

**Carter County Commission Meeting
Regular Session
Tuesday, January 22, 2013**

APPROVED
2-19-13

Chairman, Tom Bowers called the meeting to order.

Roll Call as follows:

Present: 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, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (22 Present)

Absent: Scott Sams (1 Absent)

Quorum Present.

Prayer was led by Lawrence Hodge, followed with the Pledge to the American Flag led by Charles VonCannon.

Motion was made by Ken Arney, seconded by Steve Chambers to **accept the agenda as presented**. By majority voice vote **motion carried**. It is noted that a "no" vote was voiced by Nancy Brown, Charles VonCannon, and John Lewis.

Elected and Appointed Officials/Guest along with Veterans that were present were recognized at this time and thanked for their service.

5th District Commissioner Applicants, Scott Snell, Bobbie Gouge-Dietz, and Tim Holdren, addressed the commission stating qualifications for the position.

The floor was now opened for nominations to fill the unexpired term of Dickie Renfro, 5th District Commissioner, whose resignation was received December 14, 2012.

Bobbie Street Gouge-Dietz was nominated by Russell Kyte.

Additional nominations were asked for by Chairman Bowers. There were none.

Motion was made by Lawrence Hodge, seconded by Sonja Culler that the nominations cease.

Chairman Bowers noted that only one candidate had been nominated from the floor. At this time he called for a roll call vote asking that the name of the person in which they wish to vote for as 5th District Commissioner be stated when voting.

Roll Call Vote as follows:

Voting for Gouge-Deitz: JoAnn Blankenship, Charlie Bayless, Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (20 votes for Gouge-Deitz)

Voting for Snell: John Lewis. (1 vote for Snell)

Passing: Nancy Brown. (1 Passing)

Absent: Scott Sams

Bobbie Street Gouge-Dietz was elected **Commissioner of the 5th District** receiving the majority vote.

County Clerk, Mary Gouge at this time administered the oath of office to Bobbie Street Gouge-Dietz as Commissioner for the 5th District filling the unexpired term of Dickie Renfro and Mrs. Diet took her seat on the Commission at this time.

JANUARY TERM 2013

Planning Commission applicants, Bobby G. Blevins, Jeffrey W. Hughis, and Walter Jerry Pearman were invited to address the commission stating qualifications for this position by Chairman Bowers. Chairman Bowers noted that Jerry Pearman was unable to be in attendance due to a Doctors appointment.

Chairman Tom Bowers opened the floor for nominations for the Planning Commission at this time.

Bobby G. Blevins was nominated by Ronnie Trivett.

Walter Jerry Pearman was nominated by Harry Sisk.

Jeffrey W. Hughis was nominated by Charles VonCannon.

Being that there were no other nominations from the floor, Chairman Bowers called for a vote at this time.

Roll Call Vote as follows:

Voting for Bobby G. Blevins:

Ronnie Trivett, Charles VonCannon, L.C. Tester, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, John Lewis, Bill Armstrong, Pat Hicks, and Robert Gobble. (10 Votes for Blevins)

Voting for Walter Jerry Pearman:

Buford Peters, Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Ken Arney, Steve Chambers, Sonja Culler, and Russell Kyte. (11 Votes for Pearman)

Voting for Hughis: None (0 Votes for Hughis)

Passing: Nancy Brown and Joel Street (2 Passing)

Absent: Scott Sams (1 Absent)

Vote was **not a majority vote**, therefore Chairman Bowers asked for the vote to be taken again. Chairman Bowers stated that the person receiving the least votes would be dropped from the applicants list.

Roll Call Vote for Planning Commission (2nd Vote) as follows:

Voting for Blevins as follows:

Ronnie Trivett, L.C. Tester, Charles VonCannon, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, John Lewis, Bill Armstrong, Pat Hicks, and Robert Gobble. (10 Votes for Blevins)

Voting for Pearman as follows:

Buford Peters, Gebe Ritchie, Lawrence Hodge, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Ken Arney, Steve Chambers, Sonja Culler, and Russell Kyte. (11 Votes for Pearman)

Passing: Nancy Brown and Joel Street. (2 Passing)

Absent: Scott Sams (1 Absent)

Vote was **again not a majority vote**, therefore Chairman Bowers stated that the position would be re-advertised and another vote would be taken during the February Session of County Commission. It was noted that current applicants would not need to reapply.

Motion was made by John Lewis, seconded by Steve Chambers to **accept as printed the minutes of the previous meeting, November 19, 2012.**

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

JANUARY TERM 2013

Motion was made by Lawrence Hodge, seconded by Joel Street to accept the following **Notaries and Bonds as presented.**

Notaries/Bonds as presented January 22, 2013

Janet P. Denny	Thomas E. Cowan, Jr.	Irene Jones
Pamela A. Yarberry	T. J. Little, Jr.	Tina Cline
Linda K. Hawks	Rebecca Yates	Laura K. Morris
Richard Norris	Nancy M. Byrd	Melissa D. Moreland
Alan C. Stapleton	Kathryn Campbell	Terry Buckles
Sandra H. Monger	Carrie B. Norman	Rebecca M. Potter
Carrie D. Lee	Cynthia Title	Jennifer L. Barr
-----	Jonathan R. Wilson	-----

Mayor Humphrey presented a plaque to Katelyn Beverly, a nursing student, in recognition of her receiving the 2012-2013 Student of the Year award from Tennessee Technology School.

Don Palmer, retired District Ranger for the Cherokee National Forest Service was also presented a plaque by Mayor Humphrey in recognition of being instrumental in obtaining federal funds thru the Secure Rules Schools Program leading to the Dennis Cove Road paving project.

Mayor's Report was presented and included the following:

Carter County Emergency Communications District 911 Board of Directors appointment and confirmation following the resignation of Matt Bailey.

Motion was made by Charles VonCannon, seconded by John Lewis to confirm the appointment of **Greg Workman to the Carter County Emergency Communications District 911 Board of Directors.**

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

Household Hazardous Waste Collection event set for May 18, 2013 from 9:00 AM to 1:00 PM at the Carter County Recycling Center 411 Cherokee Park Drive, Elizabethton, TN

Gap Creek Road/S.R. 362 update was given noting a highway closure from January 14, 2013 thru January 14, 2014 to complete construction.

Carter County Animal Shelter construction update was presented. It was noted that once permits were obtained from the Elizabethton Planning Commission, construction would began as soon as weather permits.

Connie Baker presented an informative update concerning the Community Information Center and she invited everyone to visit the center.

Motion was made by Ronnie Trivett, seconded by Russell Kyte to enter into a **ten (10) minute recess.**

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

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

Chairman Bowers introduced A Resolution concerning the Park and Recreation Board of Carter County and opened the floor for discussion.

Some typographical errors in the Resolution were noted in which necessary corrections would be made.

Buford Peters, on behalf of the Park and Recreation Board stated that under current regulation without the Private Act, members on the board are not able to be compensated for time spent and mileage. The Private Act would change the number members on the board and the limit their number of meetings.

Also during discussion it was stated that in the future it may be possible that this board could become an outside agency.

Motion was made by Steve Lowrance, seconded by Pat Hick to **wave the reading of:**
"A Resolution of Carter County, Tennessee, to opt out of T.C.A. 11-24-104 and request approval of a private act to create a Parks and Recreation Board for Carter County, Tennessee, and also to request Lt. Governor Ron Ramsey, Senator Rusty Crowe, Representative Kent Williams and Representative Timothy Hill to sponsor said Private Act for passage in the State of Legislature on behalf of Carter County."

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

Motion was made by Nancy Brown, seconded by John Lewis to **amend the previous Resolution deleting Section 3, making the Park and Recreation a non-paid Board.**

Roll Call Vote as follows:

Ayes: Nancy Brown, and John Lewis (2 Ayes)

Nays: 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, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gouge. (21 Nays)

Absent: Scott Sams (1 Absent)

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

Motion was made by Nancy Brown, seconded by John Lewis to amend the previous **Resolution, Section 3. to change compensation to \$ 25.00 per meeting pay.**

Ayes: Nancy Brown, Tom Bowers, JoAnn Blankenship, John Lewis, Sonja Culler. (5 Ayes)

Nays: Buford Peters, Gebe Ritchie, Lawrence Hodge, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Charlie Bayless, Ken Arney, Steve Chambers, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (17 Nays)

Passing: Bobbie Gouge-Dietz (1 Passing)

Absent: Scott Sams (1 Absent)

By majority vote, **motion failed.**

Motion was made by Lawrence Hodge, seconded by Steve Lowrance, to **approve as presented (with previously noted typographical errors corrected). Resolution No. 580**
"A RESOLUTION OF CARTER COUNTY, TENNESSEE, TO OPT OUT OF T.C.A. 11-24-104 AND REQUEST APPROVAL OF A PRIVATE ACT TO CREATE A PARKS AND RECREATION BOARD FOR CARTER COUNTY, TENNESSEE, AND ALSO TO REQUEST LT. GOVERNOR ROB RAMSEY, SENATOR RUSTY CROWE, REPRESENTATIVE KENT WILLIAMS, AND REPRESENTATIVE, TIMOTHY HILL TO SPONSOR SAID PRIVATE ACT FOR PASSAGE IN THE STATE LEGISLATURE ON BEHALF OF CARTER COUNTY"

Recorded on Pages 772 - 773

Chairman Bowers noted, that at this time there was not a line item in the 2012-2013 budget for compensating this Board. However, also noted was that the process and time necessary in approving and presenting this Private Act, the 2012-2013 budget year would be ending.

JANUARY TERM 2013

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, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (21 Ayes)

Nays: Nancy Brown, and John Lewis. (2 Nays)

Absent: Scott Sams (1 Absent)

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

Presented at this time Chairman Bowers for consideration was:

"A RESOLUTION OF CARTER COUNTY, TENNESSEE, REQUESTING LT. GOVERNOR RON RAMSEY, STATE SENATOR RUSTY CROWE, STATE REPRESENTATIVE KENT WILLIAMS, AND STATE REPRESENTATIVE TIMOTHY HILL TO SPONSOR A PRIVATE ACT FOR PASSAGE IN THE STATE LEGISLATURE ON BEHALF OF CARTER COUNTY GRANTING SUPERVISION OF ALL OPERATIONS OF THE CARTER COUNTY LANDFILL TO A SUB-COMMITTEE OF THE CARTER COUNTY COMMISSION KNOWN AS THE CARTER COUNTY LANDFILL COMMITTEE"

Much discussion followed. It was stated that this Resolution had not been presented to the committee for approval. However according to CTAS the Resolution was legal as presented.

Motion to wave the reading of the previous resolution (Resolution No. 581) was made by Gebe Ritchie, seconded by Steve Lowrance.

By majority voice vote, **motion carried.** Be it noted that "no" votes were voiced by Ronnie Trivett, Nancy Brown and John Lewis.

Motion to accept as presented Resolution No. 581
"A RESOLUTION OF CARTER COUNTY, TENNESSEE, REQUESTING LT. GOVERNOR RON RAMSEY, STATE SENATOR RUSTY CROWE, STATE REPRESENTATIVE, KEN WILLIAMS AND STATE REPRESENTATIVE TIMOTHY HILL TO SPONSOR A PRIVATE ACT FOR SUPERVISION OF ALL OPERATIONS OF THE CARTER COUNTY LANDFILL TO A SUB-COMMITTEE OF THE CARTER COUNTY COMMISSION KNOWN AS THE CARTER COUNTY LANDFILL COMMITTEE" was made by Sonja Culler, seconded by Ken Arney.

Recorded on Pages 775-776.

Chairman Bowers called for a Roll Call Vote on Resolution No. 581 as follows:

Ayes: Buford Peters, Gebe Ritchie, Lawrence Hodge Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, and Pat Hicks. (17 Ayes)

Nays: Ronnie Trivett, Charles VonCannon, John Lewis, Bill Armstrong, and Robert Gobble. (5 Nays)

Absent: Nancy Brown, and Scott Sams. (2 Absent)

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

Carter County Expenditure Budget Reports for the month December 31, ~~2012~~ was provided to Commissioners by Ingrid Deloach, Finance Director. Included in the reports was the Account Numbers, Account Description, Budget Amounts, Budget Amendments, Amended Budgets, Month-to-Date Expenditures, Year-to-Date Expenditures, Outstanding Encumbrances, and Unencumbered Balances.

2012 correction noted 2-19-13

COMMITTEE REPORTS/RECOMMENDATIONS

Committee Reports/Minutes are filed monthly with the County Clerks Office and are available to review upon request.

BUDGET COMMITTEE

Motion was made by Harry Sisk, seconded by Ken Arney to approve **transfer of \$17,830.00** from line item 58600-205 Employee & Dependent Insurance to the appropriate line items for the additional costs of **workman's comp insurance**.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (19 Ayes)

Nays: None (0 Nays)

Passing: Charles VonCannon (1 Passing)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, and Scott Sams. (4 Absent)

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

Motion was made by Harry Sisk, seconded by John Lewis, to **transfer \$600.00** from line item 58600-205 Employee & Dependent Insurance to cover the immediate need for **Pauper's Burials**.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (19 Ayes)

Nays: None (0 Nays)

Passing: Charles VonCannon (1 Passing)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, and Scott Sams. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Lawrence Hodge to **transfer \$ 22,745.00** from the **Courtroom Security Reserve to cover the cost of a panic alarm and camera system for the courthouse and annex offices**.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (19 Ayes)

Nays: John Lewis (1 Nay)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, and Scott Sams. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Russell Kyte to approve **General Fund 101 Amendment # 4 with 12 items** and \$0 coming from Fund Balance. Recorded on page 777.

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, and Scott Sams. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Steve Chambers to approve **Solid Waste Fund 116 Amendment # 2 with 2 items** and \$0 coming from Fund Balance. Recorded on Page 777.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, and Scott Sams. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Steve Chambers to approve **General Purpose School Fund 141 Amendment # 4**, with 1 item and \$0 coming from Fund Balance. Recorded on Page 771.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, *Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Dietz, *Ken Arney, *Steve Chambers, John Lewis, *Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (20 Ayes) (*Indicates that Disclaimer for Employees of Carter County, Tennessee was read before voting.)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, and Scott Sams. (4 Absent)

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

Motion was made by Harry Sisk, seconded by Pat Hicks to approve **Federal Projects Fund 142 Amendment # 4 with 4 items** and \$0 coming from Fund Balance. Recorded on Page 778-779.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, *Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, *Ken Arney, *Steve Chambers, John Lewis, *Sonja Culler, Russell Kyte, Bill Armstrong, Pat Hicks, and Robert Gobble. (20 Ayes)

Nays: None (0 Nays)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, and Scott Sams. (4 Absent)

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

Harry Sisk on behalf of the Budget Committee presented the 2013-2014 Budget Calendar to the commissioners for preview.

FINANCIAL MANAGEMENT COMMITTEE

Motion was made JoAnn Blankenship, on behalf of the Financial Management Committee, seconded by Joel Street to **approve \$2,500.00 salary raise for Financial Director, Ingrid Deloach. The increase being yearly until the salary matches that of the County Trustee.** This salary increase request being retro active back to July 01, 2012.

It was noted that this request had been approved in committee June 2012 and had failed to be presented and approved by full commission.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, JoAnn Blankenship, Charlie Bayless, Bobbie Gouge-Deitz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Pat Hicks, and Robert Gobble. (18 Ayes)

Nays: John Lewis (1 Nay)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, Scott Sams, and Bill Armstrong. (5 Absent)

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

HIGHWAY COMMITTEE

Motion was made by Joel Street upon recommendation from the Highway Committee, and seconded by John Lewis to **accept and approve closing of "unnamed road" (Roan Mountain Area), Roan Mountain, TN located in front of the old Roan Mountain Hotel.** It was noted that a Public Hearing had been held April 2012 concerning this request. **Ohio Street, in the Central Community was noted as being left open.**

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

Motion was made by Joel Street, upon recommendation from the Highway Committee, and seconded by John Lewis to accept with corrections as noted above the **2012 Carter County Road Report Road Details by Road Name with Comments.**

2012 Road Report as presented recorded on pages _____. Corrections as requested above will be added once approved and provided by Jack Perkins, Highway Superintendent.

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

COUNTY ATTORNEY'S REPORT – KEITH BOWERS, JR.

Items reported on and discussed by Attorney Bowers included the following:

- Resolutions will be necessary concerning naming of bridges;
- Rescue Squad Vehicles now require commercial plates (not government service plates) as required by the TN Department of Safety;
- Landfill Incentive Program – a delay may be necessary due to audit requirements;
- Resolution concerning the "E.C. Miller Bridge" to be presented during February Meeting;
- Landfill scales bid issues;
- Waste Removal – Bid Issues;
- Title work with the TN Department of Transportation completed;
- Property sell at Landfill;
- Civil Service Board issues concerning the staff needs of the Sheriffs Department;
- Milligan College Bonds – received final bond packet closing the project;
- Litigation updates concerning equipment purchase, inmate case. It was noted that Chancellor Johnson had not ruled concerning the Ice House case; Whitehead vs Carter County; Actions filed against Judge John Walton has been advanced to insurance carrier.
- Autopsy reimbursement cost from the State which is currently paid by the county.

PUBLIC COMMENTS was voiced by the following on numerous issues.
Roy Livingston-Private Acts, contention of hatred.

COMMISSIONER COMMENTS

John Lewis voiced issues concerning property owned by D.H. Hampton which has had flooding issues.

Motion was made by John Lewis, seconded by Steve Lowrance to refer to the Health & Welfare Committee issues concerning the flooding issues with Mr. Hampton's property.

Roll Call Vote as follows:

Ayes: Joel Street, Richard Winters, Harry Sisk, Charles VonCannon, Steve Lowrance, John Lewis, Sonja Culler, and Robert Gobble. (8 Ayes)

Nays: Buford Peters, Lawrence Hodge, Tom Bowers, Ken Arney, Steve Chambers, and Russell Kyte. (6 Nays)

Passing: Bobbie Gouge-Deitz, and Bill Armstrong. (2 Passing)

Absent: Gebe Ritchie, Nancy Brown, Ronnie Trivett, L.C. Tester, JoAnn Blankenship, Charlie Bayless, Scott Sams, and Pat Hicks. (8 Absent)

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

Steve Lowrance voiced concerns about the Siam Utility District billing and the Watauga River Regional Water Authority issues. He noted that many citizens have contacted him concerning the recent increase in fees and complaints concerning services.

John Lewis urged citizens in the Siam Utility District to consider a Private Act (such as the one Stoney Creek Utility has).

Charles VonCannon urged citizens to become more involved concerning school security. A "thank-you" was extended to citizens that volunteered services recently by cleaning the boat entrance on Blevins Road.

Motion to adjourn was made by Lawrence Hodge, seconded by Russell Kyte.

By majority voice vote, all ayes, **motion carried** and meeting adjourned at 12:30 PM

Carter County Schools
General Fund 141
Budget Amendment #4

Item # 1	46590-753 Other State Ed Funds-LEAPS		\$	231,644.00	Increase
	73300-105-753 Director	\$	11,309.00		Increase
	73300-169-753 Part-Time Personnel	\$	198,343.00		Increase
	73300-201-753 Social Security	\$	12,998.00		Increase
	73300-204-753 State Retirement	\$	1,004.00		Increase
	73300-212-753 Employer Medicare	\$	3,040.00		Increase
	73300-355-753 Travel	\$	2,200.00		Increase
	73300-599-753 Other Charges	\$	2,750.00		Increase

To recognize LEAPS Program Grant Budget

Total \$ 231,644.00 \$ 231,644.00

JANUARY TERM 2013

BEFORE THE COUNTY COMMISSION

OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, TUESDAY, JANUARY 22, 2013

RESOLUTION NO. 580

"A RESOLUTION OF CARTER COUNTY, TENNESSEE, TO OPT-OUT OF T.C.A. § 11-24-104 AND REQUEST APPROVAL OF A PRIVATE ACT TO CREATE A PARKS AND RECREATION BOARD FOR CARTER COUNTY, TENNESSEE, AND ALSO TO REQUEST LT. GOVERNOR RON RAMSEY, SENATOR RUSTY CROWE, REPRESENTATIVE KENT WILLIAMS, AND REPRESENTATIVE TIMOTHY HILL TO SPONSOR SAID PRIVATE ACT FOR PASSAGE IN THE STATE LEGISLATURE ON BEHALF OF CARTER COUNTY"

WHEREAS, T.C.A. § 11-24-104 is the general statute that currently applies to the operation of a recreation board within Carter County; and

WHEREAS, the Commission of Carter County, Tennessee, finds that it is in the best interest of the citizens of Carter County to opt out of T.C.A. § 11-24-104 and request a Private Act establishing a parks and recreation board for Carter County, Tennessee due to the unique topography and geographical barriers and challenges that make managing the parks and recreational areas of Carter County especially challenging; and

WHEREAS, it is essential to the health and wellbeing of the community and future generations that the parks and recreational facilities within Carter County, Tennessee are effectively managed; and

WHEREAS, it is in the best interest of the citizens and residents of Carter County, Tennessee, that a parks and recreation board be created and formal procedures established for the operation of said board; and

WHEREAS, the Commission of Carter County shall request that a Private Act be passed by the State Legislature and signed by the Governor of the State of Tennessee allowing Carter County to opt out of the general statutory requirements of T.C.A. § 11-24-104 and thus create a parks and recreation board for Carter County, Tennessee; and

WHEREAS, the citizens of Carter County, Tennessee are represented at the state level by Lt. Governor Ron Ramsey, State Senator Rusty Crowe, State Representative Kent Williams, and State Representative Timothy Hill, all of whom Carter County requests to support the private act described herein for passage in the state legislature.

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Carter County, Tennessee, meeting in regular session on this the 22nd day of January, 2013, with a lawful quorum of said Commission being present and with a two-thirds (2/3) majority voting in the affirmative as follows:

1. That the County Commission of Carter County hereby request that a Private Act be passed by the State Legislature and signed by the Governor of the State of Tennessee to enact this Private Act allowing Carter County to opt out of the statutory requirements of T.C.A. § 11-24-104 and create a parks and recreation board for Carter County and also adopt the following procedures and policies for the operation of said board:

SECTION 1. The Carter County Parks and Recreation Board shall consist of nine (9) total members. Eight (8) of the members shall be members of the community, with each civil district of the county being represented. The ninth member shall be a County Commissioner appointed by the Chairman of the Commission and confirmed by the County Commission as a whole. All members of the board shall be voting members.

SECTION 2. The board members shall serve terms of four (4) years; however, the initial terms shall expire at a staggered interval with 2 member's terms expiring each year, with oldest serving member's terms expiring first. Vacancies in the board shall be filled by the County Commission of Carter County through utilization of the nominating committee.

SECTION 3. Board members shall be compensated at a rate of fifty dollars (\$50.00) per meeting, with a maximum of eight (8) paid meetings occurring each year.

SECTION 4. The Carter County Parks and Recreation Board shall be governed by all provisions of T.C.A. §11-24-101 through §11-24-112, save the provisions of §11-24-104 which private act specifically opts Carter County out of said limitations.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding, and further that any part of past resolutions in conflict with this Resolution are hereby rescinded to the extent that a such conflict exists.

Adopted this 22nd day of January, 2013.

CARTER COUNTY, TENNESSEE

APPROVED:

By: Thomas Bowers
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: Leon Humphrey
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: _____

VETO OVERRIDE VOTE:

_____ YES VOTES

_____ NO VOTES

_____ ABSTAIN VOTES

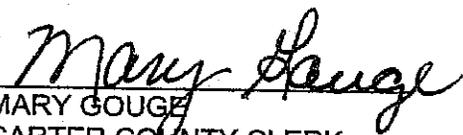
APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: _____
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

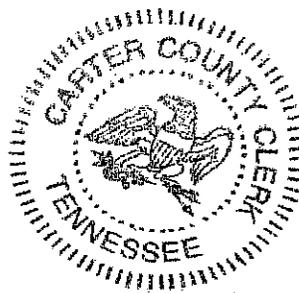
Date: _____

JANUARY TERM 2013

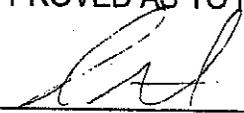
ATTEST:



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, TUESDAY, JANUARY 22, 2013

RESOLUTION NO. 581

"A RESOLUTION OF CARTER COUNTY, TENNESSEE, REQUESTING LT. GOVERNOR RON RAMSEY, STATE SENATOR RUSTY CROWE, STATE REPRESENTATIVE KENT WILLIAMS, AND STATE REPRESENTATIVE TIMOTHY HILL TO SPONSOR A PRIVATE ACT FOR PASSAGE IN THE STATE LEGISLATURE ON BEHALF OF CARTER COUNTY GRANTING SUPERVISION OF ALL OPERATIONS OF THE CARTER COUNTY LANDFILL TO A SUB-COMMITTEE OF THE CARTER COUNTY COMMISSION KNOWN AS THE CARTER COUNTY LANDFILL COMMITTEE"

WHEREAS, T.C.A. § 5-6-106 is the general statute which grants the county mayor the power to appoint members of county boards, commissions, and county department heads absent a specific statute otherwise or the passage of a private act; and

WHEREAS, the Commission of Carter County, Tennessee has established a sub-committee of the Carter County Commission known as the Landfill Committee, with said committee currently charged with overseeing the operations of the Carter County Landfill as performed by the Landfill Director; and

WHEREAS, the Commission of Carter County, Tennessee, finds that it is in the best interest of the citizens of Carter County to vest the power of appointment and retention of the Director of the Carter County Landfill with the Carter County Landfill Committee; and

WHEREAS, it is essential to the health and wellbeing of the community and future generations that the Carter County Landfill is effectively operated and managed; and

WHEREAS, it is in the best interest of the citizens and residents of Carter County, Tennessee, that the Carter County Landfill Committee be given the power to oversee all aspects of the operation of the Carter County Landfill, which shall include, but not be limited to, the power to hire and fire the landfill director, directly supervise the landfill director, oversee the landfill budget, and oversee all day-to-day operations of the landfill; and

WHEREAS, the County Commission of Carter County, Tennessee does hereby request that a Private Act be passed by the State Legislature and signed by the Governor of the State of Tennessee vesting the powers described herein in connection with the operation of the Carter County Landfill and the supervision of the Carter County Landfill Director with the Carter County Landfill Committee, which is a sub-Committee of the Carter County Commission; and

WHEREAS, the citizens of Carter County, Tennessee are represented in the State Legislature by Lt. Governor Ron Ramsey, State Senator Rusty Crowe, State Representative Kent Williams, and State Representative Timothy Hill, all of whom Carter County requests to support the private act described herein for passage in the state legislature.

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Carter County, Tennessee, meeting in regular session on this the 22nd day of January, 2013, with a lawful quorum of said Commission being present and with a two-thirds (2/3) majority voting in the affirmative as follows:

1. That the County Commission of Carter County, Tennessee hereby requests that a Private Act be passed by the State Legislature and signed by the Governor of the State of Tennessee vesting the powers described herein in connection with the operation of the Carter County Landfill and the supervision of the Carter County Landfill Director with the Carter County Landfill Committee, which is a sub-Committee of the Carter County Commission.

2. That said private act shall specifically grant the Carter County Landfill Committee the power to oversee all aspects of the operation of the Carter County Landfill, which shall include, but not be limited to, the power to hire and fire the landfill director, directly supervise the landfill director, oversee the landfill budget, and oversee all day-to-day operations of the landfill.

BE IT FURTHER RESOLVED that this Resolution shall take effect from and after the date of its approval the welfare of the county demanding, and further that any part of past

resolutions in conflict with this Resolution are hereby rescinded to the extent that a such conflict exists.

Adopted this 22nd day of January, 2013.

CARTER COUNTY, TENNESSEE

APPROVED:

By: Thomas Bowers
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: Leon Humphrey
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: 1/23/13

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.

KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

JANUARY TERM 2013

General Fund 101
Budget Amendment #4
22-Jan-13

Item #1	40110 Current Property Tax 51300-540 Tax Relief	\$ 7,561.00	\$ 7,561.00	Debit Credit
2012-13 Tax Relief				
Item #2	44170 Miscellaneous Refund 51500-599 Other Charges	\$ 562.30	\$ 562.30	Debit Credit
Reimbursement for Election-City of Watauga				
Item #3	44170 Miscellaneous Refund 51500-499 Other Supplies & Materials	\$ 1,332.30	\$ 1,332.30	Debit Credit
Reimbursement for Election-City of Elizabethton.				
Item #4	51800-599 Other Charges 51800-347 Pest Control	\$ 2,000.00	\$ 2,000.00	Debit Credit
Additional funds needed for pest control.				
Item #5	46990 Other State Revenue 58900-399 Other Contracted Services	\$ 865.00	\$ 865.00	Debit Credit
East TN Railroad funds.				
Item #6	44170 Miscellaneous Refund 54110-353 Tow-In Service	\$ 225.00	\$ 225.00	Debit Credit
Reimbursement for tow-in services.				
Item #7	43370 Telephone Commission 54110-399 Other Contracted Services	\$ 6,445.00	\$ 6,445.00	Debit Credit
Telephone Commission Securus-Sheriff's Dept.				
Item #8	54110-719 Office Equipment 54110-435 Office Supplies	\$ 4,000.00	\$ 4,000.00	Debit Credit
Request from Sheriff's Dept to transfer funds for office supplies.				
Item #9	54110-196 Training 54110-355 Travel	\$ 5,000.00	\$ 5,000.00	Debit Credit
Request from Sheriff's Dept to transfer funds from training to travel.				
Item #10	44150 Sale of Animals 55120-599 Other Charges	\$ 35.00	\$ 35.00	Debit Credit
Refund on returned adopted animal-Animal Shelter.				
Item #11	51800-307 Communications 51800-399 Other Contracted Services	\$ 2,000.00	\$ 2,000.00	Debit Credit
Reallocate funds for Elevator Maintenance Contract.				
Item #12	54490-599 Other Charges 54490-161 Secretary	\$ 1,500.00	\$ 1,500.00	Debit Credit
Reallocate funds for EMA Assistant.				
Total		\$ 31,525.60	\$ 31,525.60	

Solid Waste Fund #116
Budget Amendment #2
22-Jan-13

Item #1	49800 Operating Transfers 55754-733 Solid Waste Equipment	\$ 67,326.00	\$ 67,326.00	Debit Credit
Recognize transfer for new scales.				
Item #2	49800 Operating Transfers 55751-336 Maintenance & Repairs-Equipment	\$ 6,500.00	\$ 6,500.00	Debit Credit
Recognize transfer for bailer repair at Recycle Center.				

JANUARY TERM 2013

Carter County Schools
Federal Projects Fund 142
Budget Amendment #4

Item #1	47141-110 Focus School Grant		\$ 100,000.00	Increase
	71100-189-110 Other Salaries & Wages	\$ 22,875.00		Increase
	71100-195-110 Certified Substitute Teachers	\$ 800.00		Increase
	71100-198-110 Non-Cert. Sub Teachers	\$ 3,550.00		Increase
	71100-201-110 Social Security	\$ 650.00		Increase
	71100-212-110 Medicare	\$ 550.00		Increase
	71100-429-110 Instructional Supplies	\$ 29,375.00		Increase
	71100-499-110 Other Supplies & Materials	\$ 12,000.00		Increase
	72130-399-110 Other Contracted Services	\$ 600.00		Increase
	72130-499-110 Other Supplies & Materials	\$ 3,560.00		Increase
	72210-189-110 Other Salaries & Wages	\$ 9,800.00		Increase
	72210-201-110 Social Security	\$ 750.00		Increase
	72210-204-110 State Retirement	\$ 950.00		Increase
	72210-212-110 Medicare	\$ 200.00		Increase
	72210-355-110 Travel	\$ 200.00		Increase
	72210-499-110 Other Supplies & Materials	\$ 4,040.00		Increase
	72210-524-110 In-Service/Staff Development	\$ 10,100.00		Increase

To recognize Focus School Grant for Valley Forge.

Item #2	47143-901 IDEA Part B		\$ 1,382,414.00	Increase
	71200-116-901 Teachers	\$ 117,034.00		Increase
	71200-163-901 Educational Assistants	\$ 533,904.00		Increase
	71200-201-901 Social Security	\$ 40,358.00		Increase
	71200-204-901 State Retirement	\$ 87,359.00		Increase
	71200-206-901 Life Insurance	\$ 1,560.00		Increase
	71200-207-901 Medical Insurance	\$ 300,880.00		Increase
	71200-208-901 Dental Insurance	\$ 13,000.00		Increase
	71200-210-901 Unemployment Compensation	\$ 981.00		Increase
	71200-212-901 Employer Medicare	\$ 9,438.00		Increase
	71200-429-901 Instructional Supplies & Mtls	\$ 15,000.00		Increase
	71200-499-901 Other Supplies & Materials	\$ 17,500.00		Increase
	71200-725-901 Special Education Equipment	\$ 12,604.00		Increase
	72130-130-901 Social Workers	\$ 22,738.00		Increase
	72130-201-901 Social Security	\$ 1,409.00		Increase
	72130-204-901 State Retirement	\$ 2,160.00		Increase
	72130-210-901 Unemployment Compensation	\$ 30.00		Increase
	72130-212-901 Employer Medicare	\$ 329.00		Increase
	72220-189-901 Other Salaries & Wages	\$ 84,507.00		Increase
	72220-201-901 Social Security	\$ 5,239.00		Increase
	72220-204-901 State Retirement	\$ 8,028.00		Increase
	72220-206-901 Life Insurance	\$ 60.00		Increase
	72220-207-901 Medical Insurance	\$ 12,100.00		Increase
	72220-208-901 Dental Insurance	\$ 500.00		Increase
	72220-210-901 Unemployment Compensation	\$ 42.00		Increase
	72220-212-901 Employer Medicare	\$ 1,225.00		Increase

72220-355-901	Travel	\$	10,000.00	Increase
72220-399-901	Other Contracted Services	\$	49,000.00	Increase
72220-499-901	Other Supplies & Materials	\$	5,000.00	Increase
72220-524-901	In-Service/Staff Development	\$	10,000.00	Increase
72710-189-901	Other Salaries & Wages	\$	18,924.00	Increase
72710-201-901	Social Security	\$	1,180.00	Increase
72710-210-901	Unemployment Compensation	\$	50.00	Increase
72710-212-901	Employer Medicare	\$	275.00	Increase

To recognize IDEA Part B Budget.

Item #3	47145-911 IDEA, Preschool		\$	66,983.00	Increase
	71200-163-911 Educational Assistants	\$	11,000.00	Increase	
	71200-201-911 Social Security	\$	682.00	Increase	
	71200-204-911 State Retirement	\$	1,571.00	Increase	
	71200-206-911 Life Insurance	\$	30.00	Increase	
	71200-207-911 Medical Insurance	\$	6,200.00	Increase	
	71200-208-911 Dental Insurance	\$	250.00	Increase	
	71200-210-911 Unemployment Compensation	\$	60.00	Increase	
	71200-212-911 Employed Medicare	\$	160.00	Increase	
	71200-429-911 Instructional Supplies & Mtls	\$	2,000.00	Increase	
	71200-499-911 Other Supplies & Mtls	\$	2,738.00	Increase	
	72220-399-911 Other Contracted Services	\$	2,000.00	Increase	
	72220-524-911 In-Service/Staff Development	\$	300.00	Increase	
	72710-146-911 Bus Drivers	\$	22,910.00	Increase	
	72710-201-911 Social Security	\$	1,421.00	Increase	
	72710-204-911 State Retirement	\$	3,272.00	Increase	
	72710-206-911 Life Insurance	\$	62.00	Increase	
	72710-207-911 Medical Insurance	\$	11,490.00	Increase	
	72710-208-911 Dental Insurance	\$	452.00	Increase	
	72710-210-911 Unemployment Compensation	\$	50.00	Increase	
	72710-212-911 Employed Medicare	\$	335.00	Increase	

To recognize IDEA Preschool Budget.

Item #4	47311-580 First to the Top		\$	11,995.30	Increase
	71100-116-580 Teachers	\$	54,900.00	Increase	
	71100-198-580 Non-certified Substitutes	\$	2,500.00	Increase	
	71100-201-580 Social Security	\$	2,325.00	Increase	
	71100-204-580 State Retirement	\$	1,895.00	Increase	
	71100-210-580 Unemployment Compensation	\$	543.75	Increase	
	72110-355-580 Travel	\$	1,772.25	Increase	
	72210-196-580 In-Service Training	\$	19,000.00	Decrease	
	72210-201-580 Social Security	\$	1,178.00	Decrease	
	72210-204-580 State Retirement	\$	1,687.20	Decrease	
	72210-212-580 Employer Medicare	\$	275.50	Decrease	
	72210-524-580 In-Service/Staff Development	\$	2,800.00	Decrease	
	72410-499-580 Other Supplies & Materials	\$	27,000.00	Decrease	

To recognize amendment to First to the Top Budget.

Total	\$	1,613,333.00	\$	1,613,333.00
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