

Carter County Planning Commission
Meeting Minutes
October 24 , 2011

Members Present

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

Members Absent

Bill Armstrong
Mary Ann Patton

STAFF MEMBERS PRESENT

Chris Schuettler, Director
Justyn Markland, Codes Enforcement
Tony Gouge, Codes
Diane Cannon, Secretary

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

1. **Rezoning Request 1395 Broad Street Extension.** Mr. Schuettler stated no representation at meeting. Staff recommended request be denied because of lack of representation present to answer questions the members may have. Mr. Watson made motion to deny and Mr. Townsend seconded the motion. Motion passed – request denied.
2. **Subdivision Regulation Amendments.** Public hearing was held prior to staff requested motion to approve changes as noted. Mr. Jeffrey Hughes requested a copy of the regulation following changes. Public hearing closed. Mr. Watson made the motion to approve amendments and Steve Chambers seconded. Motion passed unanimously.
3. **Transportation Plan.** Staff recommended approval. Mr. Pierce recommended that Director Schuettler give a quick overview of the plan. Mr. Schuettler stated the plan is a "guide" for the county to go by with regards to water supply, law enforcement, etc. The City of Watauga is being included in the plan to assist them with their 3 Star program. Mr. Jim Dabbondanza questioned whether this is a "guide" or "resolution". Mr. Renfro made motion to close the public hearing and Mr. Watson seconded. Public hearing closed. Motion by Mr. Kyte to accept the plan and seconded by Mr. Renfro. Motion passed by unanimous vote.
4. **Jack Hampton's Permit Report.** Mr. Schuettler gave the report in Mr. Hampton's absence. (See attached).

5. **Codes Enforcement Officer's Report.** Mr. Markland gave the report for the month of September. Several properties were shown that have achieved compliance (Ritchie, Garrison) and some that are once again in violation (Birkner). Mr. Markland stated that Misty Cox and Russell Brown are to appear in court on November 16th regarding failure to comply with repeated requests for cleanup. Mr. Chambers mentioned the April Greer property on River Bottom Road. This property burnt several years ago and the property has gone downhill and is an eyesore for the neighboring communities. This property has been to court and a rebid to remove home and regrass would have to go back to court. Mr. Chambers made motion to send back to court and Mr. Watson seconded the motion. Motion passed unanimously.
6. **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 November meeting for both September and October.
7. **Mary Ann Patton's Report on Commercial Property.** Mr. Schuettler noted Mrs. Patton was absent. Mr. Watson made the motion to have her give her report at the November meeting. Mr. Bowers seconded the motion. Motion passed unanimously.
8. **Director's Comments.** Mr. Schuettler presented a copy of the Carter County Work Program (see attached). Mr. Rosenoff, F.T.D.D. explained this program in detail. Mr. Pierce questioned the flood plain mentioned on the Carter County Work Program. Mr. Rosenoff explained that definitions not regulations changed. Mr. Watson made the motion to adopt and Mr. Kyte seconded the motion. Motion passed unanimously. **FEMA.** Mr. Schuettler gave a brief "education" presentation regarding FEMA work after the flood of 1998. He stated any property bought under the 404 HMGP has to stay and be maintained by Carter County. These properties can be utilized for parks, etc. but cannot be sold to private individuals. **MS4 Annual Report.** Mr. Schuettler stated the 2010-2011 report is ready for public comment as advertised in the local newspaper. Public hearing open for comments. With no comments from those in attendance Mr. Schuettler requested a motion be made that the report to be taken to the County Commission so that it could be passed along to the County Mayor for his signature. Mr. Watson made the motion. Mr. Townsend seconded it. Motion carried.
9. **Public Comments: Roy Livingston: Rules and Regulations.** Mr. Livingston questioned whether or not a buffer was required between commercial and residential property. The property in question is the Icehouse Saloon located next door to Mr. Livingston. Mr. Schuettler stated that this matter is currently in litigation and that he had been advised by Carter County Atty. Keith Bowers to leave all matters pertaining to Icehouse Saloon alone until court proceedings are decided upon. Mr. Livingston stated patrons to the Icehouse were agitating his dogs and encouraging them to fight amongst themselves as well as against other dogs through the fence. Mr. Schuettler stated this matter should be handled through the Sheriff's Department. Mr. Livingston stated he had a second matter to bring before the board and asked Chairman Steve Pierce if he was a surveyor. Mr. Pierce told him he was. Mr. Livingston asked if Mr. Pierce surveyed for Carter County and if so was he paid to do so. Mr. Pierce stated he did on occasion survey for the county but did so "pro bono" since becoming a member of the planning commission. Mr. Livingston asked if he

surveyed the Icehouse property and was paid. Mr. Pierce stated he along with several others over the years have surveyed the property and that he had been paid to do so but pointed out he was not a member of the planning commission at the time this survey work was completed for Mr. Minton. He asked Mr. Livingston what he was implying and stated he took offense to Mr. Livingston questioning his professional integrity. Mr. Watson stated Mr. Livingston's time to speak was up and he took his seat. **Greg McKeehan, Sugar Hollow Road Property of Misty Cox:** Mr. McKeehan was not present at the meeting. **JoAnn Jarrett:** Mrs. Jarrett stated she was at the meeting for an issue regarding Animal Control but since the animal control lady was not present Mrs. Jarrett asked to be put on the November agenda. Secretary Diane Cannon told her she would do so. **Scott Snell, Arlington Drive:** Mr. Snell read the requirements for a mobile home (pages 18-19 of the zoning ordinance). Mr. Schuettler stated these pages referred to new mobile homes but the mobile home that Mr. Snell has been complaining about for several months is an existing mobile home lot and therefore has nothing to do with references made regarding the zoning ordinance and placement of a mobile home. Mr. Schuettler stated this matter has been turned over to the county attorney and he had contacted the current owner's attorney in an effort to remedy this matter. Mr. Schuettler further noted that the C.C.P.O. has not issued a building/placement permit for the mobile home in question but the owner obtained power from Elizabethton Electric and water service from Johnson City without first obtaining the necessary permit from Carter County. Mr. Schuettler stated the Carter County Planning Office will do as instructed by the county attorney once an agreement is reached. **Anthony Townsend, County Commission Meeting Info:** Mr. Townsend questioned how someone could address the county commission during their monthly meeting and was advised all he had to do was show up and during public comments stand and be recognized. **Mr. Younce.** Mr. Younce addressed the board regarding the rescue personnel cutting the top off of cars if an injured person says their back or neck is hurting. Stated these results in loss to the insurance company that has to pay for the total loss of a vehicle and therefore results in higher insurance premium to the consumer. Mr. Pierce stated he had been a firefighter for over 25 years and had responded to hundreds of calls and assured Mr. Younce that rescue personnel only remove the top from a vehicle if the situation demands they do so. **Mr. Dabbondanza, Swearing In Questions:** Mr. Dabbondanza questioned the boards decision to have persons wanting to speak before the board sworn in prior to doing so. Mr. Chambers addressed the question by stating that as an elected member of the county commission and an appointed member of the planning commission he had seen times when persons would address one board and when appearing before the other statements changed. He stated this was done to prevent this from happening in the future. This measure was not meant to offend anyone but rather was more a code of ethics. Mr. Dabbondanza questioned what code of ethics the board was under. Mr. Pierce replied *everyone* was on notice to be orderly and tell the truth. The meetings need to be addressed in an orderly fashion. Mr. Dabbondanza asked if the meetings were recorded to which Mr. Schuettler replied, "yes" and Mr. Church held the mini recorded used to do so for all in attendance to see. **Mr. Hughes, Ground Rules:** Mr. Hughes suggested Ground Rules be drawn up to conduct meetings by and if violated the person committing a

violation can be escorted out of the meeting room. Mr. Pierce stated we have such and that he usually read it aloud prior to each meeting but did not prior to this meeting.

10. **Adjournment.** Mr. Kyte made motion to adjourn and Mr. Townsend seconded. Motion passed. Meeting adjourned.