Agent may be the Registration Agent) in trust or escrow, on or before the date of maturity or redemption, sufficient money or Federal Obligations, as hereafter defined, the principal of and interest on which, when due and payable, will provide sufficient moneys to pay or redeem such Bonds and to pay interest thereon when due until the maturity or redemption date (provided, if such Bonds are to be redeemed prior to maturity thereof, proper notice of such redemption shall have been given or adequate provision shall have been made for the giving of such notice);

(c) By delivering such Bonds to the Registration Agent, for cancellation by it;

and if the County shall also pay or cause to be paid all other sums payable hereunder by the County with respect to such Bonds, or make adequate provision therefor, and by resolution of the

Governing Body instruct any such Escrow Agent to pay amounts when and as required to the Registration Agent for the payment of principal of and interest on such Bonds when due, then and in that case the indebtedness evidenced by such Bonds shall be discharged and satisfied and all covenants, agreements and obligations of the County to the holders of such Bonds shall be fully discharged and satisfied and shall thereupon cease, terminate and become void.

If the County shall pay and discharge the indebtedness evidenced by any of the Bonds in the manner provided in either clause (a) or clause (b) above, then the registered owners thereof shall thereafter be entitled only to payment out of the money or Federal Obligations deposited as aforesaid.

Except as otherwise provided in this Section, neither Federal Obligations nor moneys deposited with the Registration Agent pursuant to this Section nor principal or interest payments on any such Federal Obligations shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal and interest on said Bonds; provided that any cash received from such principal or interest payments on such Federal Obligations deposited with the Registration Agent, (A) to the extent such cash will not be required at any time for such purpose, shall be paid over to the County as received by the Registration Agent and (B) to the extent such cash will be required for such purpose at a later date, shall, to the extent practicable, be reinvested in Federal Obligations maturing at times and in amounts sufficient to pay when due the principal and interest to become due on said Bonds on or prior to such redemption date or maturity date thereof, as the case may be, and interest earned from such reinvestments shall be paid over to the County, as received by the Registration Agent. For the purposes of this Section, Federal Obligations shall mean direct obligations of, or obligations, the principal of and interest on which are guaranteed by, the United States of America, or any agency thereof, obligations of any agency or instrumentality of the United States or any other obligations at the time of the purchase thereof are permitted investments under Tennessee Law for the purposes described in this Section, which bonds or other obligations shall not be subject to redemption prior to their maturity other than at the option of the registered owner thereof.

Section 15. Continuing Disclosure. The County hereby covenants and agrees that it will provide annual financial information and material event notices if and as required by Rule 15c2-12 of the Securities Exchange Commission for the Bonds. The County Mayor is authorized to execute at the Closing of the sale of the Bonds, an agreement for the benefit of and enforceable by the owners of the Bonds specifying the details of the financial information and material event notices to be provided and its obligations relating thereto. Failure of the County to comply with the undertaking herein described and to be detailed in said closing agreement, shall not be a default hereunder, but any such failure shall entitle the owner or owners of any of the Bonds to take such actions and to initiate such proceedings as shall be necessary and appropriate to cause the County to comply with their undertaking as set forth herein and in said agreement, including the remedies of mandamus and specific performance.

Section 16. Qualified Tax-Exempt Obligations. The Governing Body hereby designates the Bonds, or any emission thereof, as "qualified tax-exempt obligations", to the extent the Bonds, or any emission thereof, may be so designated, within the meaning of and pursuant to Section 265 of the Internal Revenue Code of 1986, as amended.

Section 17. Resolution a Contract. The provisions of this resolution shall constitute a contract between the County and the registered owners of the Bonds, and after the issuance of the Bonds, no change, variation or alteration of any kind in the provisions of this resolution shall be made in any manner until such time as the Bonds and interest due thereon shall have been paid in full.

Section 18. Separability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section 19. Repeal of Conflicting Resolutions and Effective Date. All other resolutions and orders, or parts thereof in conflict with the provisions of this resolution, are, to the extent of such conflict, hereby repealed and this resolution shall be in immediate effect from and after its adoption.

Adopted and approved this thirtieth day of August, 2010.

Mary Gause
County Clerk

Johnny Hester
County Mayor



Motion was made by Tom Bowers, seconded by Jerry Pearman to reallocate funds with the General Sessions budget in the amount of \$1,549.20 to pay comp time to employee. Roll call vote as follows:

AYES: Paul Mottern, 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, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: 0
PASSING: 0
ABSENT: 0

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

Motion was made by Harry Sisk, seconded by Nancy Brown to reimburse the Carter County Officials who attended the CTAS 2010 orientation for county officials recently in Nashville. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Jeff McKinney, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, Steve Lowrance, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Ken Arney, Larry McKinney, Sonja Culler, Russell Kyte, Bill Armstrong

NAYS: L. C. Tester, Tom Bowers, Robert Davis & Robert Gobble

PASSING: 0

ABSENT: 0

There being 19 ayes, 4 nays, 0 passing and 0 absent, motion duly carried.

On recommendation of the Highway Committee, motion was made by Jerry Pearman, seconded by Robert Davis to change the name of a section of Bill Garland Road located at the Okolona Exit of I-26 and the loop around the Borla Performance Industries to 500 Borla Drive. This request was made by Alex Borla of Borla Performance Industries. By voice roll call vote, motion duly carried.

Jerry Pearman, Chairman of the Planning Commission, announced that there was a notice in the Commissioners packet stating that the expansion of Cove Ridge Marina & Campground approved by the Planning Commission on August 24, 2010 has been revoked. He stated this matter would be re-addressed on September 23, 2010, at 3:00 PM during the next monthly meeting.

On recommendation of the Jail Task Force, motion was made by Robert Davis, seconded by L. C. Tester to approve rebidding of the paving work for the new jail parking lot including sidewalks, curbs and guttering. Roll call vote as follows:

AYES: Paul Mottern, Gebe Ritchie, 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, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: Lawrence Hodge & Nancy Brown

PASSING: 0

ABSENT: 0

There being 21 ayes, 2 nays, 0 passing and 0 absent, motion duly carried.

The County Attorney reported that the wall between the courthouse parking lot and Carter at Main was being reviewed by the Buildings and Grounds Committee and would be reported on at the next meeting as well as the parking situation of Rainbow Realty.

Motion was made by Ken Arney, seconded by Nancy Brown to make any action taken or issues addressed at the August 24, 2010, Planning Commission meeting null and void and the Commissioners attending that meeting to not be paid.

Motion was then made by Robert Davis, seconded by Tom Bowers to TABLE

Commissioner Arney's motion and the roll call vote to TABLE was as follows:

AYES: Paul Mottern, Gebe Ritchie, Lawrence Hodge, R. L. Miller, Jim Whaley, Harry Sisk, Jerry Pearman, L. C. Tester, Tom Bowers, Jo Ann Blankenship, Charlie Bayless, Dickie Renfro, Terry Montgomery, Larry McKinney, Sonja Culler, Russell Kyte, Bill Armstrong, Robert Davis & Robert Gobble

NAYS: Nancy Brown, Jeff McKinney, Steve Lowrance & Ken Arney

There being 19 ayes, 4 nay, 0 passing and 0 absent, motion to TABLE passed.

Motion was made by Gebe Ritchie, seconded by Robert Gobble to allow Veterans traveling to the V.A. on the new transit system to do so at no cost by showing their V.A. card. By voice roll call vote, motion duly carried.

Lawrence Hodge commended Mayor Johnny Holder on his many years of service to the County and the community. He promptly received a standing ovation. Mayor Holder stated that it had been an honor and pleasure working for the county over the years. He said that Carter County had a good working relationship with surrounding counties and a lot of wheels in motion and that he hoped that the new administration worked hard to maintain those.

Robert Gobble asked the newly elected officials that would be taking office on September 1, 2010, to stand to be recognized.

On motion by Jerry Pearman, seconded by Tom Bowers and by voice roll call vote, court was adjourned.

**RESOLUTION TO AMEND
THE ZONING RESOLUTION FOR
CARTER COUNTY, TENNESSEE**

NO. 527

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

WHEREAS, the Carter County Commission realizes that the Zoning Resolution may require changes periodically to provide for continued effectiveness; and

WHEREAS, a proposal has been made to amend Article II, Article IV, and Article V of the Carter County Zoning Resolution; and

WHEREAS, THE Carter County Regional Planning Commission did study this proposal on May 25, 2010 and recommended that the Carter County Commission amend the Zoning Resolution for Carter County, Tennessee, as follows:

- 1. Amend Article II (definitions of Terms Used in Ordinance), Section 260 (Vehicular and Manufactured Housing Storage and Wrecking Yard), by changing the sentence "A premises used for the outside storage or sale of three or more inoperative motor vehicles or parts thereof; or for the storage, dismantling or abandonment of junk, obsolete vehicles, trailers, machinery or parts thereof to read:**

"A premises used for the outside storage or sale of one (1) or more inoperative motor vehicles or parts thereof; or for the storage, dismantling or abandonment of junk, obsolete vehicles, trailers, machinery or parts thereof."

- 2. Amend Article IV (Application of Regulations), Section 402 (Street Frontage), by changing the sentence "No dwelling shall be erected on a lot which does not abut at least forty (40) feet on a public street, except that lots fronting on cul-de-sacs may have a minimum road frontage of thirty (30) feet if the lot is at least fifty (50) feet in width at the minimum setback line" to read:**

"No dwelling shall be erected on a lot which does not abut at least forty (40) feet, or twenty-five (25) feet if the lot meets subdivision regulation

requirements, on a public street, except that lots fronting on cul-de-sacs may have a minimum road frontage of thirty (30) feet if the lot is at least fifty (50) feet in width at the minimum setback line."

3. Amend Article V (General Provisions), Section 502 (Off-Street Automobile Parking), Paragraph 502.7 by changing the sentence "Hotel: One space for each tree (3) employees plus on space for each guest room" to read:

"Hotel: One space for each three (3) employees plus one space for each guest room"

BE IT RESOLVED by the Carter County Board of Commissioners, that this amendment shall take effect immediately after its passage, the welfare of the county requiring it.

Date certified by Planning Commission:

May 25, 2010

Date approved by County Commission:



County Mayor

Approved as to Form:

County Attorney

Attest:



County Register

RESOLUTION TO AMEND
THE ZONING RESOLUTION FOR
CARTER COUNTY, TENNESSEE

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

WHEREAS, the Carter County Commission realizes that the Zoning Resolution may require changes periodically to provide for continued effectiveness;

WHEREAS, the Carter County Planning Commission on July 13, 2010 so moved to amend the Carter County Zoning Resolution; the Carter County Commission was presented said proposed amendment from the Carter County Planning Commission, said proposal from the Carter County Planning Commission was further amended by the full Carter County Commission and adopted as amended and referred back to Carter County Planning Commission, on July 19, 2010; said proposal as amended and approved by the Carter County Commission was approved by Carter Planning Commission on July 27, 2010 and was referred back to Carter County Commission for consideration, said proposal as follows:

CARTER COUNTY CAMPGROUND ORDINANCE

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 five (5) 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

1. **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, B-2, or B-3. A campground shall be defined as any plot of ground containing five (5) 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 five (5) acres.
- b. Each campground space shall be at least one thousand, five hundred (1,500) square feet, excluding parking area.

- c. Each campground space shall be situated so that there is at least fifty (50) feet between each campground space, which shall be "common area" between campsites.
- d. All spaces and 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. A buffer strip shall be composed of plant material to provide an obscuring screen consisting of shrubs spaced not more than five feet apart that will grow to at least five feet in width and six feet in height after one full growing season. Buffer strips shall be a minimum of ten feet in width and shall be landscaped with trees, grass or ornamental fencing. The building commission 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 two (2) times per 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 6" compacted gravel base.
- k. The minimum widths of roads within a campground shall comply with the following:
 - 1. One-way street 11 feet wide

(with no on-street parking)

2. Two-way street 18 feet wide

(with no on-street parking)

I. All roads shall contain at least a 6" compacted gravel base.

M. A campground shall be

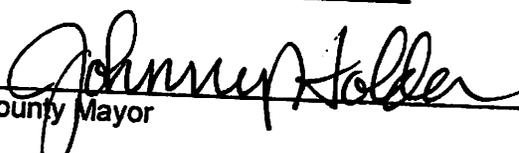
- 1. located on a single lot or on adjacent lots of the same ownership;
- 2. a minimum of 600 feet from any residence; and
- 3. planned so as to facilitate the efficient management and administration of the campground.

N. The maximum density of a campground shall not exceed twelve (12) camp sites per acre.

O. Any campfire at a campsite or community campfire at a campground shall only utilize nature 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 Ordinance, shall take effect immediately, the public welfare requiring it.

Date original proposal certified by Planning Commission:	July 13, 2010
Date approved by County Commission, as amended: (referred back to Planning Commission pursuant to Article X of the Zoning Regulations)	July 19, 2010
Date Planning Commission approved as amended by County Commission and referred back to County Commission for Final Approval	July 27, 2010
Date of Final Approval by County Commission	



 County Mayor

Attest:



 County Court Clerk