

**Carter County Planning Commission**  
**Meeting Minutes**  
**August 23, 2011**

**Members Present**

Ralph Watson, Chairman  
Jerry Smith  
Leon Humphrey  
Bill Armstrong  
Russ Kyte  
Richard Winters  
Mary Ann Patton  
Bob L. Townsend  
Jack Campbell  
Dickie Renfro  
Steve Pierce

**Members Absent**

Steve Chambers

**STAFF MEMBERS PRESENT**

Chris Schuettler, Director  
Jim Church, Assistant Director  
Justyn Markland, Codes Enforcement  
Tony Gouge, Codes Enforcement  
Jack Hampton, Permits  
Amanda Dugger, Animal Control Officer  
Diane Cannon, Secretary

The Chairman called the meeting to order. Roll called and visitors welcomed. Mr. Schuettler advised all in attendance of the emergency exits and stated if anyone needed assistance getting out of the building in case of any further "shocks from the earthquake felt in the area today" that Jimmy Church and Tony Gouge provide such. Motion by Mr. Watson to accept July 19, 2011 meeting minutes, seconded by Mr. Kyte. Minutes approved unanimously.

1. **Amendments to Carter County Subdivision Regulations.** Mr. Schuettler gave each member a print out of the *proposed* amendments to the subdivision regulations. Mr. Humphrey questioned the need for a public hearing regarding the amendments and whether or not one was posted. Mr. Schuettler stated that this was simply for the members to familiarize themselves with the proposed amendments and that the public notices would be put in the local paper prior to a vote on any amendments being made and the rezoning request for a parcel on Broad Street Extension. Mr. Schuettler requested that the members go over the recommendations and contact him with any suggestions they may have regarding the proposed changes.
2. **Glenn Rosenoff, F.T.D.D.** Mr. Rosenoff spoke to the commission regarding the services his office, First Tennessee Development District can offer the county. Mr. Rosenoff explained that with the closing of the local planning office in Johnson City by Gov. Haslam F.T.D.D. would provide the same service as the local office and Mr.

Anderson did in the past. Mr. Humphrey spoke in favor of F.T.D.D. and stated "We need that second set of eyes." Mr. Pierce questioned Mr. Humphrey regarding his position on F.T.D.D. Mr. Humphrey said that he, along with the mayors from seven counties do serve on the board of F.T.D.D. Mr. Watson and Mr. Pierce both expressed concerns with regards to the monies that would be spent for a service that Carter County could take care of without need to spend taxpayer dollars to do so. Mr. Watson questioned whether 3 employees could offer the same quality of service as seven did in the past. Mr. Rosenoff stated that it is basically the same people, (Mr. Troy Ebbert, Ms. Ronda Sawyer, and he) would be providing any services Carter County needed. The four hours of education training would be provided through F.T.D.D. as well. Mr. Schuettler stated that he and Mr. Rosenoff have had a professional working relationship for years and that he did not have any problem with F.T.D.D. but rather with the manner in which this recommendation and the money to pay for it was handled. (July 18<sup>th</sup> meeting of the county commission resulted in the vote to take money from planning budget to pay for this service BEFORE the planning commission voted on it.) Mr. Renfro made the motion to accept contract for remainder of 2011. Mr. Humphrey requested to amend the motion to allow Chris to send letter to pay for service. Mary Ann Patton seconded the motion as amended. Roll Call Vote was unanimous in favor by all members in attendance.

3. **Jack Hampton's Permit Report.** Mr. Hampton presented both June and July's report of permits. For the month of June there were \$2,172,400.00 in estimated costs of projects and the total for the year is \$7,701,700.00. July's total for estimated cost of projects was \$434,200.00 and the yearly total was \$8,135,900.00. Ralph Watson made motion to accept report and Mr. Renfro seconded. Motion passed unanimously.
4. **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. Eleven cases are soon to go before Judge Walton for failure to comply with repeated requests for clean up of the property. Mr. Kyte made the motion to refer Mr. Russell Brown, Mr. Dan Birkner, Mrs. Tammy Price, & Ms. Julia Ritchie to the county attorney for failure to comply with repeated requests for clean up. Mr. Church requested that the property of Mrs. Price be given 30 days extension following a conversation with Mrs. Price's son. Mrs. Price's son was shown what improvements needed to be made and verbally agreed to make corrections within 30 days. Mr. Humphrey commented that Mr. Schuettler and the county attorney was to get together and have a workshop on Codes Enforcement. Mr. Humphrey felt that a date should be set to give a timeline to go by. Mr. Pierce requested Mr. Humphrey "spearhead" this project.
5. **Animal Control Officer's Report.** Ms. Amanda Dugger reported that 34 cases were worked. Three cases involved dog bite incidents, one dealing with the issue of a hunting dog running at large for approximately an hour each day and the neighbor's complaints regarding it doing so. Mr. Andy Vaughn is in the hospital and neighbors are caring for some of his animals while others have been picked up and transported to the shelter and are awaiting pick up by the neighbor also. Ms. Dugger reported that due to disrespectful remarks made toward her, the mayor, commissioners, planning staff, and shelter staff she would no longer be working the property at 413 Peachtree Lane (the property of George and JoAnn Jarrett). Mr. Pierce questioned whether a

deputy might go along with animal control. Ms. Dugger stated that this is an ongoing problem with previous animal control officers and that no matter what was done it was never enough. Ms. Dugger stated that in the past Mrs. Jarrett had called the law because too many traps were brought to her property. Ms. Dugger stated Mrs. Jarrett and she had a really good relationship when she first started the position. Now, when she goes to Mrs. Jarrett's she is subjected to hearing about Planning and Zoning issues that are not part of her job and pertain to matters she knows nothing about. Mrs. Jarrett has called staff members liars, morons, and Pollocks. Ms. Dugger stated she had instructed Mrs. Jarrett, the property owner, not to set her trap prior to speaking with her due to the overcrowding of the shelter and time restraints Ms. Dugger deals with as a part time employee. She had tried to explain that if an animal is in a trap it must be removed (taken to shelter) in a timely and humane manner. It is difficult/impossible to stop what she is doing (such as working dog bite cases or other emergency type calls) and go retrieve an animal from a private citizen's trap and transport it to the shelter. Mrs. Jarrett continued to bait and set her personal trap and call repeatedly to have it picked up. Mrs. Dugger stated in her report she would no longer go to the Jarrett residence to pick up Mrs. Jarrett's trap. However, in order to carry out her duties and remove as many stray cats/kittens from the Peachtree Lane area as possible, Ms. Dugger had spoken to six neighboring property owners and had gotten permission to place county owned traps on their property.

6. **Director's Comments.** **A.) Staff Certifications.** Mr. Schuettler stated that planning employees are working to get their commercial building inspector's certification completed. He noted that the state building inspector, Dennis Vaughn, was in class with them in order to obtain the commercial certification necessary to inspect for the state. **B.) E.M.A.** The planning office and director are working with the Emergency Management Agency and director, Andrew Worley, in assisting them with updating the maps of the county which are used by the E.M.A. office. **C.) Dam Assessment.** Mr. Schuettler said it is once again time for the area dams to be assessed and he has requested an assessment be completed today following the earthquake that shook our region. Mr. Worley and his staff are to advise Mr. Schuettler of any damage or lack thereof to our local dams (Rip Shin, Watauga and Wilbur). **D. 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 a later date.
7. **Public Comments.** **A.) John Lewis.** Mr. Lewis, county commissioner, questioned requirements to get condemned property torn down. Mr. Schuettler stated properties have had independent contractors bid on the removal of property. Mr. Lewis suggested the use of inmates for cleanup of condemned properties in the county. Mr. Humphrey stated inmates cannot be on private property and the code enforcement regulations needed to be amended to allow for the use of inmate workers. Mr. Schuettler stated that counties' code enforcement officers couldn't issue citations or tickets like city code enforcement officers can. Mr. Pierce stated there are several foreclosures in violation and questioned the procedure for notification of property violations. Mr. Schuettler answered by stating that banks keep selling off the mortgages. It takes a long time to identify

mortgage holders and then notify them only to have a bank representative call to state the loan is no longer owned by that bank but has been sold to another. Mr. Schuettler compared it to a "peanut in the cup" game. "Justyn has learned a lot about title search and the like since taking this job." "The property Mr. Lewis mentioned had been bought and sold three times" Mr. Schuettler noted. **B.)**

**Joanne Jarrett.** Mrs. Jarrett spoke regarding the Animal Control Officer's statement earlier. Mrs. Jarrett: "... I was just lied on by the animal control lady. I have never called her a name. I did call Wendy Mathes a name because I told her two year ago not to come back on my land when she surrounded my house - her and an inmate from the jail, with him and Renee Lewis, they said I had a dog that had never seen daylight. We put this dog in the garage at nighttime and in the morning my husband went and got it and brought it back out. They surrounded my house and did not knock on my door or anything and I did not think a prison inmate was allowed on private property. And you (addressing Ms. Dugger) have caught eight cats at my house they have all been in my traps almost - correct?" "Not all of them, No name" replied Ms. Dugger. Mrs. Jarrett, "I did not say all, I said most of them, true or not" "Some of them have, yes", Mrs. Dugger responded "I don't care to take them when I set my traps" "OK, why did you tell me I could not set my trap whenever you got eight cats at my house and they have been in my trap?" Ms. Dugger, "If you would like to set your traps you are more than welcome to but you have to monitor it and take it off..." Mrs. Jarrett interrupted and said, "On August 2<sup>nd</sup> at 10:55 I called Diane and told her there was a kitten in the trap". Ms. Dugger, "In what trap?" Mrs. Jarrett, "At my house" Ms. Dugger, "In which trap?" Mrs. Jarrett, "Mine" Ms. Dugger, "And who authorized you to set that trap?" Mrs. Jarrett, "You have been picking them up." Mrs. Dugger, "When I left your house I told you NOT to set the trap until I told you to (because) I do not have room at the shelter." Mrs. Jarrett, "No you did not" Ms. Dugger, "I am not going to argue with you over it, I will not come back to your property point-blank, end." Mrs. Jarrett, "Uh, I pay my taxes and if I catch an animal you will come and get it". Ms. Dugger, "If you catch an animal in your trap you will deliver it to the shelter." Mrs. Jarrett, "No I won't because I will not be around Wendy Mathes." Ms. Dugger, "That is not my problem." Mrs. Jarrett, "You brought her (Wendy Mathes) with you that day and until the day you brought Wendy with you and came to get the cat it stayed in the trap from 10:30 on the 2<sup>nd</sup> until 3:20 on the 3<sup>rd</sup>". Ms. Dugger asked, "Who set the trap Mame?" Mrs. Jarrett, "I set the trap because you told me too." Ms. Dugger, "And who told you to set it?" Mrs. Jarrett, "You did!" Ms. Dugger, "Oh no I did not!" Mrs. Jarrett, "I set the trap because you told me too." Ms. Dugger, "No, I did not and like I said I will not be back on your property" Mrs. Jarrett, "And let me tell you something, We've got neighbors that I can bring with me." Ms. Dugger, "I've spoke to them." Mrs. Jarrett, "You said that you had left a doorknocker on my door, we set on our front porch..." Ms. Dugger, "I left a hanger on your door?! Never" Mr. Pierce intervned and stated that if you catch a cat in your trap they are responsible for taking it to the shelter and if she (Ms. Dugger) catches it she will take it to the shelter. Mrs. Jarrett stated that Mrs. Dugger had traps set on her property too. Ms. Dugger, "No I did not, I did not have a trap set on your

property that day, was my trap on your property? and yes I brought Wendy Mathes with me, we had been working together all day that day. Was my trap on your property, Yes or No?!" Mrs. Jarrett replied, "I don't recall if you set traps that day or not." Mr. Pierce reiterated that if our officer set a trap she was responsible for taking the animal to the shelter but if Mrs. Jarrett set the trap she would be responsible. Ms. Dugger stated she did not have a problem with taking "her"(Mrs. Jarrett's) trap along with her (county) traps "gladly but when I say I don't have room then don't set traps". "But she said she would not come back and set a trap", Mrs. Jarrett stated to which Mr. Pierce replied, "If you are cordial" and Mrs. Jarrett said she had been cordial to which Ms. Dugger replied calling her a Pollock was not cordial. Mrs. Jarrett stated she did not call her a Pollock – she called Animal Control and Wendy Mathes. Mr. Pierce said, "Maybe if you work together and be cordial then she can come back and if you set five traps she will get them". Mrs. Jarrett said she could bring three different people in who could prove she (Amanda) told two lies today. Mr. Pierce said "Well but today, now we just need to work together and maybe if you set a trap she will come get it along with hers. Mrs. Jarrett, "Ok, when will she?" Mr. Humphrey questioned Amanda as to the number of traps the county has and she said "Eight of my own two are small not sure how many the city has. I try to rotate my days so that the traps can be set and picked up on days that the shelter has room for the animals. Thursday is kill day." Mr. Humphrey questioned what the problem would be if Mrs. Jarrett had a problem and did catch a cat in her personal trap and gave Ms. Dugger a call then Ms. Dugger could transfer it to one of the county traps and transport it to the shelter. Ms. Dugger responded that she had no problem at all with that but when she got to Mrs. Jarrett's the last time she was so mad when Ms. Dugger arrived she refused to sign the paperwork to allow her to remove the cat and transport it to the shelter. Mr. Humphrey recommended moving forward from today and working for the citizens and the citizens work with the body/people (county employees) "What would you propose Mrs. Jarrett do from this point going forward so that we don't have this happen every month?" Mr. Humphrey asked. Ms. Dugger replied that Mrs. Jarrett could set her own trap and bring the captured animal to the shelter or rent a county trap for \$50.00 (deposit) when she is done using the trap she can return it to the shelter and get her \$50.00 back. Ms. Dugger went on to state, "If we can rebuild some repro I would not mind to work with Mrs. Jarrett. I would prefer to set my own traps I will not utilize her trap at all and if she sets hers that is hers (to maintain). Mr. Pierce commented "Maybe you could work together and if she sets hers you could set yours. Mr. Schuettler stated that was the way it was in the past. That he was aware of Wendy working with Amanda regarding some horses and that was why she accompanied Ms. Dugger on this particular day. He recommended we follow the animal control officer's plan to set traps on neighboring properties and stated neighboring property belonging to Mr. Brown was going to court. Mrs. Jarrett stated "As a taxpayer" she did not feel she should have to do that to which Mr. Schuettler replied, "Then don't set any traps. Thank you Mam". **C.) Trudy Brummitt, Idyllewild Subdivision Road.** Ms. Brummitt addressed the board regarding an ongoing problem regarding the road she lives on. The county attorney currently

has the case. The highway committee has addressed the problem and sent their findings to the solution of Ms. Brummitt's problem for approval from the county attorney. Ms. Brummitt is seeking a moratorium to prevent any further construction in the subdivision until the roads are brought to county specifications. **D.) Scott Snell. Arlington Drive.** Mr. Snell addressed Mr. Markland, Codes Enforcement Officer, regarding two properties on his street that is in violation of the litter ordinance. All documentation shows one is owned by Zack Garrison but mowers told Mr. Snell a bank had hired them to mow the property and let him with the impression it has been foreclosed. Mr. Snell also stated the apartment building in violation has a green building near it that is owned by the same individual that owns the apartment building. Mr. Markland stated he was aware of the green building and that it is listed on the same tax appraisal card as the apartment building. A third concern of Mr. Snell's involved a dog that is tied next to a dilapidated structure. Mr. Snell stated the dog was in poor condition. Ms. Dugger stated she would look into the situation. Before taking his seat Mr. Snell asked Mr. Schuettler if it would be useful for the planning office to scan permits for reference purposes. Mr. Schuettler stated the planning office does scan permits for reference purposes. **E.) Billie Ann Dabbondanza.** Mrs. Dabbondanza stood to ask one question: "If a single wide mobile home is replaced with a double-wide does it need a permit?" Mr. Schuettler replied "Yes". **F.) Rev. Bill Younce.** Mr. Younce questioned why if most wanted people can be placed in the paper why we could not put the pictures of people in violation of the litter ordinance on the front page of the local papers. **G.) Jim Dabbondanza.** Mr. Dabbondanza questioned how the county attorney is paid in relation to the cases that are turned over to him. Mr. Schuettler responded that he is paid by county contract.

Following the public comments Mr. Schuettler made note of the changes regarding table placement, seating arrangements, and an incident that occurred at last month's meeting in which tempers flared and threats were made against Mr. Watson and members of the board in general. Mr. Schuettler presented written requirements for public comments, control during meetings (copy attached). Mr. Humphrey stated he had been to hundreds of meetings over the past year and saw no indication of any one who intentionally disrupts a lawful meeting, procession or gathering by physical action or verbal utterance. Mr. Watson and Mr. Pierce simultaneously said, "You were not here for the whole meeting you left before "he" made threats" Motion to pass new requirements for addressing board made by Ralph Watson and seconded by Russ Kyte. Roll Call vote taken: Mr. Watson, Mr. Pierce, Mr. Campbell, Mr. Armstrong, Mr. Renfro, Mr. Townsend, Mr. Kyte, Mr. Smith, & Mr. Winters all voted "Yes" in favor. Mr. Humphrey and Mrs. Patton voted "No" against the measure. Motion carried by majority vote.

**Adjournment.** Mr. Renfro made motion to adjourn and Bobby Townsend seconded. Motion passed. Meeting adjourned.