

**Carter County Commission Meeting
Monday, June 18, 2012 – 6:00 P.M.**

Chairman, Tom Bowers, called the meeting to order.

Roll Call: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble. (24 Present)

Absent: None (0 Absent)

Prayer – Sherrel Nave, Minister

Pledge – Scott Sams

Motion was made by Gebe Ritchie and seconded by Russell Kyte to **adopt the agenda as presented.**

By majority voice vote, motion carried. “No” votes were voiced by John Lewis, and Charles VonCannon.

Motion was made by John Lewis, seconded by Steve Chambers to **accept the minutes of the last meeting, May 21, 2012 as printed.**

By majority voice vote, all ayes, motion carried.

Motion was made by Sonja Culler, seconded by JoAnn Blankenship to approve the following **notaries/bonds:**

Hailey R. Kinner	Tonya Clark	Melissa Gayle Edwards	John K. Banks
Tammy A. Street	Penny S. Cornett	Bobby L. Huffman	Abigal Banks
Jennifer Earp	Sonya P. Miller	Allena C. Lipford	David J. Jackson
Kevin Ward – Director of Schools Bond			

By majority voice vote, all ayes, motion carried.

Guest, Elected and Appointed Officials were recognized by Chairman Bowers as this time, thanking them for their service.

Mayor's Report included the following items.

Mountain State Health Alliance Heart Coach – July 11, 2012 at the Carter County Courthouse from 7:00 a.m. - 4:30 p.m.

David Cable appointed to fill the unexpired term of Ronda Pierce, **Water Commissioner of the Hampton Utility District**, who has resigned due to failing health, **effective June 1, 2012. Term expires May 8, 2015.**

Elder Abuse Awareness Day in Carter County – June 15, 2012

Household Hazardous Waste Collection Program Budgets

Motion was made by Dickie Renfro, seconded by many to **suspend the reading** of the Resolution to Affirm Compliance with Federal Title VI Regulations.

By majority voice vote, motion carried. A “no” vote was voiced by John Lewis.

Motion was made by Ronnie Trivett, seconded by Pat Hicks to accept and approve as presented **RESOLUTION No. 569 “RESOLUTION TO AFFIRM COMPLIANCE WITH FEDERAL TITLE VI REGULATIONS”** of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. Recorded on pages 639-640.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters,

Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks and Robert Gobble.
(24 Ayes)

Nays: None (0 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

County Attorney, Keith Bowers, Jr. at this time read "Resolution for Partial Payments for Current and Delinquent Property Taxes" and presented the same for consideration.

Motion was made by Nancy Brown, seconded by John Lewis to accept and approve as presented **RESOLUTION No. 570 "RESOLUTION FOR PARTIAL PAYMENTS FOR CURRENT AND DELINQUENT PROPERTY TAXES"** Recorded on pages **641 - 644**.

Roll Call Vote as follows:

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

Nays: None (0 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

Chairman of the Law Enforcement Committee, Buford Peters, presented before the commission a Contract between the State of Tennessee, Department of Corrections and Carter County, Tennessee concerning housing of convicted State felons for consideration.

Discussion followed concerning the cost of housing convicted State felons and fees received from the State for this service.

Motion was made by Ronnie Trivett, seconded by Steve Lowrance to **refer the Contract between the State of Tennessee, Department of Corrections and Carter County, Tennessee back to the Law Enforcement Committee for reconsideration.**

Roll Call Vote as follows:

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

Nays: None (0 Ayes)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

Mayor Leon Humphrey approached the podium and presented the "Agreement Between Carter County, Tennessee and Curtis Cannon, Construction Adviser for the Carter County/City of Elizabethton Animal Shelter.

Discussion followed concerning the terms of the contract and advertising of this position along with many other aspects concerning this building project.

Motion was made by Bill Armstrong, seconded by Charles VonCannon to accept the "Agreement Between Carter County, Tennessee and Curtis Cannon as Construction Adviser for the Carter County/City of Elizabethton Animal Shelter as presented.

Discussion followed concerning many aspects of the building, contract terms, salary and advertisement of this position.

Motion to TABLE the foregoing motion was made by Ken Arney, seconded by Steve Chambers.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, and Bill Armstrong. (17 Ayes)

Nays: Nancy Brown, John Lewis, Russell Kyte, Scott Sams, Pat Hicks and Robert Gobble. (6 Nays)

Passing: Charlie Bayless (1 Passing)

Absent: None (0 Absent)

By majority roll call vote, motion to table carried.

Motion was made by Ronnie Trivett, seconded by Joel Street to enter into a ten minute recess.

By majority voice vote, motion carried.

Following the ten minute recess, Chairman Bowers called the meeting back to order.

Motion was made by Bill Armstrong, seconded by Sonja Culler to request bids for ten (10) days stating salary, other expenses to see response and compare response to current purposed contract.

Following much discussion, it was determined that this decision was in the hands of the Elizabethton/Carter County Advisory Board-Building Committee for the Animal Shelter and the Commission could only approve or reject the contract, therefore motion was noted as an inappropriate motion and could not be considered.

Carter County Expenditure Budget Reports for month ending May 31, 2012 was provided to Commissions by Ingrid DeLoach, Carter County Finance Director. Included on the reports was the Account Number, Account Description, Budget Amounts, Budget Amendments, Amended Budgets, Month-to-Date Expenditures, Year-to-Date Expenditures, Outstanding Encumbrances and Unencumbered Balances.

COMMITTEE REPORTS/RECOMMENDATIONS

Budget Committee – Harry Sisk, Committee Chairman presented the following recommendations.

Motion was made by Harry Sisk, seconded by Lawrence Hodge to approve **General Fund 101 Budget Amendment # 9, with 20 items** for a total of \$293,340.21 with \$7,500 coming from fund balance for tourism. All other items just line item transfers or recognition of revenues. Recorded on page ~~645~~ - 646.

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, *Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Dickie Renfro, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Pat Hicks, and Robert Gobble. (23 Ayes)
(*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: Bill Armstrong (1 Absent)

By majority roll call vote, motion carried.

Motion was made by Harry Sisk, seconded by Pat Hicks to approve **Health Department Fund 117 Budget Amendment # 1 with 3 items** for a \$376,899.44 with \$52,415.34 coming from Fund 117 fund balance for item # 1-flooring and **repairs** on Health Department. All other items just item transfers or recognition of revenues. Recorded on page 647.

Roll Call Vote as follows:

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

Nays: None (0 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

Motion was made by Harry Sisk, seconded by Dickie Renfro to approve **Sports and Recreational Fund 123 Budget Amendment # 1** with 1 item for a total of \$15,911.57 with all coming from Fund 123 Fund Balance to allocate funds for the 2011-2012 budget. Recorded on page 647.

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

Nays: None (0 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

Motion was made by Harry Sisk, seconded by Nancy Brown, to approve **Highway Department Fund 131 Budget Amendment #4**, with 2 items for a total of \$ 3, 750.00 with nothing coming from fund balance. Recorded on page 648.

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

Nays: None (0 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

Motion was made by Harry Sisk, seconded by John Lewis, to approve **General Purpose School Fund 141 Budget Amendment # 13** with 4 items for a total of \$76,428.86 and nothing coming from fund balance. Recorded on page 648.

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, *Joel Street, Richard Winters, Ronnie Trivett, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, *Dickie Renfro, *Ken Arney, *Steve Chambers, *Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble. (24 Ayes)
(* Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

Motion was made by Harry Sisk, seconded by Bill Armstrong to approve **General Purpose School Fund 141 Budget Amendment #15** with 12 items for a total of \$201,927.05 with nothing coming from fund balance, **subject to pending School Board approval.**

Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, *Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, *Dickie Renfro, *Ken Arney, Steve Chambers, John Lewis, *Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (24 Ayes)
(*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried (subject to pending School Board approval).

Building and Grounds – L.C. Tester, Chairman

L.C. Tester reported that many options had been discussed concerning the PODS. He noted that discussion had been made with the city of Elizabethton stating that they would consider possibly allowing the PODS to remain if bricked, parking area made available and other items.

Upon recommendation from the Building and Grounds Committee and on **motion** by Ronnie Trivett, seconded by Ken Arney to hold an **Absolute Auction to sell the PODS** with buyer agreeing to rules of the sale as set forth and subject to confirmation (terms as prepared by and approved by County Attorney, Keith Bowers, Jr.) and if sale is unsuccessful, to then dismantle them with labor being done by county prisoners using rented equipment as necessary and sell for scrap with proceeds going into Fund Balance.

Discussion followed with several expressing options which could be taken concerning the PODS noting that possibly, upon moving into the new jail, it could be over capacity at that time.

Chairman Bowers at this time vacated the Commission Chair and asked that Vice-Chairman take the position so that he may be allowed to make a statement concerning the PODS.

Vice-Chairman, Lawrence Hodge took the chair and recognized, Tom Bowers allowing him to make a statement.

Tom Bowers stated that in his opinion the PODS were a “cancer” only getting worse and a “money pit” and he supported the recommendation made by the Building and Grounds Committee.

Much discussion was again voiced concerning issues of selling and removing PODS.

Vice Chairman Hodge called for a Roll Call Vote as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge, Nancy Brown, Richard Winters, Ronnie Trivett, Harry Sisk, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Dickie Renfro, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Pat Hicks, and Robert Gobble.
(18 Ayes)

Nays: Joel Street, Charles VonCannon, L.C. Tester, Charlie Bayless, John Lewis, and Bill Armstrong.

(6 Nays)

Absent: None (0 Absent)

By majority roll call vote, motion carried.

Following the above vote, Vice-Chairman Lawrence Hodge stepped down and Chairman Tom Bowers assumed the Commission Chair.

Highway Committee – Gebe Ritchie, Chairman

Motion was made by Gebe Ritchie upon recommendation from the Highway Committee, seconded by Scott Sams to name the bridge located on US Highway 321 that crosses Elk River in the Elk Mills area the “**E.C. Miller Bridge**” in memory of E.C. Miller a famous banjo player and instructor from East Tennessee.

By majority voice vote, all ayes, motion carried.

Motion was made by Gebe Ritchie upon recommendation from the Highway Committee, seconded by Richard Winters, who presented a petition with several signatures presented to the committee requesting that the bridge located on Highway 143 in the Roan Mountain State Park at the second picnic shelter, the “**Carroll Boone Bridge**” in memory of Carroll Boone a longtime employee with the Tennessee Department of Transportation.

Nancy Brown addressed the Commission stating that she had a petition also with signatures stating that they new nothing about the bridge being named at that time, and are requesting that the same bridge in question be named the “Jack Barnett Bridge” who resided approximately 2 miles from the bridge.

Discussion noted conflict in the naming of this bridge, however all agreed that both should be honored.

Motion to Table the forgoing motion was made by Joel Street, seconded by Sonja Culler referring this back to the Highway Committee for additional research and recommendation.

By majority voice vote, all ayes, motion carried.

County Attorney's Report – Keith Bowers, Jr.

Items reported on and discussed included the following:

- Animal Shelter Adviser Contract
- Department of Correction Contract
- Gilspie matter update
- ADA Grievance Policy and County Policy
- Animal Shelter Research
- Completed property donation from Dr. Cupp
- Red Energy
- Research of Trustee's Resolution
- Instituted new Criminal Summons for Sessions
- Conditional Judgment for Highway Department
- Ice House Matter
- Autopsies
- Class Action Case
- Tad Lincoln Construction Damage

Public Comments – None

Commissioner's Comments

Charles VonCannon was recognized and asked that Kevin Ward be permitted to speak concerning the School Budget. Chairman Bowers noted that this needed to be brought before the School Board for consideration and not the Commission. The public was urged to attend the School Board Meeting to address any questions.

Motion to adjourn was made by Gebe Ritchie, seconded by Russell Kyte.

By majority voice vote, all ayes, meeting adjourned at 8:40 p.m.

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, JUNE 18, 2012

RESOLUTION NO. 569

"RESOLUTION TO AFFIRM COMPLIANCE WITH FEDERAL TITLE VI REGULATIONS"

WHEREAS, both Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987 provide that no person in the United States shall, on the ground of race, color or national origin be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving federal financial assistance; and

WHEREAS, the Tennessee Attorney General opined in Opinion No. 92.47 that state and local governments are required to comply with Title VI of the Civil Rights Act in administering federally funded programs; and

WHEREAS, the Community Development Division of the Tennessee Department of Economic and Community Development administers the Three-Star Program and awards financial incentives for communities designated as Three-Star communities; and

WHEREAS, by virtue of the Tennessee Department of Economic and Community Development receiving federal financial assistance all communities designated as Three-Star communities must confirm that the community is in compliance with the regulations of Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987;

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 18th day of June, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, and;

SECTION 1. The legislative body of Carter County declares that the county is in compliance with the federal Title VI regulations.

SECTION 2. The Department of Economic and Community Development may from time to time monitor the county's compliance with federal Title VI regulations.

SECTION 3. This Resolution shall take effect upon adoption, the public welfare requiring it.


Adopted this 18th day of June, 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: 
THOMAS BOWERS

CHAIRMAN CARTER COUNTY COMMISSION


By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES
_____ NO VOTES
_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

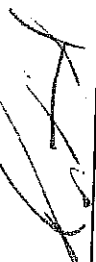
By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: _____

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, JUNE 18, 2012

RESOLUTION NO. 570

"RESOLUTION FOR PARTIAL PAYMENTS FOR
CURRENT AND DELINQUENT PROPERTY TAXES"

WHEREAS, it is in the best interest of Carter County taxpayers and citizenry that a partial payment system be established for current and delinquent property taxes: and,

WHEREAS, Tennessee Code Annotated (T.C.A), Section § 67-5-1801(e) states:

- (e) (1) Any county trustee may accept partial payments of property taxes.
- (2) Prior to any county trustee accepting partial payment of property taxes, the county trustee shall file a plan with the comptroller of the treasury. The plan shall indicate that the county trustee's office has the accounting system technology to implement a program for partial payment of property taxes. The plan shall also indicate whether such a program will be implemented within the existing operating resources of the office or indicate prior approval of the county legislative body if additional operating resources are needed. This subdivision (e)(2) does not apply to any county which has implemented a partial payment program prior to April 19, 1995.
- (3) A county trustee may accept taxes paid by electronic funds transfer, including, but not limited to, bank customer preauthorized payments, wire transfers or ACH credits. If the entire amount of taxes due is not paid prior to the delinquency date for such taxes, the entire property shall be subject to the tax lien and enforcement by a tax sale or other legally authorized procedures. Unless partial payment is made by electronic transfer of funds, if the county trustee accepts partial payment within ten (10) days of the delinquency date, or at any time following such delinquency date, then prior to accepting such payment the county trustee must inform the taxpayer of the delinquency date and must advise such taxpayer that the property may be subjected to tax lien and enforcement by tax sale or other legally authorized procedures.
- (4) Direct bank transfers and partial payments are subject to the following guidelines:
 - (A) Vouchers issued pursuant to the tax relief program shall be used as all or a portion of the final payment;
 - (B) A receipt shall be issued to the taxpayer for any partial payment of taxes. The receipt shall state that:
 - (i) The payment is a partial payment of property taxes;
 - (ii) The balance owing on such taxes that must be paid prior to the delinquency date; and
 - (iii) A failure to pay the entire amount of the taxes prior to the delinquency date subjects any unpaid taxes to the penalties and interest applicable to delinquent taxes and subjects the entire property on which there is a lien for taxes to a tax sale. The final partial payment shall show that a zero (0) balance is owing or shall state that the taxes are paid in full. Receipts shall also be sent to the taxpayer for payments made by direct bank transfer of funds; and
 - (C) In any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census, the trustee may set a minimum requirement of no more than the lesser of fifteen percent (15%) or twenty-five dollars (\$25.00) for any partial payment.

WHEREAS, Tennessee Code Annotated (T.C.A), Section § 67-5-2001 states:

- (a) (1) After taxes become delinquent, the county trustee shall have power to appoint such deputies as may be necessary for the collection of the taxes, and in such cases the county

trustee shall furnish the deputy with a list of the delinquent taxpayers, with the description of the property assessed against each and the amount of taxes due from each.

(2) In cases involving delinquent taxes assessed against real property, such list shall identify the current owner of such property and the owner's last known mailing address, if such owner can easily be identified and, in those cases, shall not identify any former owners.

(3) Nothing in this subsection (a) shall be construed as in any manner affecting the liability of the current owner or any former owner.

(4) The county trustee shall receive no compensation for making out the delinquent lists for the officers as provided.

(b) The official bond of the county trustee shall be liable and be held to cover the official acts of such deputy trustees, constables and deputy sheriffs, to whom delinquent tax lists may be furnished by the county trustee, but the county trustee shall have the power and authority, before turning over to such officers such delinquent lists, to require of them bond in such sum as the county trustee may deem appropriate, conditioned upon the faithful performance of their duties and for full and complete settlement of all sums collected by them upon such delinquent tax lists, which bonds shall be payable to the county trustee and upon which the county trustee shall have a right of action for any default of such officers.

(c) All lists shall be returned by such officer on or before January 1.

(1) Notwithstanding any general law or any private act to the contrary, the county trustee may accept partial payments of delinquent property taxes, including, but not limited to, payment by electronic transfers, bank customer preauthorized payments, wire transfers or ACH credits. If the entire amount of delinquent taxes due is not paid prior to the date the trustee delivers the delinquent tax lists to the delinquent tax attorney, the entire property shall be subject to the tax lien and enforcement by a tax sale or other legally-authorized procedures.

(2) Prior to any county trustee accepting partial payment of delinquent property taxes, the county trustee shall file a plan with the comptroller of the treasury at least thirty (30) days prior to the acceptance of the payments. The plan shall indicate that the county trustee's office has the accounting system technology to implement a program for partial payment of delinquent property taxes. The plan shall also indicate whether the program will be implemented within the existing operating resources of the office or indicate prior approval of the county legislative body if additional operating resources are needed.

(3) The delinquent date for property taxes and penalties and interest applicable to delinquent property taxes shall not be affected by application of a partial payment system established in the county.

(4) Penalties and interest shall apply only to the amount of delinquent property taxes remaining due.

(5) If a partial payment of delinquent property taxes is accepted, the partial payment does not release the tax lien on the property upon which the taxes were assessed.

WHEREAS, the Carter County Trustee's office in compliance with T.C.A., Section § 67-1801 (e)(2) and T.C.A., Section § 67-5-2001 (d)(2) with has submitted a plan with the State of Tennessee's, Comptroller of the Treasury's office on May 15, 2012 and May 18, 2012, and has received approval from the State of Tennessee on May 21, 2012 for its plan. The Carter County Trustee's office has also obtained supporting information in the affirmative that its software platform, which is provided by the Local Government Corporation is capable of accepting partial payments and has the capability to enforce the criteria of the planned filed with the State of Tennessee's, Comptroller of the Treasury's office; and

WHEREAS, the Carter County Trustee's plan for partial payments for property tax, which was filed with the State of Tennessee's, Comptroller of the Treasury's office allows for the taxpayer to make a maximum of four (4) payments, with a minimum tax payment of twenty-five (25%) of the total tax due being required per payment. The plan will not affect accrued interest and penalties on unpaid delinquent taxes and would only apply to taxes prior to being turned over to the Clerk of the Court's office who has been charged with the duty of administering the collection of delinquent taxes; and

WHEREAS, the acceptance of partial payments of property taxes will ease the burden for property owners in Carter County, Tennessee; especially those who have low and/or restricted household income; and

WHEREAS, the acceptance of partial payments of property taxes will ease the burden of challenging economic times by allowing a more convenient means for property owners to meet their financial obligations; and

WHEREAS, all Tennessee Code Annotated requirements listed under T.C.A., Section § 67-5-1801 and T.C.A., Section § 67-5-2001 concerning the collection of property taxes and partial payment of property taxes will remain in effect with the passage of this Resolution; and

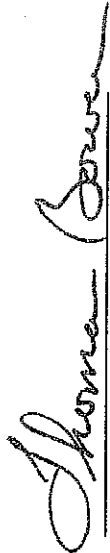
NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 18th day of June, 2012, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative; agree to allow the Trustee to accept partial payments on current and delinquent taxes, further, nothing in this Resolution shall be construed to force the Trustee to take payments in a form different than are currently accepted, specifically the Trustee shall not take payments by electronic transfer as the office does not have the necessary hardware and software to accommodate that form of payment at this time, and;

BE IT FURTHER RESOLVED that this Resolution takes effect on and after its passage the public welfare requiring it.

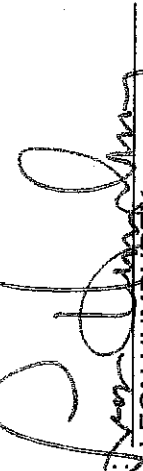
Adopted this 18th day of June, 2012.

CARTER COUNTY, TENNESSEE

APPROVED:

By: 

THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION


LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES

_____ NO VOTES

_____ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: _____

ATTEST:


MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:


KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

BUDGET AMENDMENT #9
GENERAL FUND - 101
18-Jun-12

Item #1	39000	Fund Balance	\$	7,500.00	Decrease
	58110-316	Contributions			\$ 7,500.00 Increase

Funds for Tourism

Item #2	47235	Homeland Security Grant	\$	158,210.78	Decrease
	54490-499	Other Supplies & Materials			\$ 6,829.28 Increase
	54490-708	Communication Equipment			\$ 151,381.50 Increase

Fund for Homeland Security Grant

Item #3	57100-299	Other Fringe Benefits	\$	523.73	Decrease
	57100-201	Social Security			\$ 375.00 Increase
	57100-210	Unemployment Comp			\$ 60.53 Increase
	57100-212	Employer Medicare			\$ 88.20 Increase

Reallocate funds in Extension Office

Item #4	47660	FHA Grant	\$	80,823.52	Decrease
	58130-599	Other Charges			\$ 9,511.52 Increase
	58130-791	Other Construction			\$ 71,312.00 Increase

Fund for HOME Grant

Item #5	41590	Other Permits	\$	2,175.00	Decrease
	58900-361	Permits			\$ 2,175.00 Increase

State Building Permits

Item #6	46900	Other State Revenue	\$	406.83	Decrease
	58900-399	Other Contracted Services			\$ 406.83 Increase

East TN Railroad Authority Funds

Item #7	46170	Solid Waste Grants	\$	27,439.00	Decrease
	58900-733	Solid Waste Equipment			\$ 27,439.00 Increase

Used Oil Grant Funds

Item #8	46420	State Aid Program	\$	2,496.49	Decrease
	58190-399-61	Other Contracted Services			\$ 2,496.49 Increase

Little Milligan/Fish Springs CDBG Project

Item #9	51500-719	Office Equipment	\$	584.15	Decrease
	51500-106	Deputies			\$ 498.52 Increase
	51500-121	Data Processing Personnel			\$ 85.63 Increase

2011-12 Accrued Payroll - Election Office

Item #10	51720-719	Office Equipment	\$	283.94	Decrease
	51720-105	Director	\$		124.71 Increase
	51720-121	Data Processing Personnel	\$		56.13 Increase
	51720-141	Foremen	\$		102.59 Increase
	51720-212	Employer Medicare	\$		0.51 Increase
2011-12 Accrued Payroll - Planning					
Item #11	52400-162	Clerical Personnel	\$	2,352.07	Decrease
	52400-106	Deputies	\$		2,352.07 Increase
2011-12 Accrued Payroll-Trustee's Office					
Item #12	53300-207	Medical Insurance	\$	406.87	Decrease
	53300-204	State Retirement	\$		406.87 Increase
2011-12 Accrued Payroll - General Session					
Item #13	53700-499	Other Supplies & Materials	\$	157.76	Decrease
	53700-210	Unemployment Comp	\$	336.00	Decrease
	53700-189	Other Salaries & Wages	\$		478.21 Increase
	53700-201	Social Security	\$		12.37 Increase
	53700-212	Employer Medicare	\$		3.18 Increase
2011-12 Accrued Payroll - Judicial Commissioners					
Item #14	54210-160	Guards	\$	1,842.27	Decrease
	54210-167	Maintenance Personnel	\$		1,842.27 Increase
2011-12 Accrued Payroll - Jail					
Item #15	54240-207	Medical Insurance	\$	83.74	Decrease
	54240-201	Social Security	\$		68.92 Increase
	54240-212	Employer Medicare	\$		14.82 Increase
2011-12 Accrued Payroll - Juvenile Services					
Item #16	54510-719	Office Equipment	\$	68.55	Decrease
	54510-105	Director	\$		57.57 Increase
	54510-204	State Retirement	\$		6.72 Increase
	54510-212	Employer Medicare	\$		4.26 Increase
2011-12 Accrued Payroll - Inspection & Regulations					
Item #17	55120-599	Other Charges	\$	366.52	Decrease
	55120-189	Salaries & Wages	\$		56.52 Increase
	55120-307	Communications	\$		310.00 Increase
2011-12 Accrued Payroll & Communications - Animal Control					
Item #18	58300-719	Office Equipment	\$	83.23	Decrease
	58300-105	Director	\$		83.23 Increase
2011-12 Accrued Payroll - Veteran's Services					
Item #19	64000-506	Liability Insurance	\$	500.00	Decrease
	64000-513	Workman's Comp Insurance	\$	163.38	Decrease
	64000-210	Unemployment Comp	\$		264.95 Increase
	64000-212	Employer Medicare	\$		398.43 Increase
2011-12 Accrued Payroll - Litter Grant					
Item #20	54110-170	School Resource Officers	\$	6,536.38	Decrease
	54110-119	Accountants/Bookkeepers	\$		123.78 Increase
	54110-148	Dispatchers	\$		5,670.60 Increase
	54110-162	Clerical Personnel	\$		742.00 Increase
2011-12 Accrued Payroll - Sheriff's Dept					
			\$	293,340.21	\$
					293,340.21

BUDGET AMENDMENT #1
HEALTH DEPT
18-Jun-12

Item #1	39000	Fund Balance	\$	52,415.34	Decrease
	55110-335	Maintenance/Repairs-Building	\$		52,415.34 Increase

Flooring and Repairs on Health Dept

Item #2	46310	Health Dept Program	\$	318,992.45	Decrease
	55110-189	Other Salaries & Wages	\$	195,531.55	Increase
	55110-201	Social Security	\$	13,127.11	Increase
	55110-204	State Retirement	\$	30,937.97	Increase
	55110-206	Life Insurance	\$	282.00	Increase
	55110-207	Medical Insurance	\$	69,891.52	Increase
	55110-208	Dental Insurance	\$	2,077.60	Increase
	55110-210	Unemployment Comp	\$	992.88	Increase
	55110-212	Employer Medicare	\$	3,151.82	Increase
	55110-355	Travel	\$	3,000.00	Increase

State DGA Reimbursement

Item #3	55110-131	Medical Personnel	\$	1,545.00	Decrease
	55110-347	Pest Control	\$	170.00	Increase
	55110-499	Other Supplies & Materials	\$	1,375.00	Increase
	55110-513	Workman's Comp Insurance	\$	3,946.65	Decrease
	55110-599	Other Charges	\$	3,946.65	Increase

Reallocate funds in budget

Total			\$	376,899.44	Decrease
			\$	376,899.44	Increase

BUDGET AMENDMENT #1
SPORTS AND RECREATIONAL FUND - 123
18-Jun-12

Item #1	39000	Fund Balance	\$	15,911.57	Decrease
	56700-415	Electricity	\$	435.00	Increase
	56700-599-90	Other Charges	\$	15,476.57	Increase

Reallocate funds for 2011-12 budget

			\$	15,911.57	
			\$	15,911.57	

Carter County Government
Highway Fund 131
Budget Amendment #4

Item # 1	61000-161 Secretary				
	61000-105 Director's Secretary	\$	150.00	\$	150.00
	61000-719 Office Equipment				Increase
	61000-599 Other Charges	\$	500.00	\$	500.00
					Decrease

To reallocate funds within the Highway Administration Category.

Item #2	44540 Sale of Property				
	63100-418 Equipment and Machinery Parts	\$	3,000.00	\$	3,000.00
					Decrease
					Increase

To allocate funds received from sale of bridge scrap.

Total \$ 3,650.00 \$ 3,650.00

Carter County Schools
General Purpose School Fund 141
Budget Amendment #13

Item #1	72120-413 Drug & Medical Supplies				
	72120-355 Travel	\$	50.00	\$	50.00
					Decrease
					Increase

To reallocate funds within the Nurse's Budget.

Item #2	71300-336 Maintenance & Repair Services-Equipment				
	71300-399 Other Contracted Services	\$	2,045.26	\$	2,045.26
	71300-429 Instructional Supplies	\$	3,000.00	\$	3,000.00
	71300-449 Textbooks	\$	9,959.21	\$	9,959.21
	71300-499 Other Supplies	\$	2,106.03	\$	2,106.03
	71300-499-301 Textbooks (New Teachers)	\$	108.60	\$	108.60
	71300-730-301 Vocational Instruction Equipment	\$	5,152.24	\$	5,152.24
	71300-730 Vocational Instruction Equipment	\$	9,240.00	\$	9,240.00
	72230-336 Maintenance & Repair Services-Equipment				Increase
	72230-355 Travel				Decrease
	72230-499 Other Supplies	\$	3,886.94	\$	3,886.94
	72230-524 Staff Development				Increase
	72230-599 Other Charges	\$	1,500.00	\$	1,500.00
	72230-790 Other Equipment	\$	14,363.68	\$	14,363.68
					Increase
					Decrease

To reallocate funds within the Vocational Budget.

Item #3	71200-116 Teachers				
	71200-128 Homebound Teachers	\$	7,162.00	\$	7,162.00
	71200-163 Educational Assistants				Increase
	71200-201 Social Security	\$	7,761.00	\$	7,761.00
	71200-204 State Retirement	\$	4,843.00	\$	4,843.00
	71200-207 Medical Insurance	\$	127.00	\$	127.00
	71200-208 Dental Insurance	\$	185.00	\$	185.00
	71200-210 Unemployment Compensation	\$	5,729.00	\$	5,729.00
	71200-212 Employer Medicare	\$	337.00	\$	337.00
	71200-310 Contracts w/ Public Agencies	\$	30.00	\$	30.00
	71200-399 Other Contracted Services	\$	8,000.00	\$	8,000.00
	71200-429 Instructional Supplies & Materials	\$	15,930.00	\$	15,930.00
	71200-499 Other Supplies & Materials	\$	8,242.10	\$	8,242.10
	71200-725 Special Education Equipment	\$	3,890.00	\$	3,890.00
	72220-207 Medical Insurance	\$	9,186.00	\$	9,186.00
	72220-208 Dental Insurance				Increase
	72220-336 Maintenance & Repair Serv-Equip	\$	1,127.81	\$	1,127.81
	72220-499 Other Supplies & Materials	\$	218.20	\$	218.20
	72220-790 Other Equipment	\$	2,013.89	\$	2,013.89
					Decrease
					Increase

To reallocate funds within the Special Education GP Budget.

Item #4	72320-355 Travel				
	72320-524 Staff Development	\$	1,500.00	\$	1,500.00
	72210-355 Travel				Increase
	72210-524 Staff Development	\$	1,500.00	\$	1,500.00
					Decrease

To transfer funds for Superintendent Travel and Staff Development \$ 76,428.86 \$ 76,428.86

