# TTA Board of Directors Meeting October 30, 2011 Dubose Conference Center - Monteagle, Tennessee

**Board Attendees:** Rosemary Marshall, Carolyn Miller, John Redmon, Don Dresser, Cheryl Heckler, Levonn Hubbard, Ron Dunn, Bob Richards, Glen Rognstad, Paul Schwab, Diane Manas, Barbie More', Louise Miniard, George Bonneau, Margaret Smith, Millette Jones, Marvin Caine, Anne Wesley, Nora Beck, Tony Jones

**Members Present:** Anna Bertram, Fount Bertram, Brenda Clampitt, Dorothy Dresser, Ray Garrett, Tony Hook, Jim Poteet, Russell Smith, Mark Stanfill

<u>Welcome</u> – Meeting called to order at 8:58 AM by President, Don Dresser.

Introductions were made.

Secretary's Report - Carolyn Miller

Minutes of August 2011 meeting. Motion to approve by Levonn Hubbard. Second by Millette Jones. Motion passed.

### Membership Report - Ron Dunn

- 345 individual members, 136 family members, 42 supporting members, 3 student members; 52 life members and 4 family life members for a total = 582
- New membership directory distributed please review addresses at monthly meetings to ensure that the addresses are correct.

#### Treasurer's Report - Don Dresser.

- Reviewed documents were distributed by e-mail prior to meeting.
- Results for 3rd quarter
- Sales tax settlement: Agreement that allow us to settle with no Sales Tax owed for any
  previous year if we sign up and start collecting sales tax as of November 1, 2011.
   (document was distributed by e-mail prior to meeting).
  - Need to know what items are taxable.
  - Will impact fund raising activities at annual meeting, etc.
  - Each chapter will need to be provided information as to how to collect sales tax or document sales tax owed.
  - Can file either quarterly or monthly depends on dollar value of sales.
- As regards whether we pay sales tax or not, the two options:
  - Either sale throughout the year and collect sales taxes or have only two nonprofit events per year.
- Motion by Anne Wesley to accept the sales tax agreement offered by the Tennessee Department of Revenue. Seconded by Millette Jones.
  - o Discussion what are the options?
    - Penalties and possibly interest owed.
  - Motion passed.
- As TTA Treasurer, Brenda Clampitt will be answering all sales tax enquiries.
  - o The collection of sales tax will become necessary on November 1, 2011.
  - Sales Tax Certificate of Exemption Form New Version dated October 1, 2011.

- Address of the organization is shown as a Knoxville address.
- All the other information is correct.
- ACTION: Brenda Clampitt to contact the Tennessee Department of Revenue to correct the address for the organization.

## Reports by Associate Organizations

- CTC Report Tony Hook
  - Will finish New River segment by August 2012.
  - Bridge over Big Soddy Creek plan to complete by summer 2012.
  - State goal to have the entire Cumberland Trail completed in the next 8 years.
  - Tony expects 92% of trail to be completed in next 8 years.
  - Expect to be able to have trail from Wartburg to Cumberland Gap completed in the next 6 years.
  - Devil's Racetrack Working with TN Parks and Greenways to purchase land
  - North Chickamauga land acquisition underway.
  - Breakaway 2012 Hamilton County working on Kinzalow Property: South of Dayton, TN
  - o Funds available to purchase the Black Mountain connector to Brady Mountain.
- Rails to Trails Bob Richards
  - Projects underway.
    - o Railroad corridor (approx 10 miles) between Johnson City and Elizabethton
    - McMinn County: Athens to Englewood (6.5 miles) CSX corridor.
  - TRAC Tennessee Rails Advisory Committee need to investigate re-activation of the name. ACTION: Carolyn Miller to reactivate TRAC name.
- SEFTC Mark Stanfill
  - Promote benefit of hiking trail.
  - o Develop system of hiking trails.
  - o Producing an updated map of the trails.
  - o Promote cooperation between hiking groups.
  - Investigating becoming a 501(c)(3) organization.
  - o TTA pays \$300 annually for membership in the SEFTC.
  - Request from floor: Mark Stanfill to send additional information about SEFTC to Don Dresser for further distribution to the board.
  - o Request from floor that SEFTC could submit articles for the TTA newsletter.

#### Possible Separate 501(c)(3) for CTC - Ray Garrett

- Presentation of proposal: Request TTA Board to progress the request to allow CTC to form a new 501(c)(3) corporation that would assume the duties of the current CTC which is now an affiliate organization of TTA.
  - Background information:
    - Started as volunteer organization with state funding.
    - The recently elected governor and his administration want to have the Cumberland Trail completed within 8 years.
      - Mark Stanfill appointed to work as trails coordinator for the Cumberland Trail.
      - HPP Grants available: Four grants of \$200,000 each are available.
         They are 80% grants and require a 20% match. In-kind service may count towards the 20% match.

- With new options for funding, and the need to purchase equipment to speed up the pace of trail building, will also need paid staff and trail crew.
  - Once get employees will have insurance, workmen's compensation and other necessary employee plans.
  - Purchase of equipment and vehicles.
  - o Contracts to sign.
  - o Purchase land when it becomes available to speed up land acquisition.
  - Expect to conduct continuous fund raising to raise funds for operational expenses.
  - Expect need own treasurer.
  - May be of value to have some board members on both the TTA board and the CTC board.
- o To this end, CTC is requesting:
  - Own 501(c)(3)
  - Wants to keep same name Cumberland Trail Conference.
  - Have own Board of Directors.
- Questions from members and answers by CTC representatives:
  - 20% match: In-kind service, donation of materials.
    - professional laborers (dozer operators, etc) can be "paid" as per their professional rate.
  - After trail completed what will be the long term mission of the CTC:
    - Trail maintenance.
    - Construction of side trails.
    - Trail Awareness and Trail education.
    - Follow model of Appalachian Trail Conference.
    - Become more active in the Great Eastern Trail.
    - Once trail building is done, unnecessary equipment would transfer to State parks.
  - Cumberland Trail is it really a state park?
    - It is treated as a state park as per the management structure of Park Manager and rangers assigned to the park.
    - State owns 21,000 acres that makes up the park.
  - What is Mark Stanfill's new role with CT?
    - Been TN Youth Conservation Corp manager.
    - Trails Administrator for TN State Parks.
    - With new administration departmental review.
    - Been assigned to Cumberland Trail as a Trails Coordinator.
    - Responsible for trail design and construction.
    - Plan to purchase equipment and hire trail crew.
    - Will work for Bob Fulcher, State Park Manager.
  - TDEC, CTC, TTA, Friends of the Cumberland Trail.
    - o Is there a mechanism to keep all groups working together?
    - Currently, Tony routinely meets with interested parties, as needed, to promote common goals.
  - Small pockets of land, such as TWRA land and Federal properties, have a

combination of oversight and some of this is only being done by CTC.

- Steps toward obtaining 501(c)(3) status.
  - o Charlie Key, TTA member offering his legal experience pro-bono.
  - TTA needs to officially release the name of "Cumberland Trail
     Conference" before steps can be taken to file for a new 501(c)(3) status.
  - Charter is required.
    - Equipment and asset disposal is required in the charter.
- If purchase land and state does not want to buy it back.
  - This can be managed through contracts.
  - Limits the ability to purchase land on short term notice.
- Timeline?
  - Next meeting January 2012. If approved by TTA would progress ASAP and then could be further discussed in at January 2012 meeting.
  - o Form a corporation: Charter and name change short time.
  - To obtain 501(c)(3) status can take up to 6 months
  - Can't take much action until TTA acts.
  - o TTA would need a letter stating that CTC was free.
  - CTC would provide a letter of agreement to state the fact that they were ready to proceed.
  - CTC Board knows of this proposed action.
- Have CTC and TTA sought independent legal counsel regarding the implications of separating the two organizations?
  - Tony Hook has talked to a lawyer in Crossville.
  - o Don Dresser will seek independent counsel.
- What would CTC request if TTA does not agree to the separation?
  - Must have a person dedicated as CTC treasurer.
- Perceived need for separate corporation
  - CTC wants to purchase land; TTA will need to want to purchase land.
  - CTC wants to hire employees and purchase vehicles; TTA will want to be willing to assume a greater potential liability.

Brenda Clampitt's was asked to begin her term as Treasurer, effective immediately, to fill the Treasurer's position that has been vacant since Jan Agee resigned due to illness.

#### TTA Board met in Executive session.

Don Dresser – TTA Board members to remain in the room. Fount Bertram and Jim Poteet as past presidents to remain. All other TTA members in the room asked to leave.

- · Question is what is in the best interest of TTA and CTC?
- Committee appointed to investigate the separation:

Don Dresser, Millette Jones, Anne Wesley.

Jim Poteet and Fount Bertram asked to be on the committee and were added to the committee.

- Recommend contract to make sure that any liabilities are transferred to the new corporation.
- If we decide to proceed, need to have CTC board discuss and provide a written, detailed proposal to the TTA committee appointed to investigate the separation.

- General comments were requested from each board member:
  - Want CTC board to make a proposal and want to progress in a deliberate manner.
  - Requesting a business plan from the CTC board.
  - Concern that if CTC leaves TTA, then we may have a vacuum. Will it take away members from TTA?
  - Believes that CTC has grown up and it is time that CTC take on its own business interests.
  - While we deliberately address this issue, we need to attempt to meet what CTC is stating that they need.
  - Due to the short time frame offered by the State, we need to assist with a fast track
    of this project.
- MOTION: CTC to consider the matter of separation with its Board of Directors and come to a consensus and if the CTC Board of Directors approves the matter in principle, we will ask the CTC Board to submit a written proposal requesting that CTC be allowed to form a new corporation that would carry out the functions and responsibilities that currently belong to CTC.
  - The proposal must describe the matters such as an overall business plan and organizational structure and items to be covered by contract between the corporation and TTA:
    - assets that would be transferred to the new corporation,
    - liabilities that would be assumed by the new corporation,
    - o a timeline for implementation,
    - promises that the new corporation would make to complete the Cumberland Trail.
  - If this is done, the written proposal will be presented to TTA the Board to give to a committee comprised of Don Dresser, Millette Jones, Anne Wesley, Jim Poteet and Fount Bertram for review before being presented to TTA Board.
  - Once a contract has been agreed upon, both the TTA Board and the Board of the new corporation must approve the contract.

**MOTION:** Anne Wesley made the motion to present this wording to the CTC Board. Motion was seconded by Millette Jones. Motion passed unanimously.

#### Discussion:

- o Would liability ask for title search?
- List of contracts will be included. Donor and what has been promised to them must be listed.
- Buyer presents document. Seller amends as necessary. Then a final document will be created.

Report of Executive Session – Board of Directors passed the previous motion. Don Dresser presented the motion to Ray Garrett and Tony Hook.

#### **Evan Means Grants**

Revised application has been created.

Deadline for grant application is December 31, 2011.

### Annual Meeting Update

Information to be distributed by e-mail.

Dates for future TTA meetings – locations to be announced.

February 4, 2012; May 5, 2012; August 4, 2012; Annual meeting.

Meeting adjourned at 12:20 PM.

Respectfully submitted,

Carolyn Miller TTA Secretary



# STATE OF TENNESSEE Tre Hargett, Secretary of State

Division of Business Services
William R. Snodgrass Tower
312 Rosa L. Parks AVE, 6th FL
Nashville, TN 37243-1102

TENNESSEE TRAILS ASSOCIATION, INC. CAROLYN MILLER 23 DEVIL CREEK PLACE MONTEREY, TN 38574 December 1, 2011

# Annual Report Now Due For: TENNESSEE TRAILS ASSOCIATION, INC.

File Annual Reports Online at: http://TNBear.TN.gov/AR

Control Number:

85667

Formation Locale: Davidson County

Corporation Non-Profit

Due on or Before:

04/01/2012

Date Formed:

08/01/1975

Fiscal Year Closing Month: 12

Dear Business Entity:

Entities registered in Tennessee must file an Annual Report with the Secretary of State. Your Annual Report is now due. It must be filed by the close of business on the due date shown above. Failure to file the Annual Report will result in the administrative dissolution/revocation of your business.

If you are no longer transacting business, you must file dissolution and termination (or withdrawal) documents along with the required fees to terminate your business with the Secretary of State's Office prior to the annual report due date listed above or you will be required to file the annual report.

You need the following information in order to file your Annual Report on-line:

Control Number (see above)

Name and business address of principal officers, governors, directors or managers

Credit card

For your convenience, you can file your Annual Report electronically through our website at http://TNBear.TN.gov/AR. If you prefer to send in a paper form, visit the same website and fill out and print your Annual Report form using the control number shown above.

If we can be of assistance, please call the Business Services Division at the number below.

Sincerely,

Tre Hargett

Secretary of State



# **Tennessee Corporation Annual Report Form**

File online at: http://TNBear.TN.gov/AR

Due on/Before: 04/01/2012

Reporting Year: 2011

Annual Report Filing Fee Due:

\$20 if no changes are made in block 3 to the registered agent/office, or \$40 if any changes are made in block 3 to the registered agent/office

AR Filing #: 02922767 Status: Complete

This Annual Report has been successfully paid for and submitted. Your Annual Report will be reviewed by Business Services and filed within 48 hours. Please keep this report for your records.

SOS Control Number: 85667

Corporation Non-Profit - Domestic

Date Formed: 08/01/1975

Formation Locale: DAVIDSON COUNTY

(1) Name and Mailing Address:

TENNESSEE TRAILS ASSOCIATION, INC.

CAROLYN MILLER

23 DEVIL CREEK PL

MONTEREY, TN 38574-7074

(2) Principal Office Address:

CAROLYN MILLER 23 DEVIL CREEK PL

MONTEREY, TN 38574-7074

(3) Registered Agent (RA) and Registered Office (RO) Address: Agent Changed: No

TENNESSEE TRAILS ASSOCIATION, INC.

CAROLYN MILLER 23 DEVIL CREEK PL

MONTEREY, TN 38574-7074

(4) Name and business address (with zip code) of the President, Secretary and other principal officers.

Title	Name	Business Address	City, State, Zip
Past President	Donald Dresser	206 NORMANDY PLACE	JACKSON, TENNESSEE 38305
President	Millette Jones	320 KINNARD CT	MURFREESBORO,
Vice President	Carolyn Miller	23 DEVIL CREEK PLACE	MONTEREY, TENNESSEE
Treasurer	Ann Jacobs	3746 MANCHESTER PIKE	MURFREESBORO,
Previous Past President	Rosemary Marshall	5400 PARKDALE ROAD	KNOXVILLE, TENNESSEE
Secretary	Diane Manas	5729 STONEWAY TRAIL	NASHVILLE, TENNESSEE

(5) Board of Directors names and business address (with zip code). ( \_\_\_\_ None )

Name	Business Address	City, State, Zip
Sara Pollard	2306 LONDON AVENUE	MURFREESBORO, TENNESSEE 37129
Levonn Hubbard	735 DAYTON AVENUE	CROSSVILLE, TENNESSEE 38555
Nora Beck	3811 BAXTER AVENUE	NASHVILLE, TENNESSEE 37216
Graydon Swisher	1954 EAST CHIMNEY ROCK	CORDOVA, TENNESSEE 38016
J.R. Tate	4713 CHESTER HARRIS ROAD	WOODLAWN, TENNESSEE 37191
Marvin Caine	3512 OLD MILL DRIVE	SPRING HILL, TENNESSEE 37174
John Redmon	231 NORFOLK CIRCLE	HARROGATE, TENNESSEE 37752
Rita Norvell	129 MAGNOLIA DRIVE	DYERSBURG, TENNESSEE 38024
Linda Hudson	158 AVERY COURT	MANCHESTER, TENNESSEE 37355
Vicky Moeller	4804 WILLIAMSBURG VILLAGE DR	JACKSON, TENNESSEE 38305
Charlie Bright	8470 ROSEMARK ROAD	MILLINGTON, TENNESSEE 38053
Libby Francis	2104 SNOOK DRIVE	NASHVILLE, TENNESSEE 37210
Cheryl Heckler	882 MIMOSA LANE	CROSSVILLE, TENNESSEE 38578
Bob McGavock	1049 HICKORY AVENUE	HIXSON, TENNESSEE 37343
Louise Miniard 33 SOUTH JAMESTOWN ROAD		COOKEVILLE, TENNESSEE 38501

Bob Richards	808 NEARTOP ROAD	NASHVILLE, TENNESSEE 37205
Scott M Pun	109 CENTRAL STREET	MARTIN, TENNESSEE 38237
David and Shirley Primeau	129 WALTON TRACE SOUTH	HENDERSONVILLE, TENNESSEE 37075

(6) This section applies to non-profit corporations ON	(6)	is section applie	es to non-profit	corporations ONLY
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A. Our records reflect that your non-profit corporation is a public benefit or a mutual benefit corporation as indicated. If blank or incorrect, please check appropriately: <a href="mailto:X.Public\_\_\_Mutual">X.Public\_\_\_Mutual</a>

B. If a Tennessee religious corporation, please check here if blank: \_\_\_Religious

(7) Signature: Electronic	(8) Date: 02/28/2012 4:59 PM
(9) Type/Print Name: Carolyn Miller	(10) Title: Vice President

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# Business Entity Verification 000085667: TENNESSEE TRAILS ASSOCIATION, INC.

Please verify that you are filing an Annual Report for this business entity.

Secretary of State Control Number: 000085667

Name: TENNESSEE TRAILS ASSOCIATION, INC.

Type: Corporation Non-Profit

Formed in: DAVIDSON COUNTY

Annual Report Due Date: 4/1/2012

Status: Active

Cancel

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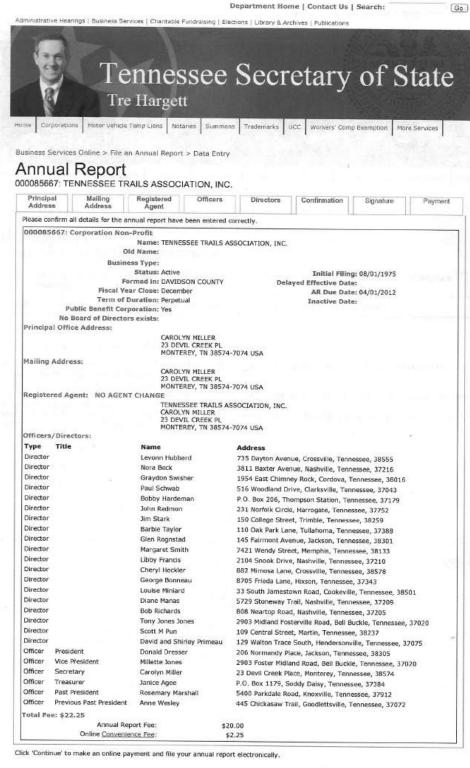
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Edit Delete	Director	Paul Schwab	516 Woodland Drive	Clarksville, Tennessee, 37043
Edit Delete	Director	Bobby Hardeman	P.O. Box 206	Thompson Station, Tennessee, 37179
Edit Delete	Director	John Redmon	231 Norfolk Circle	Harrogate, Tennessee, 37752
Edit Delete	Director	Jim Stark	150 College Street	Trimble, Tennessee, 38259
Edit Delete	Director	Barbie Taylor	110 Oak Park Lane	Tullahoma, Tennessee, 37388
Edit Delete	Director	Glen Rognstad	145 Fairmont Avenue	Jackson, Tennessee, 38301
Edit   Delete	Director	Margaret Smith	7421 Wendy Street	Memphis, Tennessee, 38133
Edit Delete	Director	Libby Francis	2104 Snook Drive	Nashville, Tennessee, 37210
Edit Delete	Director	Cheryl Heckler	882 Mimosa Lane	Crossville, Tennessee, 38578
Edit Delete	Director	George Bonneau	8705 Frieda Lane	Hixson, Tennessee, 37343
Edit Delete	Director	Louise Miniard	33 South Jamestown Road	Cookeville, Tennessee, 38501
Edit Delete		Diane Manas	5729 Stoneway Trail	Nashville, Tennessee, 37209
Edit Delete	Director	Bob Richards	808 Neartop Road	Nashville, Tennessee, 37205
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# Tennessee Trails Association Corporation Annual Report - 2011

# Elected Officers

President	Donald Dresser	206 Normandy Place	Jackson, TN	38305
Vice-President	Millette Jones	2903 Midland Fosterville Road	Bell Buckle, TN	37020
Secretary	Carolyn Miller	23 Devil Creek Place	Monterey, TN	38574
Treasurer	Janice Agee	P.O. Box 1179	Soddy Daisy, TN	37384
Membership Director	Ron Dunn	2406 Stones Throw Drive	Murfreesboro, TN	37129

Regional-at-large Directors

East	Levonn Hubbard	735 Dayton Avenue	Crossville, TN	38555
Central	Nora Beck	3811 Baxter Avenue	Nashville, TN	37216
West	Graydon Swisher	1954 E. Chimney Rock	Cordova, TN	38016

# Past Presidents

Past	Rosemary Marshall	5400 Parkdale Road	Knoxville, TN	37912
Previous Past	Anne Wesley	445 Chickasaw Trail	Goodlettsville, TN	37072

Board Representatives

Clarksville	Paul Schwab	516 Woodland Drive	Clarksville, TN	37043
Columbia / Franklin	Bobby Hardeman	P.O. Box 206	Thompson Station, TN	37179
Cove Lake	John Redmon	231 Norfolk Circle	Harrogate, TN	37752
Dyer County	Jim Stark	150 College Street	Trimble, TN	38259
East	Rosemary	Management of the Management of	50000 MA 1845 MACONTO	
Tennessee	Marshall	5400 Parkdale Road	Knoxville, TN	37912
Highland Rim	Barbie Taylor	110 Oak Park Lane	Tullahoma, TN	37388
Jackson	Glen Rognstad	145 Fairmont Avenue	Jackson, TN	38301
Memphis	Margaret Smith	7421 Wendy Street	Memphis,TN	38133
Murfreesboro	Tony and Millette Jones	2903 Midland Fosterville Road	Bell Buckle, TN	37020
Nashville	Libby Francis	2104 Snook Drive	Nashville, TN	37210
Northwest	Scott M. Pun	109 Central Street	Martin, TN	38237
Plateau	Cheryl Heckler	882 Mimosa Lane	Crossville, TN	38578
Soddy Daisy	George Bonneau	8705 Frieda Lane	Hixson, TN	37343
Sumner Trails	David & Shirley Primeau	129 Walton Trace South	Hendersonville, TN	37075
Upper Cumberland	Louise Miniard	33 South Jamestown Road	Cookeville, TN	38501
CTC	Diane Manas	5729 Stoneway Trail	Nashville, TN	37209
TRAC	Bob Richards	808 Neartop Road	Nashville, TN	37205

Search Name: tennessee

Starts With Contains

Control #:

Entity Control #

Name

Name Name

Entity Type Status Filing Date Status

Entity

**TENNESSEE** 

000085667 NCORP

**TRAILS** ASSOCIATION,

Entity Active 08/01/1975 Active

INC.



# TENNESSEE DEPARTMENT OF REVENUE

# **Certificate of Exemption**

TENNESSEE TRAILS ASSOCIATION, INC. 4907 SHANNON LN KNOXVILLE TN 37918-2724

October 20, 2011

Account Type:

S&U EXEMPT

Account No.:

100274393

Under the provisions of T.C.A. Section 67-6-322, the organization named above is granted authority from the Tennessee Department of Revenue to make purchases, without payment of the Sales or Use Tax, of tangible personal property or taxable services to be used or consumed by the organization itself or to be given away.

The organization must furnish the suppliers of goods and services with a COPY of this exemption certificate. The lower portion of the certificate must be properly completed. The organization MUST retain the original certificate for copy purposes. The supplier will maintain a file copy as evidence of exemption. Later purchases do not require the submission of additional copies. Invoices must contain the name of the organization and the number given above.

This authority does not extend to purchases made by representatives of the organization when the items purchased or services rendered are paid for with personal funds. It does not extend to items purchased to be resold.

THE ORGANIZATION MUST NOTIFY THE DEPARTMENT IMMEDIATELY IF IT CEASES TO EXIST, MOVES, OR IN ANY WAY CHANGES THE ORGANIZATION FROM ITS PRESENT FORM.

EFFECTIVE DATE Jul	y 1, 2011	COMMISSIONER OF RE	Part of the Control o
TO BE COMPLETED BY	THE ORGANIZATION (please	orint)	
TO: SUPPLIER'S NAME			
ADDRESS			
CITY	STATE	ZIP	
I further affirm that the or	chases made under this authority ganization will not use this authority I affirm this to be a true and con	will be used and consumed by the rity to purchase items for resale.	entative of the organization named organization or will be given away
Onder penalty or perjury,	Tallim this to be a fide and con	det statement,	
PRINT NAME OF ORGA	NIZATION :		
PRINT NAME OF PURC	HASER:		
SIGNATURE OF PURCH	HASER:		

RV-N1003101

# Manas, Diane M

From: DManas [DManasHikes@comcast.net]

Sent: Monday, October 17, 2011 7:32 PM

To: Manas, Diane M

Subject: Draft sales tax settlement agreement

From: Donald Dresser [mailto:donald\_dresser@usit.net]

Sent: Monday, October 17, 2011 3:27 PM

To: Ray Garrett

Cc: Millette Jones; Diane Manas; Anne Wesley; Brenda Clampitt; Ron Dunn; Carolyn Miller; Levonn

Hubbard

Subject: Draft sales tax settlement agreement

Ray,

I have received a draft settlement agreement from the Department of Revenue, a copy of which is attached. We will discuss the draft at the October 30 board meeting. If CTC has any objections to the draft, please let me know this week.

Thanks, Don

Donald Dresser donald\_dresser@usit.net home phone 731 668 4190 cell phone 731 694 0146

#### TENNESSEE SALES AND USE TAX AGREEMENT

The following constitutes an Agreement, by and between the Tennessee Department of Revenue (Hereinafter the "Department") and <u>Tennessee Trails Association</u> FEIN\_\_\_\_\_\_ (Hereinafter the "Taxpayer").

WHEREAS, certain issues have been raised by a review of the Taxpayer's operations; and

WHEREAS, the Department, prior to entering discussions with the Taxpayer's representatives, has not previously identified or contacted the Taxpayer, and has not assessed the Taxpayer for any liabilities that may be owing for Sales and Use taxes; and

WHEREAS, the Taxpayer has voluntarily come forward, without any inquiries from the Department, to disclose the tax situation, in order to obtain a settlement thereof; and

WHEREAS, the Department recognizes the problematic nature of attempting to impose tax for prior periods under the circumstances in this matter, and is concerned with achieving compliance for current and future periods; and

WHEREAS, the Taxpayer has not filed Sales and Use tax returns for prior years; and

WHEREAS, without the expense and uncertainty of litigation, both parties desire to resolve all Sales and Use tax issues;

NOW THEREFORE, the Department and the Taxpayer in consideration of the mutual promises and benefits specified herein, hereby agree as follows:

- The Taxpayer will register to collect and remit Tennessee Sales and Use tax within thirty (30) days of the execution of this agreement.
- The Taxpayer will not be required to file Sales and Use tax returns for years prior to registration, and the Department agrees not to audit the Taxpayer for the purpose of making any assessment with respect to years prior to registration.
- 3. The Department shall have the right to examine the books and records of the Taxpayer for periods prior to registration, solely for the purpose of ascertaining the correctness of representations made by the Taxpayer to the Department in the course of reaching this agreement.
- The Department agrees to withhold information related to this voluntary disclosure agreement from any information-sharing arrangements or agreements with other states.
- Any misrepresentation of material facts by or on behalf of the Taxpayer will render the terms of this agreement null and void.

- 6. This agreement will be executed by both parties not later than November 15, 2011.
- Any notices, demands, communications or modifications concerning this agreement shall be in writing.

IN WITNESS THEREOF, the parties have hereunto subscribed their names for the purpose of validly and lawfully executing this Agreement.

	Termessee Department of Revenue	The Taxpayer	
BY:	May 2 September 1		
	Stacy E. Gibson, Director		
	Name & Title Date	Name & Title	Date

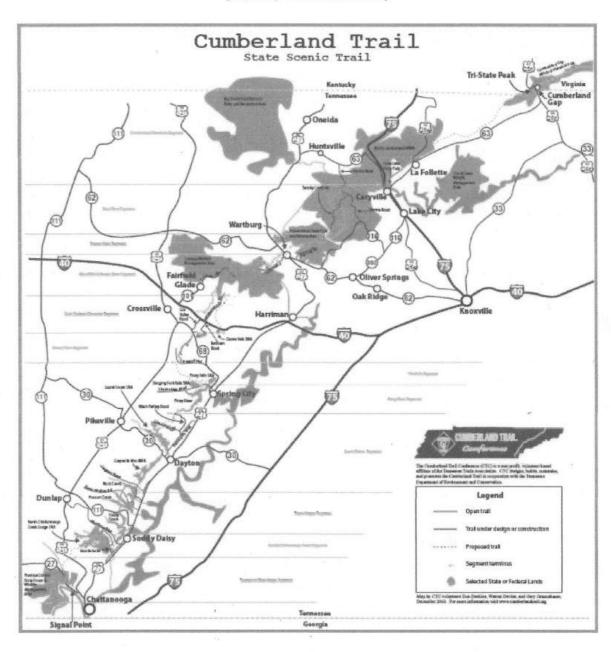
Eagn pris amelud.



# "Creating the Cumberland Trail, a Lasting Legacy"

# **Cumberland Trail Conference 2011 Annual Report**

(January 1-December 31)



# Introduction:

This report informs Cumberland Trail Conference members, project partners, and supporters of CTC activities during the 2011 calendar year. The report highlights the progress of the CTC in fulfilling its mission to develop and establish the 300-mile Cumberland Trail. For clarification, this document is divided into four sections, trail construction and maintenance, marketing and recruiting, fundraising, and the Great Eastern Trail project.

# **Trail Construction and Maintenance**

Winter Alternative Break, January 2-15

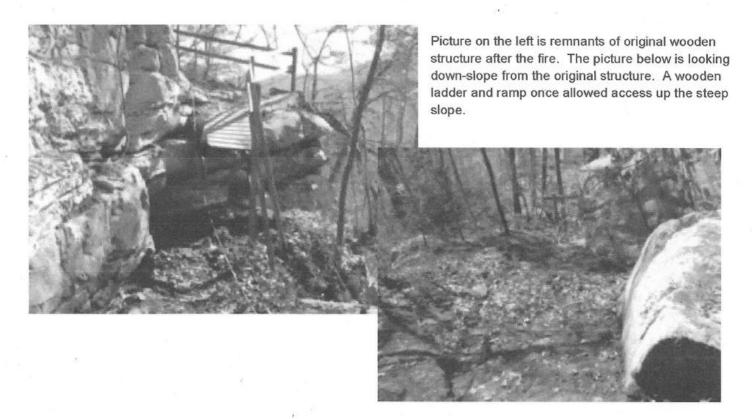
During the two weeks of January 2-15, 2011, the Cumberland Trail

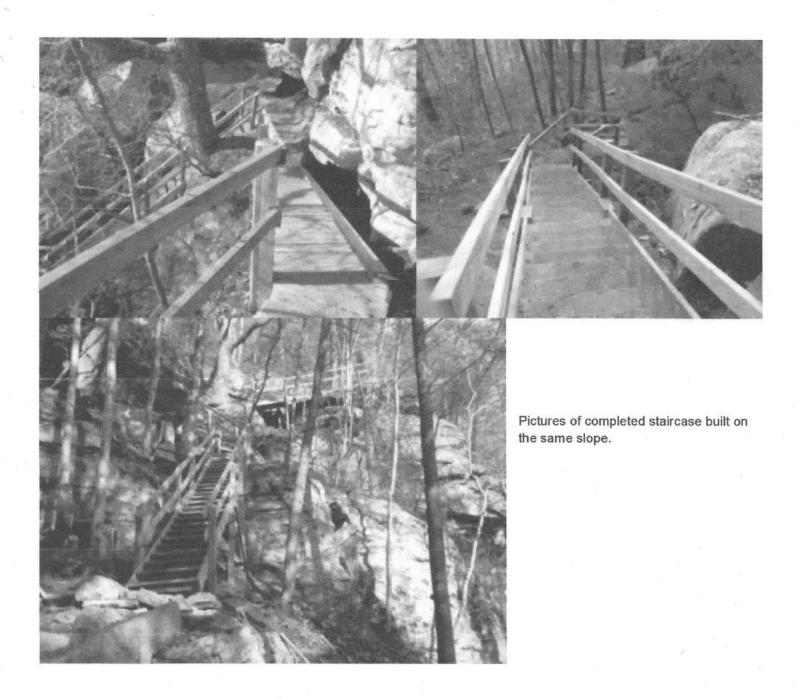
Conference hosted a winter, volunteer trail construction/maintenance event in the Cumberland Trail's North

Chickamauga Gorge segment located in Hamilton County, Tennessee.

For this event, student volunteers from Grand Valley State University and University of Kansas travelled to Tennessee during their school's winter break. The event's goal was to replace a wooden ladder system that had been damaged during a recent fire in the gorge and to repair damaged trail. This section of the trail was to remain closed to public access until the ladders could be replaced. In addition to the students, several local CTC members also helped with the project.

The goal was achieved. Under CTC supervision, students and other volunteers transported building materials to the worksite and a wooden staircase was constructed to replace the damaged ladders. Additionally, due to fire damage and erosion issues, the trail above and below the staircase was repaired and improved. This section was re-blazed and opened to foot traffic. Students and CTC members donated 664 hours, event funding, and some of the building materials for the successful completion of this project.





2011 CTC BreakAway program, February 27-March 26: During a four-week period, The Cumberland Trail Conference hosted its 15<sup>th</sup> annual Alternative Spring Break program. The CTC is a host organization for Break Away®: the Alternative Break Connection, Inc. a national 501(c)(3) nonprofit organization that supports the development of quality alternative break programs by providing training and information primarily to colleges, universities, and nonprofit organizations interested in creating lifelong active citizens through these intensive service-learning programs. The primary focus for the 2011 event was to complete trail construction between Caine and Cooper Creeks in the CT's North Chickamauga Gorge segment. A secondary goal of the event was to perform trail maintenance between the Montlake Road trailhead and the bluff staircase, a distance of two miles.

During the event, 130 college and university students representing 12 schools participated in the event. Students and numerous CTC volunteers donated 5,502 volunteer hours and completed trail construction between Caine and Copper Creeks. This completion added an additional 4 miles of continuous trail to the North Chickamauga segment. The newly constructed trail has been blazed, GPS information gathered, and website information will be updated to reflect this newly opened section of trail. Presently, the Cumberland Trail's North Chickamauga Gorge segment has 8 miles of trail open for foot traffic. For this event, CTC volunteers served as trail crew leaders, kitchen staff, and logistical support. Cumberland Trail State Park personnel also assisted with the 2011 *BreakAway*.

In addition to constructing new trail, existing trail in North Chickamauga and Little Soddy Gorge was maintained. This trail maintenance included repairing sections of eroded trail, correcting water run-off issues, correcting areas of trail slough (sluff) and widening trail tread to 30 inches, removing fallen trees, installing trail signage, and re-blazing the trail.

#### 2011 CTC BreakAway Schools

Eastern Michigan University	Saint Andrews	
Hamilton College	University of Central Florida	
Indiana University Pennsylvania	University of Michigan	
Michigan State University	University of Pittsburg	
New York University	University of South Carolina	
Northwestern University	University of Tennessee	



2011-spring trail construction/maintenance events, April 8-17, May 13-22, and June 3-12: In the months of April, May, and June, the Cumberland Trail Conference (CTC) hosted a 10-day trail construction event during each month. The purpose of these events was to continue the trail construction effort to complete the Cumberland Trail's New River segment. This segment is located in the North Cumberland Wildlife Management Area of Scott and Campbell counties with Frozen Head State Park being the segment's southern terminus and Cove Lake State Park being the northern terminus. More specifically, the trail construction effort focused on completing the trail from the confluence of Cave Branch and Smoky Creek south to the ridgeline of Arch Mountain at Grassy Gap. The trail route mainly follows Straight Fork Creek upstream to the ridge. The CTC was awarded a Recreational Trails Program grant to complete the New River segment. By contract, this segment must be completed by August of 2012.

Because of the remote location of the segment, all three events were primitive camping outings. The CTC established a static base camp and trail workers were shuttled each morning from the camp to within a short walking distance of the trail worksite. At the base camp, the CTC provided meals prepared in the kitchen tent and had potable water available. Participants were asked to bring their own personal camping gear. Hand tools were provided by the CTC and Tennessee State Parks made a Ditch Witch skid loader available for the May and June events. This piece of equipment is a small, walk behind bulldozer.

The spring 2011-trail construction events were a huge success. CTC personnel and volunteers contributed 3,740 trail construction hours for the three events and built 2.23 miles of trail. These miles were predominately constructed by hand due to the very steep terrain in which the skid loader did not function efficiently. It performs better on slopes that are less than 6% (6 ft rise over a 100 ft run) and in areas that do not require the trail to be built perpendicular to a steep side slope. The machine does not have enough power to push the blade through roots and rocks to make the full bench that is required on steep slopes. However, at locations were the equipment could be utilized it was a big help. The steep terrain also required numerous switchbacks, rock steps, and rock cribbing walls. Some other difficulties encountered during the trail construction were Arch Mountain had been strip mined and logged in several locations many years ago. For the New River segment, it is required that the Cumberland Trail be built within a 300 ft wide corridor which has been defined by steel pins that are the corridor's centerline. In numerous locations, the corridor was located in the over burden pile of the old strip mines. This offered various challenges to trail construction due to the composition of the over burden slopes, in places it had slid down the mountain causing large landslides, water run-off from the strip benches created several gullies the trail had to cross, and in several places there were areas of acid run-off from the mining operations that needed to be avoided. In addition to the challenges of the mining areas, old logging operations created numerous roads with high banks that needed to be crossed and skidder roads that went straight up the fall line of the slope. There are dozens of these steep roads. This in time has created very wide eroded ditches, which during a heavy rain event are rivers flowing down the mountain. With the requirement of staying within the corridor and the desire to stay out of the unnatural gullies and rivers, and the roads, which could be reopened for future logging operations, long sweeping switchbacks were not possible. To enable the steep slope to be hiked, shorter switchbacks were built and steps constructed.

Even though this segment of trail would have a difficult to strenuous hike rating (depending on hiking experience) and not for the faint of heart because of the climb up the mountain, which is steep in places, a high quality trail has been built. In the view of the CTC, the trail that was built would easily measure up to and exceed the quality of any trail with similar terrain in Tennessee and most of the trails in the southeastern United States.

**2011-fall trail construction/maintenance events, September, October, and November:** During the months of September, October, and November, the Cumberland Trail Conference implemented several trail construction/maintenance volunteer events on the Cumberland Trail State Scenic Trail (CTSST). These events are part of the CTC's contractual obligations with RTP grants and the CTC/TDEC No-Cost contract. The events were as follows:

#### September:

- September 22-27: Trail maintenance was performed in the Tennessee River Gorge Segment. From Signal Point to the Prentice Cooper trailhead and the Mullins Cove loop trail, CTC and CTSP staff, and volunteers cleared fallen trees, trimmed vegetation, corrected some trail tread issues, and refreshed trail blazing. This was in preparation for the annual 50k Stump Jump trail race. Volunteers donated 96 hours for this project.
- September 24, National Public Lands Day: National Obed Wild and Scenic River personnel, CTSP Ranger Andy Wright, CTC staff, and volunteer Gary Darnell performed trail maintenance in the CTSST'S Obed segment in celebration of NPLD. Trail maintenance was performed from the Daddy's Creek and Obed River confluence to Turkey Creek and ½ mile south of Turkey Creek. Work performed was the clearing of fallen trees, trimming encroaching vegetation, and installing plastic 2x6 white blazes. This maintenance coupled with earlier maintenance performed by volunteer Gary Darnell almost completes the periodic trail maintenance on the 14-mile Obed segment.
- Other CTC activities in September include an Eagle Scout project, which was a log bridge built across a stream in the Soddy segment, and design work and worksite preparation began on the bridge that is to span Big Soddy Creek. Volunteer donated 125 hours for the scout project.



#### October:

- October 6-14: Trail maintenance/construction was carried out by CTC personnel and volunteers in the CT's New River segment. Maintenance included the removal of fallen trees, trail repair, vegetation removal, and installing plastic 2x6 white blazes. For this segment, the plastic blazes were installed from the Cove Lake SP trailhead to the Greens Branch ATV road. This maintenance was in preparation of the Cumberland Trail 50k trail race. Additional maintenance during this period in the New River segment was mowing the lower field of Anderson Mountain with a DR Trimmer operated by CTSP Ranger Andy Wright and signposts were installed indicating the trail route. Volunteers donated 24 hours. A thank you goes out to Cove Lake State Park for allowing the CTC to camp free at the park.
- October 17 and 18: Frozen Head State Park, trail maintenance was completed from Castle Rock south to Ross Gap and along the CT access trail to the trailhead near the volleyball court in FHSP. This work included removing fallen trees, cutting back briers and other vegetation, and installing plastic 2x6 white blazes. This work was performed by CTC staff.
- October 22, Cumberland Trail Day: Cumberland Gap National Park, for this volunteer event, park officials hosted a day for volunteers to help maintain the CT within the national park. Several dozen volunteers assisted with tread repair, raking the trail, cutting back vegetation, and removing fallen trees. CTC personnel installed white, plastic 2x6 blazes from Tri-State Knob south to the CGNP concrete boundary markers. The CTC did not track volunteer hours for this event since it was hosted by CGNP.

### November:

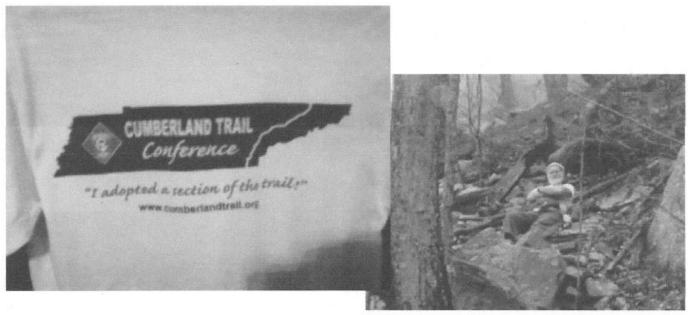
November 10-20: Trail construction/maintenance was performed in the CT's New River segment. Trail was constructed from Bunch Gap in the North Cumberland WMA, Scott County southwest connecting to the Cumberland Trail in Frozen Head State Park north of Coffin Springs. The trail was blazed with the 2x6 white plastic blazes and the section was opened for hikers to enjoy. This was a camping outing and several volunteers donated their time. Volunteers donated 112 hours for this event.

With the completion of the November event, the majority of the trail in the New River segment is completed. Presently, a 2.5-mile gap exists between completed trail sections coming from Cove Lake SP in the north and Frozen Head SP in the south. This gap is from where trail construction ended in June near the ridgeline of Arch Mountain southwest to Hawk Gap, North Cumberland WMA in Scott County. Trail construction events have been planned to close this gap in April and all construction in the CT's New River segment will be completed by June 30, 2012.



<u>Trail Maintenance:</u> This is an ongoing process. As already detailed, several days were spent performing trail maintenance during the scheduled volunteer events. In addition to this maintenance, the CTC manages a trail adoption program with volunteers helping to maintain certain sections of the CT. For 2011, volunteers donated 1,610 hours through the CTC's trail adoption program. In addition to the efforts of CTC volunteers, several trail user groups such as Wild Trails, Inc. manage their own trail-adoption program and help maintain sections of the Cumberland Trail. Besides volunteer groups, Cumberland Trail State Park personnel also help to maintain trailheads and some sections of the trail. Keeping the built trail sections open and marked is an important goal of the CTC and periodic trail maintenance events will continue to be scheduled. Efforts will also continue with retaining and recruiting trail adoptee volunteers.





# **Marketing and Recruiting**

Throughout the year, CTC staff and volunteers attend many events to market the CTC and the Cumberland Trail project. At these events, an information booth was set-up to inform the public about the project and the need for volunteer support. At many of these events, CTC staff or members presented a power point presentation followed by a question and answer session. The CTC had representation at the following events in 2011. All events took places in Tennessee. Volunteers generously donated 122 hours for these events.

Wilderness Wildlife Week, Pigeon Forge
University of Scouting, Chattanooga
Plateau TTA Chapter, Crossville
Chattanooga Outdoors Expo, Chattanooga
Discovery Fest, Wartburg
Oak Ridge Earth Day event, Oak Ridge
National Trails Day event, Smoky Junction
Rock/Creek Vendor Fair, Chattanooga
River Rock event, Chattanooga
Chickstock, Hixson
Cumberland County Fair, Crossville
Tennessee Trails Association annual statewide meeting, Monteagle
REI holiday fundraiser, Brentwood



# **Fundraising**

As in previous years, fundraising was a priority in 2011. Several grants were submitted and awarded. There is continuous research for other grant funding. Trail development funds were generated from supporting events such as the *Stump Jump* and *Cumberland Trail* 50K trail races. Efforts have been made to increase personal donations and CTC membership. CTC membership has been an increasing source of funding for trail development operations. With the goal of retaining and meeting new financial supporters, networking efforts are continuous.

## 2011-Individual Donors

Donald Kent Bilbrey	Ronald & Rita Karns	
Winston & Billie Jo Bowling	Charles Klabunde	
Donald Box	Robert Laird	
Gary & Karen Darnell	Lisa Lemza	
Bill & Dorothy DeVan	Betty S. Magee	
Warren & Carol Devine	Diane & Zvi Manas	
Mary Lynn Dobson .	Russ Manning	
Mr. F. Miles Ezell, Jr.	Jeff Middlebrooks	
Joe & Freddie Felt	Carolyn Miller	
Libby Francis	John P. Montague	
Bill Fronk	Eve Proper	
Sarah Fynewever	John Redmon	
Ray & Jo Ann Garrett	David Reister	
Gary & Carol Grametbauer	Mark Ritchie	
Jim Grove	Lionel Senseney	
Bruce Haas	George Summers	
Robert L. Hemminger	TC & Judy Varner	
Anthony Hook	John & Alma Wallace	

In addition to these individual monetary donations, several CTC members donated items of value. Dr. Michael Seeber donated building materials for the North Chickamauga Gorge staircase project. George Summers donated a 2006, 12-person passenger van, and the Estate of Fran Wallas donated a 1995 Chevy 4x4 pick-up truck. These donations were and are of great service to the CTC and add value to the project.

The following pages, 15 and 16, display sources of income. Category colors of table below match chart on page 16.

#### 2011 Sources of Income

## **General Donations**

Private Board Pledges

#### **Organizations**

TTA Chapter Donations
Allison & Kincaid Mills
Jennifer & Jay Mills
TN Federation of Gardens Club, Inc
MSU - Donation
Daisy Woman's Club
Rock Creek/Patagonia

## **Grants(Non Government)**

Lyndhurst Foundation-Trail Development
Wild Trails
Evans Means
Lyndhurst Foundation- Parking Lot
Planet Explorer
Lyndhurst Foundation - BA 2011
Anne Potter Wilson Foundation

### Grants(Reimbursable)

RTP - New River Project

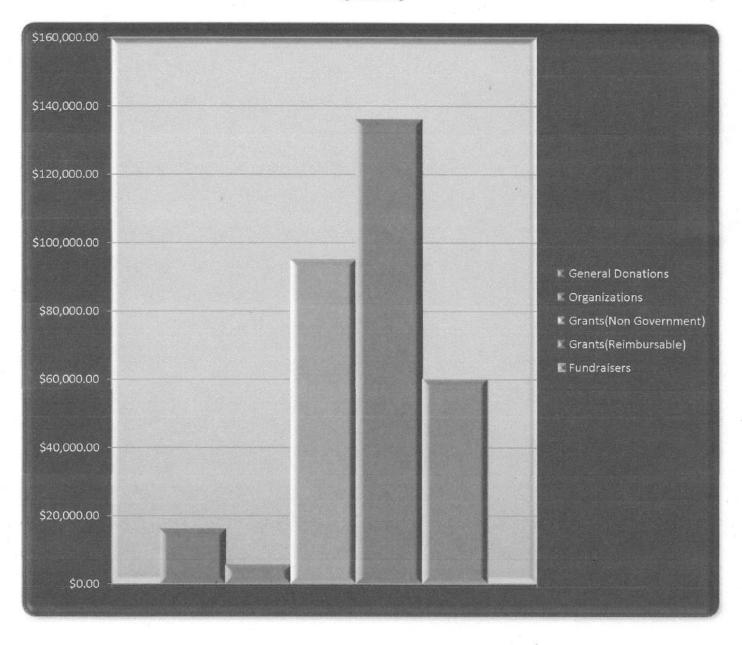
RTP - Big Soddy Bridge Project

HPP- Western Slope Black Mtn. (Pending Signatures)

#### **Fundraisers**

Membership
TTA Auction Proceeds
B.R.A.T. Proceeds
River Rocks Proceeds
Wild Trails - Upchuck Proceeds
Break Away - Fees

2011 Sources of Income (Chart)



The following pages, 17 and 18, display 2011 trail development expenditures. Category colors of table below match chart on page 18.

# 2011 Expenditures

## Office & Administration

Administration
Dues/Subscriptions/Fees Etc
Marketing(Printing & Publication)
Event(Award & Special Purpose)
Insurance(Worker's Comp, office contents, auto)
Accounting
Supplies(Including Equipment, Software & Furniture)
CTC Vehicles(Maintenance & Repairs)
Postage & Delivery(Includes Book Freight)
Rent
Storage Facility
Utilities
Phone/Internet
TPRA(Scholarship Fund)

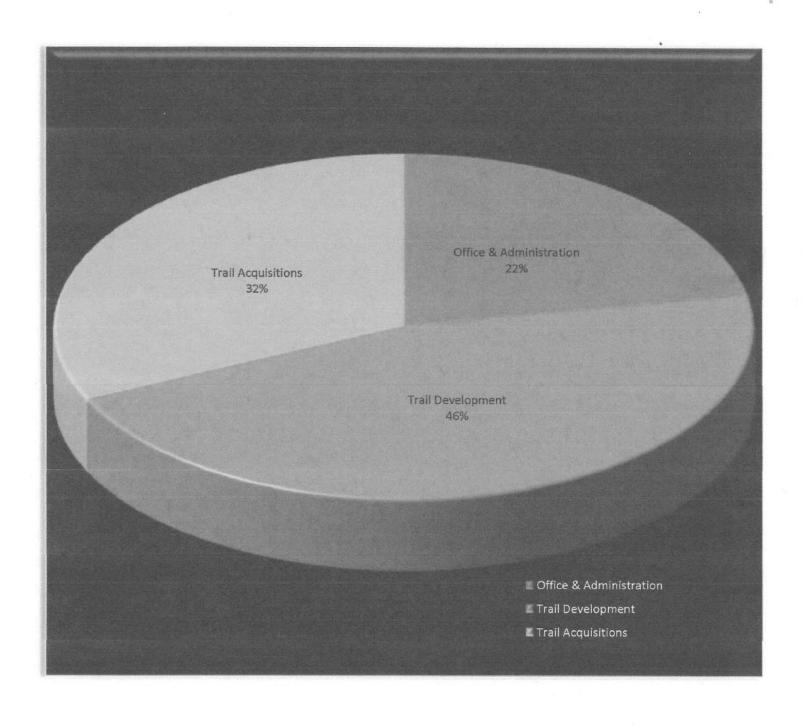
### **Trail Development**

CTC Staff
Seasonal Trail Crew
Fuel & Transportation
RTP New River Grant Expenses
Cost of Various Trail Construction/Maintenance Programs
Food for Volunteers
Tools & Supplies/Materials
Lodging for Volunteers

### **Trail Acquisitions**

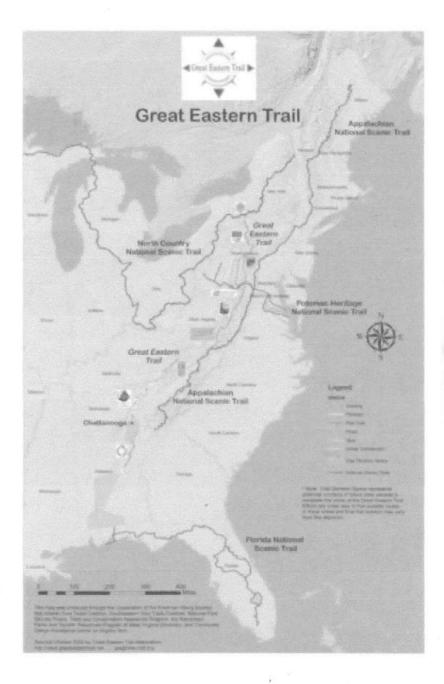
Southeastern Climbers Coalition - Deep Creek Funding
JC Wagner Property
Bryan Patten Property - North Chickamauga Creek Gorge
TN Parks & Greenways - Lone-Star (Remaining Pledge Bal.)

2011 Expenditures (Chart)



# **Great Eastern Trail Project (GET)**

The Cumberland Trail Conference supports the concept of the GET and is an associate member of the Great Eastern Trail Association. The Cumberland Trail is a major link in the GET corridor. In 2011, CTC volunteer and Tennessee Trails Association member Jim Schroeder spent many volunteers hours establishing the GET route from the Cumberland Trail, south through Chattanooga, to the Georgia Pinhoti Trail. This was quite an accomplishment because Jim was coming from middle Tennessee to make it happen. Jim's service and dedication to the GET project allowed another section of this new long distance hiking trail to be established. The CTC will continue to strive to complete parts of the Cumberland Trail that are the GET over the next several years.





# Report Summary

The year 2011 was very successful for the Cumberland Trail Conference and the trail project progressed forward. The year produced the completion of the trail on available lands and the replacement of damaged wooden structures in the North Chickamauga Gorge, yielded additional trail miles in the CTSST's New River segment, leaving only 2.5 miles to be constructed to complete the 35-mile segment, and trail maintenance was performed in the majority of open trail segments. This progress also helped to move the Great Eastern Trail closer to completion. A total of 12,146 hours were donated in 2011 for the over-all project. This total does not include work hours of the paid CTC staff, which would raise the total to approximately 17,554 hours. All of this service, trail work, dedication, and progress were accomplished at no cost to any government agency. However, it was only possible because people cared enough to get involved and the project will only continue if people stay involved. With continued support from CTC members, volunteers and the trail communities' financial backing the Cumberland Trail Conference will continue to strive ahead to complete the project. One day, with all project partners and supporters working together, a footpath will stretch from Signal Point north to Cumberland Gap, creating a lasting legacy to be enjoyed for many generations.