

**BY-LAWS OF THE
ELIZABETHTON/CARTER COUNTY
ANIMAL SHELTER BOARD**

SECTION I: PURPOSE

The purpose of the Elizabethton/Carter County Animal Shelter shall be to provide a humane environment for the animals of the aforementioned county and city to be housed and cared for until homes for said animals are found. The shelter shall use all efforts at its disposal and all means available to insure the animals are cared for in a humane way. The shelter staff shall strive to provide the best possible medical care for the animals; all efforts shall be utilized to find homes for the animals as they are housed at the animal shelter. The Animal Shelter Board, the Animal Shelter Director, and all employees of the animal shelter shall strive to see that the animals housed at the shelter receive the best possible care and the animal shelter is managed in a consistent manner which would make the citizens of both Carter County and the City of Elizabethton proud.

SECTION II: ANIMAL SHELTER BOARD

1. The Animal Shelter Board of the Elizabethton/Carter County Animal Shelter, hereinafter known as the "Animal Shelter Board" shall consist of seven (7) members. Each member shall be a voting member. The Animal Shelter Board shall be charged with direct supervision of the Animal Shelter Director and the management of the short term, intermediate, and long term goals of the animal shelter. The membership of the Animal Shelter Board shall be as follows: Three (3) members of the Board shall be currently serving Carter County Commissioners as appointed by the Board of County Commissioners for Carter County; Three (3) members of the Board shall be currently serving Elizabethton City Councilman as appointed by the Elizabethton City Council; and One (1) member shall be a citizen and resident of Carter County to be appointed jointly by the Board of County Commissioners for Carter County and the Elizabethton City Council after recommendation by the Board.

2. The terms of those members of the Animal Shelter Board concurrently serving on the county commission or city council shall be coterminous with their current elected terms on either the county commission or city council. The term of the remaining member shall be four (4) years. If, for any reason, a particular member of the Board is unable to fulfill their term, the appointing entity shall, in turn, appoint a new member to complete the unexpired term.

3. The Animal Shelter Board shall meet on a monthly basis, on a date and time as determined by the Board at their initial meeting. The Board shall keep a record of all their proceedings and all their meetings, and all minutes shall be open for public inspection upon request, by any citizen, and shall be available for inspection by the Animal Shelter Director or any member of the Board.

4. Notice of all meetings shall be published in compliance with Tennessee Open Meetings Act. When an emergency meeting is necessary, provisions of the Tennessee Open Meetings Act for an emergency meeting shall be followed accordingly.

5. The presence of four (4) of the seven (7) members of the Animal Shelter Board shall constitute a quorum for the purpose of conducting business.

6. A simple majority of the entire membership of the Animal Shelter Board is necessary for the passage of any resolution and/or business of the Board.

7. The members of the Animal Shelter Board shall have the authority to inspect the Animal Shelter at any time they deem necessary, either in a group, or individually, and shall have open access to the animal shelter during normal business hours, and after hours if necessary, for the purpose of inspection and to verify the treatment of the animals, the cleanliness of the facility, the operation of the facility, and any and all issues which they deem necessary for the continued operation of the animal shelter.

8. The Animal Shelter Board shall establish any and all necessary rules and guidelines, and shall approve all policies and procedures for the operation of the animal shelter. Furthermore, the Animal Shelter Board is solely vested with full authority to govern all aspects of the operation, maintenance and security of the animal shelter, including the grounds, building(s), any and all improvements, fixtures, supplies and equipment, and all animal shelter vehicles on behalf of the Board of County Commissioners for Carter County and the City Council of the City of Elizabethton.

SECTION III: ANIMAL SHELTER BOARD – OFFICERS

1. The Animal Shelter Board shall elect a Chairman at its first meeting who shall serve as Chairman for (2) calendar years, or until the September meeting in his or her second year, whichever is sooner; a new Chairman shall be elected at said meeting and every two (2) years thereafter at the September meeting of the Board. Furthermore, the Board shall elect the positions of Vice Chairman and Secretary, and said positions shall be filled in the same manner as the Chairman.

2. The Chairman of the Animal Shelter Board shall preside over all meetings and shall supervise the affairs of the Board to ensure the meetings are properly called to order, items of business are properly presented for the consideration of the Board, and the notices for the meetings are published in a timely fashion. The position of Vice Chairman shall perform all duties of the Chairman in the absence of the Chairman.

3. The Secretary of the Animal Shelter Board shall keep a complete record of all the meetings of the Animal Shelter Board and have the duty of maintaining the minutes and voting records of the Animal Shelter Board.

SECTION IV: ANIMAL SHELTER OPERATING AGREEMENT

The City of Elizabethton and Carter County previously entered into a memorandum of understanding/agreement, and subsequent amendment no. 1, which were approved by both the city council and county commission and contained several provisions as to the operational costs and funding of the animal shelter. It is now the desire of both parties, acting by and through the legislative body of each, to fully replace any and all past agreements or memorandums of understanding, and enter into a new Operating Agreement for the Elizabethton/Carter County Animal Shelter. All provisions of said Operating Agreement are fully incorporated into these Animal Shelter Board By-laws as if specifically read into the same verbatim and said Operating Agreement shall govern the fiscal operation of the animal shelter.

SECTION V: ANIMAL SHELTER DIRECTOR

1. The Animal Shelter Director serves at the pleasure of the Animal Shelter Board. The Animal Shelter Board has the authority to hire and fire the Director and set the salary and benefits associated with the position of Director.

2. The Director shall operate the animal shelter and follow the rules and guidelines as set forth by the Animal Shelter Board. The Director shall attend all Board Meetings and shall submit a budget request for the operation of the animal shelter to the Animal Shelter Board each year, and the Board will ultimately modify and/or approve said request and submit to the county and city finance departments/budget committees. The Director shall retain employees as allowed by the budget of the animal shelter to assist with the day to day operations and to ensure the animal shelter is run in a manner which provides a humane home for the animals being housed therein.

3. The Director shall follow all provisions of the policy and procedure manual(s) after the same have been approved and adopted by the Animal Shelter Board.

SECTION VI: FISCAL YEAR/OPERATING BUDGET

The fiscal year of the animal shelter shall coincide with the fiscal year of city/county government and shall run from July 1st of each year to June 30th of the following year. The Animal Shelter Board shall timely submit its budget requests each year so that the proper annual budgetary process may be followed by both governmental entities to approve and adopt a budget which permits the proper operation of the animal shelter.

SECTION VII: AMENDMENT TO BY-LAWS

The Animal Shelter Board may from time to time express the desire to amend portions of these By-Laws as adopted, and for that purpose may make recommendations to said legislative bodies. Any amendment must be approved by both the Board of County Commissioners for Carter County and the City Council of the City of Elizabethton to take effect.

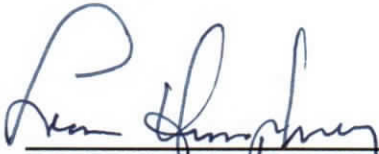
SECTION VIII: GOVERNMENTAL OPERATION

The animal shelter, albeit a joint partnership of the City of Elizabethton and Carter County, is considered a subset of Carter County. All employees of the animal shelter are considered employees of Carter County, with the exception of the animal control officer who is currently employed by the City of Elizabethton who shall be considered an employee of the City under direction of the Director. Any disciplinary action necessary for said employee shall be brought to the attention of the City Manager for discipline under the City's Personnel Rules and Regulations. Upon the retirement or termination of the current City Employee, all employees will be considered employees of the County. All other employees, including the Animal Shelter Director, are governed by the provisions of the Carter County Employee Handbook.

SECTION IX: EFFECTIVE DATE

The By-Laws of the Animal Shelter Board are effective upon the joint approval of the legislative bodies of Carter County and the City of Elizabethton, and by their respective signatures below, both the Carter County Mayor and the Mayor of the City of Elizabethton hereby signify that the same have been fully approved by the Board of County Commissioners for Carter County and the City Council of the City of Elizabethton, and their signatures are authorized accordingly.

CARTER COUNTY, TENNESSEE:

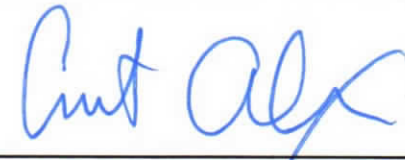


LEON HUMPHREY, MAYOR

9/19/17

DATE

CITY OF ELIZABETHTON, TENNESSEE:

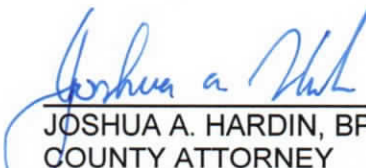


CURT ALEXANDER, MAYOR


9/19/2017

DATE

APPROVED AS TO FORM:



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