

Carter County Highway Committee

January 9, 2017

2:00 p.m.

Chairman Hill called meeting to order.

Roll Call: Present: Collins, Dietz, Hill, Peters, VonCannon, Ward
Absent: Simerly

- 1) Motion to approve minutes of previous session made by Commissioner Dietz,
Second by Commissioner Ward.
Voice Vote: All Ayes - Motion Passed
- 2) Motion to approve current meeting agenda by Commissioner Ward,
Second by Commissioner VonCannon
Voice Vote: All Ayes - Motion Passed

3) Old Business:

• Haynes Street Carport Issue

Attorney Hardin researched this issue by going out to the site and contacting Registered of Deeds Office. He found the original plat of the Central Heights Subdivision, included a Haynes Street on the plat. However, according to Attorney Hardin findings, the actual road was never opened. The plat must meet the new subdivision regulations adopted in the 1980's. The subdivision predates the new regulations. This did not mean it was ever adopted by the county. He stated that the carport is on the dead end of this area/street and doesn't appear to be any use to the county. The county has not maintained that road. Mr. VonCannon stated that it had been maintained at some point and had been graveled. Attorney Hardin stated that from a legal standpoint of the county, all adjoining property owners have access to their property via other means and based on the topography it would take quite a bit of work to make a passable road where it is now. The property owners may petition the area in question and the committee would treat it as another request. Mr. VonCannon stated that two residents were against closing the road because they may develop the area in the future. Attorney Hardin stated that it was not on the road list and therefore no action was taken by committee.

• Railroad Grade Barricade Issue

Attorney Hardin researched the barriers that were constructed on Railroad Grade Road (old railroad) in the Roan Mountain area. The railroad company deeded the right of way (60 ft in width and 30 on each side of the center line) to Carter County in 1951. Mr. Hardin, Mr. Colbaugh and the attorney for the Wilderness Properties, Mr. McKinney, visited the site and the Wilderness attorney provided a survey of the area. The finding were that there was a tunnel that went through the mountain and has since collapsed and is impassable. The actual right of way follows the tunnel that is now impassable. The road that detours around the collapsed tunnel, is not on our right of way but on private property and is owned by the Wilderness Properties. The wooden fence / barrier in question, is not on the railroad bed and therefore not on the railroad bed right of way. The metal fence in question is blocking private property and a private road to the river. Attorney Hardin stated that from a legal standpoint, the barrier were not obstructing the county's right of way.

Motion made to close the case made by Commissioner VonCannon, second by Commissioner Peters

Discussion:

Commissioner VonCannon question if there were any concerns of any problems this may cause. Hardin stated that the Wilderness Properties were working with the Forest Service and 911 for any emergencies that may occur.

Roll Call: Ayes: Collins, Dietz, Hill, Peters, Ward, VonCannon, Miller
Absent: Simerly ---Motion passed

- Mary Patton Hwy. Issue - No action taken by the committee.
- Powder Mary's Loop & Tweetsie Extension - TDOT had not contacted back with request - no action was taken by committee.

4) New Business

- Approve County Road List for 2017

Motion made by Commissioner Peters, Seconded by Commissioner VonCannon to add Fish Spring Church and T.V.A. Sub-Station Rd., and Valley Forge Christian Church back to the road list and add three new roads Gap Creek Rd., Townview Estates Drive, Durward Julian Dr. (with the corrected spelling) to the road list

Roll Call: Ayes: Collins, Dietz, Hill, Peters, Ward, VonCannon, Miller
Absent: Simerly ---Motion passed

- Discussion to put this on the agenda for the full commission.

- Naming of the Two Bridge Resolutions

Motion by Commissioner Dietz, second by Commissioner Ward to forward the resolutions of naming the bridge, spanning the Laurel Fork Creek on Dennis Cove Road, as the "John Paul Mathes Memorial Bridge" and the bridge spanning the Little Doe River on Rittertown Road as the "Private Phillip Tolley Memorial Bridge" to the full commission.

Roll Call: Ayes: Collins, Dietz, Hill, Peters, Ward, VonCannon, Miller
Absent: Simerly ---Motion passed

5) Report from Highway Superintendent Colbaugh

Mr. Colbaugh state that his crew had been working on winter maintenance and would be doing road construction as with weather permits.

6) Citizen Concerns and Public Comments:

No public comments

7) Commissioner Comments

- Mr. Mike Johnson had drainage problem in vicinity of 750 & 754 Bear Cage Road. He wanted to do some work on his driveway area. Planning and Zoning told Mr. Johnson that is was a county road. The residents want maintaince on this road if it is in fact a road. Mr. Colbaugh stated that the county did not considered it county road. The committee suggested that Attorney Hardin research if this is a county road.

Motion made by Commissioner Peters, seconded by Commissioner Dietz for Attorney Hardin to research who owns this piece of property.

Voice Vote: All Ayes --- Motion Passed

Commissioner Ward stated this required a roll call vote.

Roll Call: Ayes: Collins, Dietz, Hill, Peters, Ward, VonCannon
Absent : Simerly --- Motion Passed

- Commissioner VonCannon commented on some complaints about Sinking Creek Road. Two parties involved. One wants the road straightened and the other doesn't. He stated that he told the two parties there must be a petition to have the road straightened.

8) Adjournment - 2:38 p.m.

Motion made from Commissioner Ward and second by Commissioner Dietz to adjourn.

Voice Vote: All Ayes (present)

Motion passed

Submitted by Kelly Collins, Secretary