

APPROVED
Motion Culler 2nd Arney

Carter County Planning Commission

Meeting Minutes

January 27, 2015

Members Present

Jerry Pearman, Chairman
Ralph Watson, Vice-Chairman
Steve Pierce
Jerry Smith
Ken Arney
Robert Carroll
Sonja Culler
Randall Jenkins
Ray Lyons
Mary Ann Patton
Leon Humphrey, Mayor

Members Absent

Jamie Hughes

Planning Staff Present

Chris Schuettler, Director
Chris Pierce, Codes Enforcement
Diane Cannon, Secretary

Local Planning Staff Present

Ronda Sawyer

The Chairman called the meeting to order and welcomed everyone in attendance. Roll call. Quorum met. Ralph Watson made motion to approve November 2014 (NOTE no Dec. meeting held) meeting minutes and Ken Arney seconded the motion. Motion passed.

1. Request by B.O.Z.A. Chairman Brad Johnson along with the members of the Board of Zoning Appeals requested the members of the Planning Commission look into ways to better enforce much needed cleanup in certain areas throughout Carter County. Mr. Schuettler stated during the January 15, 2015 B.O.Z.A. meeting the members recommended adoption of the International Property Maintenance Code. Mr. Schuettler advised the Planning Commission members present what this would allow. Adoption would give more teeth to the codes enforcement officers by allowing them to write citations on site for violations found to exist. Mr. Carroll questioned the citation currently issued to which Mr. Schuettler stated that currently no citations are issued the Codes Enforcement Officer sends certified letters advising owners of violations and giving thirty (30) days to comply. A Final notice is sent giving ten (10) days to comply then it goes to court if the owner fails to comply. This is a lengthy process and can take months to be on the court docket. Mayor Humphrey suggested the use of a Law Judge - a solution which had been considered in the past and found to be too costly a measure. Mr. Schuettler explained that adoption would allow our local General Sessions Judge, Keith Bowers to set aside one day a week or a quarter

(depending on demand) to hear the cases which receive citations from codes enforcement officers. Mr. Lyons observed that "You all are running around with no teeth. What can we do to put some bite into this?" A heated discussion followed. Following this discussion staff recommended a motion to adopt the IPMC. Ken Arney made the motion and Steve Pierce seconded. Motion passed. Mr. Schuettler stated he would have a resolution ready for the planning board to approve following Cty. Atty. approval and Planning Commission approval. Mayor Humphrey, who had arrived late due to another meeting, requested a brief recap of what we were discussing and suggested the use of an Environmental Law Judge and was considered in the past and found to be too costly a measure. Mr. Schuettler stated that he missed the part of the meeting that concerned Judge Bowers holding court similar to "Environmental Court". This will be more successful. Law enforcement is already on board to help us.

2. **Jack Hampton's Permit Report.** Mr. Schuettler presented the report (see attached). Building is still slow.
3. **Codes Enforcement Officer's Report.** Mr. Chris Pierce presented a verbal report this month due to the failure of power-point. Several areas were mentioned in both areas of clean up and areas still in violation. He noted that two cases are slated to appear in court following three getting "service" notices in order for all five cases to appear on the docket together. Mr. Robert Carroll mentioned two pieces of equipment on Hwy 19-E and asked who was responsible for them as they are a danger and an eyesore. Mr. Schuettler stated "Moonshine" Malone is the owner and they currently appear to be in the Right-of-Way. There is not enough money in the planning budget to allow for a survey to be completed to verify the equipment is in the Right-of-Way. Mr. Steve Pierce asked whether or not one had to comply with the guidelines for automobiles on a commercial business zoned property (a property owner can have two untagged, inoperable autos on a parcel). Mr. Schuettler stated you do unless you are a licensed auto demolition business you cannot have more than two. Mr. Lyons observed that "You all are running around with no teeth. What can we do to put some bite into this?" Mr. Schuettler stated "we have been chasing our tails for some time". A heated discussion followed. The situation is slowly and progressively getting better. Chairman Pearman asked about several properties one of which is the quarry that is owned and divided among two brothers.
4. **Stoplight Update.** Chairman Pearman requested Mr. Ken Arney give an update on the red light in the Hampton area. Mr. Arney stated the light was up and working but needs some adjustments. The turn lane toward the lake needs to have the signal checked. The school lights are creating a problem 20MPH is backing traffic up. Mr. Arney (who is also a county bus driver) stated it is creating a problem by having to slow to 20 MPH. Sometimes takes 7-10 minutes for him to be able to pull onto the highway with his bus loaded. Mayor Humphrey was asked about the Valley Forge area and reported he had spoken to Sheriff Lunceford and was advised he does not have the manpower to keep a patrol car there during morning and afternoon hours when children are arriving and departing classes. Chairman Pearman asked if the constables in the area

might be able to provide much needed help and requested the mayor look into it.

5. **Director's Comments.** A.) Mr. Schuettler stated he will be attending IPMC training in Bell Buckle in February. B.) New cell towers/upgrades are in the works. Siam and Central areas will soon have upgraded towers. Several are going digital. C.) Mr. Schuettler stated originally the Planning Commission was set up to meet at least ten (10) times per year as part of the three star program but recent changes make as few as six or as many as nine meetings ok. D.) Request from Carter County Tomorrow regarding Over Mountain Victory Trail with assistance with areas found. Sonja Culler made the motion and Ken Arney seconded the motion to assist development of trails or possibility of development of trails which passed unanimously. E.) Movement of Funds from Line Item 51720599 \$8,800 to Line Items 51720105 72141 72201 72204 72212 (breakdown: \$5,325 to 20105 - Director \$1,823 - Asst. Director with the remaining \$1,800 to be divided accordingly between 201, 204, 212) Chairman Pearman presented a handout regarding current pay received by other counties' employees in managerial positions. Chairman requested Mr. Schuettler read it off. This money is to increase Director's salary and bring in line with other managerial positions in the county and also to increase the salary of the assistant director and encourage him/her to stay. Too many employees are leaving us for better paying jobs with more benefits. Staff requested a motion. Ralph Watson made the motion and Ken Arney seconded. All members voted for the movement of funds except for Mayor Humphrey. Mayor Humphrey stated we were requesting money for an inspection department we don't have yet. Mr. Schuettler stated the position is there - "You have always had stormwater and codes enforcement. All staff wears multiple hats for example Ms. Diane who receives no compensation for working with veterans." Chairman Pearman stated "You are getting into this (replacement of Mr. Church) next month?" Mr. Schuettler stated he is working on job description for paper and would be getting with Chairman Pearman to get ready to advertise for Mr. Jimmy Church's replacement. Advertisement will go out next month.
6. **Chairman's Comments.** Chairman Pearman presented several areas that he had received calls regarding trash, junk, etc. He and Chris Pierce will be going out to see these areas soon. Several areas with tires have been cleaned up but others are still in violation. Long Hollow and Sims Hill have a big tire problem. Mayor Humphrey stated the State would be cleaning areas with tires such as the old quarry because it is a "Legacy Site."
7. **Public Comments.** Mr. Charles Matioli appeared before the board regarding a problem in his neighborhood. (NOTE. The problem was one of the areas presented by Chris Pierce in his report. This property is slated for sale by the county at the next tax sale). Mr. Matioli stated it appeared we had things under control and on the way to getting even more control with the adoption of the IPMC. He said it was a very informative experience for him to be able to attend today's meeting.
8. **Adjournment.** Ralph Watson made the motion to adjourn and Randall Jenkins seconded the motion. Meeting adjourned.