

**Carter County Planning Commission**  
**Meeting Minutes**  
**September 27, 2011**

**Members Present**

Ralph Watson, Vice-Chairman  
Jerry Smith  
Steve Chambers  
Bill Armstrong  
Russ Kyte  
Richard Winters  
Mary Ann Patton  
Bob L. Townsend  
Jack Campbell  
Steve Pierce, Chairman  
Tom "Yogi" Bowers

**Members Absent**

Richard Renfro

**STAFF MEMBERS PRESENT**

Chris Schuettler, Director  
Justyn Markland, Codes Enforcement  
Jack Hampton, Permits  
Diane Cannon, Secretary

The Chairman called the meeting to order. Roll called and visitors welcomed. Motion by Mr. Watson to accept August 2011 meeting minutes, seconded by Mr. Townsend. Minutes approved unanimously.

1. **Jack Hampton's Permit Report.** Mr. Hampton presented the August report of permits. For the month of August there were \$1,366,150.00 in estimated costs of projects and the total for the year is \$9,502,050.00. Ralph Watson made motion to accept report and Mr. Kyte seconded. Motion passed unanimously. Chairman Pierce questioned Mr. Hampton concerning the state permits' costs and how much went to the state and how much of the fee stayed in the county. Mr. Hampton replied that for houses of average size (1500 sq. ft.) with no basement the permit fees is \$350.00. The breakdown of the fees is \$300.00 to the state inspector (the cost of three inspections), \$35.00 to the state, and \$15.00 to the county. Mr. Pierce went on to question the state inspector requirements and what we needed to do to be certified to do our own inspections. Mr. Schuettler commented that two of the planning office employees are ICC residential building inspector certified and one is also ICC certified for commercial building inspections. He went on to state it was his understanding that Mr. Vaughn was in the same commercial inspector class with Tony Gouge, Codes Enforcement Officer, and Mr. Vaughn had not passed the test. Mr. Schuettler requested a motion to finalize adoption of codes and allow county employees to do inspections. Mr. Watson made the motion and Bob Townsend seconded the motion. Motion passed unanimously. Mr. Glenn Rosenoff stated the

process was relatively easy and the State Fire Marshall's Office would be able to complete our request.

2. **Codes Enforcement Officer's Report.** Mr. Markland presented a slide show of properties still in violation and some that shows a small amount of improvement. Several cases appeared in court and the property owners found in violation were directed by Judge Walton to work to bring their properties into compliance in the next month and are to appear before him again to show compliance. Court costs were assessed to the property owners. Mr. Markland requested a motion to turn three property owners: Stout, Williams, and Clawson over to the county attorney for failure to comply with repeated requests for cleanup of their property. Steve Chambers made the motion, Russ Kyte seconded the motion. Motion passed unanimously.
3. **Animal Control Officer's Report.** Mr. Schuettler noted that Ms. Dugger was not in attendance for today's meeting and would be presenting her report at the October meeting for both August and September.
4. **Director's Comments. A.) Staff Certifications.** Mr. Schuettler again made note of the work being done by Carter County Planning Staff to get certified in both residential and commercial ICC requirements. Mr. Jimmy Church is ICC residential building codes certified and is studying to take the commercial test. Mr. Tony Gouge is ICC residential and commercial building codes certified. Mr. Justyn Markland is studying to take both tests in order to be able to assist with inspections as needed. **B.) Public Hearings.** Mr. Schuettler stated that the public hearing regarding amendments to the subdivision regulations and the rezoning request for property on Broad Street Extension would be properly advertised and addressed by the Carter County Planning Commission at the next meeting. Also to be addressed during the public hearing will be the requirements recently enacted regarding speaking before the planning commission board during the monthly meetings. (See attachment) Mr. Schuettler requested a motion be made to adopt this regulation. Mr. Ralph Watson made the motion, Russ Kyte seconded. All members in attendance voted in favor with the exception of Mrs. Mary Ann Patton who voted "No".
5. **Glenn Rosenoff, F.T.D.D. Staff Comments.** Mr. Schuettler welcomed Mr. Rosenoff to today's meeting. Mr. Rosenoff stated he was looking forward to working with the planning office. He stated that currently the through-way plan, subdivision, zoning regulations and digital mapping of the county roads in conjunction with the highway department are a few of the areas he is working on. Mr. Schuettler stated this was a "win-win" situation for all parties involved. Mr. Rossenoff commented the Subdivision Regulations need additions to meet the State of Tennessee requirements and ensure consistency with state law. For instance, the state prefers "preliminary" as opposed to "tentative" as verbiage used in regulations. Mr. Steve Pierce made note of the information required on survey plats and requested Mr. Rossenoff look into the information required on such in order to limit county liability. Mr. Rossenoff also addressed educational opportunities that will be offered by F.T.D.D. in the very near future. He stated this training would satisfy all four hours training that is required yearly for planning commission board members. Mr. Pierce questioned Mrs. Patton concerning her duties as a part time employee for the county. Mrs. Patton stated she is looking into properties currently owned by the county that may be suitable for businesses to locate here, cell phone and copier contracts are also being looked at by

her. Mr. Pierce requested that she give a presentation next month regarding the properties she is looking into.

6. **Public Comments. A.) Roy L. Livingston, Rules and Regulations.** Mr. Livingston asked what the procedure was for a barrier between a “beer joint” and private residence. Mr. Schuettler stated buffers are required in some areas with new construction and development. “What if a barrier was once but no longer is in place?” Mr. Livingston asked. He stated that the Ice House Saloon, located next door to him, has had a portion of a fence down since February. (Portions next to his property, Mr. John Julian, and the trailer court) Mr. Schuettler stated he was not aware of this problem but would look into it and make sure repairs were made. **B.) Mr. Scott Barnett, Taylortown Road Problem.** Mr. Barnett stated a neighbor, Dwayne Shelton, had created a huge problem for him by doing a great deal of excavation on his property which caused Mr. Barnett’s property extensive damage. This problem was ongoing for over four (4) years and although he had spoken with Mr. Shelton and he was working on remedying the situation Mr. Barnett appeared before the commission to ask for additional help to ensure that the problem was completely corrected. One problem he noted was the tile that had been installed in such a matter that the excessive rains recently experienced created too much runoff and caused a flooding and runoff problems for him. Mr. Barnett stated he had lived in the community since 1973 and until Mr. Shelton started gradework there had been no problems with erosion. Mr. Schuettler stated the work was started without applying for permits because Mr. Shelton was not aware a stormwater permit was needed. Mr. Shelton did come to the planning office and obtain the permits as soon as he was made aware one was needed. Mr. Shelton is working to remedy the problem by installing silt fencing and a retention pond. Mr. Schuettler stated he would contact the highway department and arrange for Mr. Perkins and Slim Miller to go with him to look at the tile and make changes as needed to stop the problem. Mr. Steve Chambers requested this be accomplished as soon as possible due to the time of year. Mr. Chambers noted something should be done before cold weather sets in. County Commissioner, Charles Von Cannon commented on the matter and stated a bale of hay that was put over the tile was not a solution. He stated he was there thirty (30) minutes ago and the hay was rotten. One solution was to go down the present ditch line and Mr. Shelton needed to put grass on the South side of the house. Mr. Schuettler stated that Mr. Shelton is working on a solution and the permit packet was there for anyone to see if they so desired. He further stated most to the corrections needed were a matter for the highway department to address and correct. He told Mr. Barnett this office would do anything we can to assist him with a remedy. Mr. Barnett stated he was willing to allow the ditchline to be placed on his property if that would help the situation.
7. Mr. Steve Chambers welcomed Tom “Yogi” Bowers as the newest member of the planning commission. Mr. Bowers was elected Chairman of the County Commission and replaces Mr. Leon Humphrey, outgoing Chairman.
8. **Adjournment.** Mr. Watson made motion to adjourn and Russ Kyte seconded. Motion passed. Meeting adjourned.