

Carter County Commission Meeting
SPECIAL CALLED SESSION
July 26, 2013
9:00 AM

APPROVED

Chairman, Tom Bowers called the Special Called Session of the Carter County Commission Meeting to order at 9:00 AM.

Roll Call as follows:

Present: Buford Peters, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks and Robert Gobble. (21 Present)

Absent: Gebe Ritchie, Charlie Bayless, and John Lewis. (3 Absent)

Quorum Present.

Prayer was led by Lawrence Hodge. Ronnie Trivett followed by leading the pledge to the American flag.

CONSIDERATION OF MAYORAL VETO:

A. TAX RATE RESOLUTION

Motion was made by Sonja Culler, seconded by Ken Arney to **override the Mayor's veto of "The Resolution Fixing the Tax Levy in Carter County, Tennessee, for the Fiscal Year Beginning July 1, 2013 (2013-2014)." RESOLUTION No. 590.**

Recorded on pages 148-149.

Financial Director, Ingrid DeLoach announced that a clerical error had been made on the draft copy of page 1 of the Resolution concerning the tax levy. Correction should be made to read \$2.33 (not \$ 2.49).

During discussion, Attorney Bowers was asked for the possibility of receiving an Attorney's General opinion concerning issues on the Tax Levy/Budget in question. He answered that an opinion would be welcomed, however was not possible due to time limitations.

Following much discussion, Chairman Bowers ask for a roll call vote.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, *Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong and Pat Hicks. (15 Ayes)

*Indicates that the "Disclaimer for Employees of Carter County, Tennessee" was read (following discussion) after the vote was taken.

Nays: Nancy Brown, *Joel Street, Ronnie Trivett, Charles VonCannon, Scott Sams and Robert Gobble. (6 Nays)

*Indicates that the "Disclaimer for Employees of Carter County, Tennessee" was read (following discussion) after the vote was taken.

Absent: Gebe Ritchie, Charlie Bayless, and John Lewis. (3 Absent)

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

Following discussion concerning the reading of the "Disclaimer for Employees of Carter County, Tennessee," Chairman Bowers asked for a motion to do a "re-vote" of the override of the Mayor's Veto Setting the Tax Levy.

Motion was made by Joel Street, seconded by Pat Hicks to "re-vote" the vote overriding the Mayor's veto of "A RESOLUTION FIXING THE TAX LEVY IN CARTER COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 (2013-2014)" RESOLUTION No. 590 Recorded on pages 148-149.

APPROVED

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, *L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, *Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, and Pat Hicks. (15 Ayes)
(*Indicates that the "Disclaimer for Employees of Carter County, Tennessee" was read before voting on the motion being presented).

Nays: Nancy Brown, *Joel Street, Ronnie Trivett, Charles VonCannon, Scott Sams and Robert Gobble. (6 Nays)
(*Indicates that the "Disclaimer for Employees of Carter County, Tennessee" was read before voting on the motion being presented).

Absent: Gebe Ritchie, Charlie Bayless, and John Lewis. (3 Absent)

By majority roll call vote, (this being the second vote, with the disclaimer being read before voting) **motion carried.**

B. BUDGET RESOLUTION

Motion was made by Sonja Culler, seconded by Harry Sisk to override the Mayor's veto of "A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF CARTER COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014." (Budget Resolution)
RESOLUTION No. 588 Recorded on Pages 150-153

Discussion followed with Mrs. Deloach clarifying various issues concerning the breakdown of items listed.

Roll Call Vote as follows:

Ayes: Buford Peters, Lawrence Hodge, Richard Winters, Harry Sisk, *L.C. Tester, Steve Lowrance, Tom Bowers, Bobbie Gouge-Dietz, *Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, and Pat Hicks. (14 Ayes)
(*Indicates that the "Disclaimer for Employees of Carter County, Tennessee" was read before voting).

Nays: Nancy Brown, *Joel Street, Ronnie Trivett, Charles VonCannon, Jo Ann Blankenship, Scott Sams, and Robert Gobble. (7 Nays)
(*Indicates that the "Disclaimer for Employees of Carter County, Tennessee" was read before voting).

Absent: Gebe Ritchie, Charlie Bayless, and John Lewis. (3 Absent)

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

Motion was made by Steve Chambers, seconded by L.C. Tester to **adjourn.** By majority voice vote, **meeting adjourned at 9:48 AM.**

BEFORE THE COUNTY COMMISSION
OF CARTER COUNTY, TENNESSEE
REGULAR MEETING, MONDAY, JULY 15, 2013

RESOLUTION NO. 590

"A RESOLUTION FIXING THE TAX LEVY IN CARTER COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2013 (2013 - 2014)"

SECTION 1. BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 15th day of July, 2013, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, that the combined property tax rate of Carter County, Tennessee, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, shall be ~~\$2.40~~ 2.33 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies;

FUND RATE

General Purpose/Schools	\$ 1.040
County General Fund	\$ 1.015
Debt Service	\$ 0.145
<u>County Road Fund</u>	<u>\$ 0.130</u>
Total	\$ 2.330

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SECTION 2. BE IT FURTHER RESOLVED that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General Fund.

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Carter County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED, that this Resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the County Commission of Carter County, Tennessee, in the County Clerk's records.

Passed this 15th day of July, 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: 7/10/2013

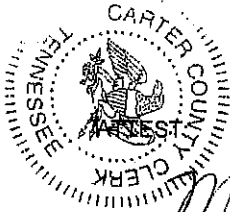
VETO OVERRIDE VOTE:

15 YES VOTES
6 NO VOTES
0 ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: Thomas Bowers
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: July 26 2013



Mary Gouge
MARY GOUGE
CARTER COUNTY CLERK

APPROVED

APPROVED AS TO FORM:

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KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY

BEFORE THE COUNTY COMMISSION
 OF CARTER COUNTY, TENNESSEE
 REGULAR MEETING, MONDAY, JULY 15, 2013

RESOLUTION NO. 588

"A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS,
 DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF
 CARTER COUNTY, TENNESSEE FOR THE YEAR
 BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014."

SECTION 1. BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 15th day of July, 2013, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Carter County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the year beginning July 1, 2013 and ending June 30, 2014, according to the following schedule:

<u>GENERAL FUND</u>	
County Commission	76,220.00
Board of Equalization	5,628.75
County Executive (Mayor)	179,138.29
County Attorney	48,201.10
Election Commission	277,174.64
Register of Deeds	248,196.12
Planning	259,793.17
County Buildings	680,796.83
Other General Administration	475.00
Accounting and Budgeting	393,648.22
Property Assessor's Office	411,971.34
Reappraisal Program	107,766.20
County Trustee's Office	302,403.29
County Clerk	435,678.52
Circuit Court	680,153.29
General Sessions Court	236,775.87
Chancery Court	314,138.72
Judicial Commissioners	39,512.23
Other Administrative of Justice	13,300.00
Sheriff's Department	3,437,566.80
Jail	3,543,858.26
Juvenile Services	161,022.49
Fire Prevention	330,000.00
Rescue Squad	170,000.00
EMA	87,527.72
Inspection and Regulation	3,960.00
County Corner	9,280.00
Other Public Safety	2,500.00
Local Health Center	169,000.00
Rabies and Animal Control	155,928.89
Ambulance and Medical Services (911)	173,858.00
Crippled Children Services	20,727.00
Aid to Dependent Children	0.00
Other Local Welfare Services	1,520.00
Other Public Health	1,425.00
Senior Citizens Assistance	46,010.00
Libraries	36,587.50
Park and Recreation	22,562.50
Other Social, Cultural, & Recreation	4,283.20
Agricultural Extension Service	92,361.29

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Flood Control	3,657.50
Other Agriculture & Natural Resources	19,855.00
Tourism	85,500.00
Industrial Development	1,000.00
Other Economic & Community Development	62,729.00
Veterans' Service	31,135.89
Other Charges	1,900.00
Contributions to Other Agencies	49,500.00
Employee Benefits	17,792.51
Miscellaneous	268,110.90
Litter and Trash Collection	46,742.85
Other General Government Projects	0.00

Total General Fund **13,768,873.88**

COURTHOUSE AND JAIL MAINTENANCE

County Buildings	5,600.00
Other Administrations of Justice	4,800.00
Miscellaneous	100.00

Total Courthouse and Jail Maintenance **10,500.00**

SOLID WASTE/SANITATION FUND

Convenience Centers	51,857.28
Recycling Center	62,667.45
Landfill Operation and Maintenance	757,199.68
Miscellaneous	10,000.00

Total Solid Waste/Sanitation Fund **881,724.41**

HEALTH DEPARTMENT FUND

Local Health Center	169,000.00
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Total Health Department **169,000.00**

DRUG CONTROL

Drug Enforcement	105,000.00
Miscellaneous	800.00

Total Drug Control **105,800.00**

HIGHWAY/PUBLIC WORKS FUND

Administration	329,933.61
Highway & Bridge Maintenance	2,150,175.31
Operation & Maintenance of Equipment	1,034,066.40
Other Charges	103,084.16
Employee Benefits	73,162.50
Capital Outlay	355,000.00

Total Highway/Public Works Fund **4,045,421.98**

GENERAL PURPOSE SCHOOL FUND

Regular Instruction Program	19,992,607.52
Alternative Instruction Program	127,244.76
Special Education Program	3,115,781.29
Vocational Education Program	1,428,823.47
Adult Education Program	0.00
Health Services	333,778.23
Other Student Support	1,166,119.54
Regular Instruction Program	1,492,565.35
Alternative Instruction Programs	121,739.80
Special Education Program	367,716.57

APPROVED

however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures for any office, agency, institution, division or department for the year ending June 30, 2014. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissions providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the year in which the expenditure is to be made to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by State Director of Local Finance after its adoption as provided by Section 9-21-403, T.C.A.

SECTION 6. BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes provided such notes are first approved by the State Director of Local Finance to pay for the expenses herein authorized until the taxes and other revenue for the year 2013-2014 have been collected. The proceeds of loans for each of individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, T.C.A. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 2014.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 2012 and prior years and the interest and penalty thereon collected during the year ending June 30, 2014 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2012. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all encumbered balances of appropriations remaining at the end of the year shall lapse, and be of no further effect at the end of the year at June 30, 2014.

SECTION 9. BE IT FURTHER RESOLVED, that any resolution or part of a resolution which heretofore has been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

SECTION 10. BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2013. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 15th day of July, 2013.

APPROVED:

CARTER COUNTY, TENNESSEE

By: 
THOMAS BOWERS

APPROVED

CHAIRMAN, CARTER COUNTY
COMMISSION

By: _____
LEON HUMPHREY
CARTER COUNTY MAYOR

VETOED:

By: *Leon Humphrey*
LEON HUMPHREY
CARTER COUNTY MAYOR

Date: 7/18/2013

VETO OVERRIDE VOTE:

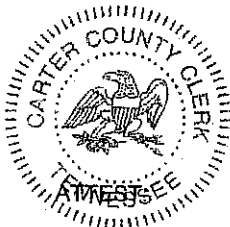
APPROVED

14 YES VOTES
7 NO VOTES
0 ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERRIDE VOTE:

By: *Thomas Bowers*
THOMAS BOWERS
CHAIRMAN CARTER COUNTY
COMMISSION

Date: July 26 2013



Mary Gouge
MARY GOUGE
CARTER COUNTY CLERK

APPROVED AS TO FORM:

Keith Bowers, Jr.
KEITH BOWERS, JR.
CARTER COUNTY ATTORNEY