

APPROVED

FILED

03-28-2012

MARY GOUGE
COUNTY CLERK

D.C.

Approved 3/27/12
motion by Dickie Renfro
2nd by Mr. Watson
Signed
Diane Cannon

Carter County Planning Commission

Meeting Minutes

January 24, 2012

Members Present

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

Members Absent

Jack Campbell
Mary Ann Patton

STAFF MEMBERS PRESENT

Chris Schuettler, Director
Jimmy Church, Assistant Director
Diane Cannon, Secretary
Jack Hampton, Permits
Amanda Dugger, Animal Control

LOCAL PLANNING STAFF PRESENT

Glenn Rosenoff, F.T.D.D.

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

1. **Charles D. Von Cannon.** Commissioner Von Cannon appeared before the board to ask several questions regarding animal control: A.) Is it legal to raise game chickens (roosters)? B.) Two calls made to him regarding cat traps being requested since July and not provided "How many does the county own and where are they?" Mr. Schuettler requested the names of the individuals who called and Mr. Von Cannon stated he did not know their names. Mr. Schuettler stated the traps are currently being used at the recycling center. C.) Who is supervising the animal shelter? Mr. Schuettler stated as of the last county commission meeting he and his staff would be overseeing the operation of the shelter. D.) Does the animal control officer get involved in animal abuse and neglect cases? Mr. Schuettler stated she does when requested by the sheriff's office or 9-1-1- to do so. E.) Does the animal control officer have a phone equipped to get texts? Yes (on her personal phone). F.) Does she have a message line? Mr. Schuettler stated that the county phone does have message line but due to the number of calls received by only one animal control officer the line stays full. He noted that she does empty out the line several times a day. G.) Can chickens run loose in the county? In the county, yes. H.) One

complaint of a person calling the animal control officer for over 4 months with no return calls. Mr. Schuettler asked for the name of the person and Mr. Von Cannon referred to his earlier statement of not knowing and not divulging names.

2. **No True Bill.** Prior to any other business being discussed the chairman asked to be allowed to have the floor. He congratulated Mr. Schuettler for the No True Bill that was returned in his favor on accusations brought forth by Carter County and Tennessee Bureau of Investigation (TBI). Mr. Schuettler received congratulations from several in attendance and a round of applause.
3. **Jack Hampton's Permit Report.** Mr. Hampton reported \$775.00 in permits was written for the month of November and \$2,145.00. \$15,735.00 in permit fees was collected for the year 2011.
4. **Codes Enforcement Officer's Report.** Mr. Markland was absent due to being in Bell Buckle for the building inspector class. Mr. Schuettler stated 6 cases were going to court the following day. Assistant Director Jimmy Church is going to appear in court in Mr. Markland's absence. Mr. Pierce questioned the goal/outcome codes enforcement is working towards. The reply was "compliance" more than prosecution or fines. The goal of code enforcement is to work towards keeping Carter County beautiful.
5. **Animal Control Officer's Report.** Mr. Schuettler noted that Ms. Dugger had resigned her position and that her report was being given in the form of a letter regarding several issues of importance to the performance of the animal control officer's job duties. (Attached) Mr. Bowers, retired city police officer, thanked Ms. Dugger for a job well done and commented that in his former position he often found himself performing duties such as the animal control officers. He stated it is a difficult job even under the best working conditions.
6. **Glenn Rosenoff, F.T.D.D. Update.** Mr. Rosenoff gave an update on an inquiry regarding accessory buildings in the county and stated that he had seen buses, bread trucks, cars, and dilapidated structures used for storage buildings. He presented copies of his suggestion regarding the addition to the zoning ordinance regarding accessory buildings. He requested the members read and make suggestions/recommendations during next month's meeting prior to amending zoning resolution.
7. **PUBLIC COMMENTS: A.) Mayor Leon Humphrey: Animal Shelter.** Mayor Humphrey apologized for being late and for that reason did not have an agenda in front of him but stated he had contacted the planning office to be put on the agenda to address a matter to be brought up regarding the animal shelter. Mr. Humphrey summarized the letter sent to Fred Edens at the city and noted according to Mr. Schuettler \$3,400 had been "verbally" promised to Mr. Schuettler and Mr. Church. He stated the letter said that 19 months have passed and neither Schuettler nor Church has seen any money and questioned who would work 19 months without being paid if in fact they had been promised monetary compensation. Mayor Humphrey quoted the employee handbook stating no salaried employee can receive additional money for services rendered. Mr. Schuettler asked the date of handbook he was quoting from and Mayor Humphrey said "the most recent". When Mr. Schuettler asked the date Mr. Humphrey stated "It is the latest version." Mr. Schuettler requested the date on the handbook and Mr. Humphrey stated there was not a date on it. Mr. Schuettler

stated he had multiple copies worth of employee handbooks. Mayor Humphrey went on to state that to date he had found no evidence of an agreement between Mr. Schuettler and the (animal control & city) board with regards to compensation for services regarding the shelter. He further stated he and the board is actively looking for a director for the animal shelter. He took the matter before the commission and a vote to appoint Mr. Schuettler (interim) director of the shelter was passed with no mention of compensation. The county commission referred the matter of compensation back to the planning commission since they are the ones in charge of the shelter and its operations at this time. Mayor Humphrey stated the issue is "The planning commission going to recognize and authorize the payment as requested by Mr. Schuettler and Mr. Church? If so are they going to receive compensation from this point for any services?" At this point Mr. Humphrey said he would be happy to answer any questions the planning commission members may have. Mr. Pierce asked, "Are you saying that the city does not even remember anything about the \$3,400 discussed for payment for 2010 – 2011? Mr. Humphrey stated Mr. Edens had no knowledge of it and said "Keep in mind Mr. Chairman, that I have no knowledge of it, Mr. Armstrong (planning commission, county commission, and animal control board member) has no knowledge of it, been through countless budget committee meetings. "At no point in time was \$3400.00 ever addressed in last years budget." To this Mr. Pierce responded, "How could we just bring that up off the top of his head like that? Is that true Mr. Armstrong do you not remember anything about that being discussed? Mr. Armstrong stated "That is correct. The meeting that Chris was in Mayor Holder's office with Jerry Pearman and I was there and it was decided the animal shelter management would be taken over by the planning office. Johnny Holder I think, Chris, and the city manager had met previously and decided on money but I was not at that meeting?" I was surprised that Chris and the planning commission was to take over that (responsibility) but I agreed to that. "I was pleased he was going to do that." Mr. Pierce asked Mr. Schuettler who was at the meeting when the topic of money was discussed and Mr. Schuettler replied that himself, Mr. Pearman, then County Mayor Johnny Holder was present and Mr. Fred Edens was on the phone. "That is water under the bridge now" Mr. Schuettler stated. The mayor countered that Mr. Edens has no recollection of this. To which Mr. Schuettler responded "I don't think so Leon I have some notes that show where I have called and/or spoken with Mr. Edens showing dates and times so I think this is a bad place, a public forum to get into this and jog your memory...like the Chairman mentioned it needs to be a private meeting. Mr. Pierce said he would like to meet personally with Mr. Edens to address the issue. Mr. Chambers stated what we need to do is set up a meeting and set down together and work this out. "I think the advisory board has had ample time to appoint a director. This is the only planning commission in the state that does Animal Control. I think right now what we need to do is let the advisory board needs to appoint a director. We budgeted money for the new shelter when I came on the county commission and to date no shelter has been started." Mayor Humphrey interrupted and stated that a seven-member board has been suggested (City Mayor, County Mayor, Mr. Armstrong, 2 members from Friends of the Shelter, and 2 from the Humane Society). The advisory board will assist with hiring a new director and possibly assist with construction of the new shelter. Mayor Humphrey

stated due to lack of an advisory board he does not expect to have a new director appointed within the next 60 - 90 days. Steve Chambers made the motion to notify city officials that the planning office would oversee the animal shelter operations for the next sixty days. Ralph Watson seconded the motion. Motion passed unanimously. After further discussion, Mr. Pierce agreed to take on the responsibility to set a board to determine the matter of money owed to Mr. Schuettler and Mr. Church. Steve Chambers put this in the form of a motion seconded by Ralph Watson. Motion passed. **B.) Jo Ann Jarrett, Animal Control Issue.** Mrs. Jarrett questioned the animal control officer's time sheet. Stated that Mrs. Markland had noted she worked Dec. 28th but Mrs. Jarrett had called the planning office and was told by Diane Cannon, secretary that she had called on the 29th and stated she was sick on the 28th. Mr. Schuettler advised Mrs. Jarrett the matter had been brought to his attention and duly attended to and all time sheets are available from the payroll department. (Note: Diane called Amanda and she came to the office with her notes and showed evidence she had made a mistake and had not put the hours on the correct line. The time sheet was corrected, signed off on by Chris and a letter attached to it to Mrs. Deloach and Mrs. Colbaugh requesting the incorrect one be destroyed and replaced with the correct one.)

8. Director's Comments: A.) Mr. Schuettler requested a motion to assist the Carter County Hwy. Department with a problem residents of the Lynn Valley Area were experiencing in areas adjoining Lincoln Drive such as Southgate and Mayfield Drives. Prior to the motion Mr. Tom Bowers requested to speak on behalf of E. L. Bowers Road residents. He stated he had been asked to come look at the problems the residents were having following a heavy rain. It was determined to be a broken waterline on this occasion. Mr. Bufford Peters, employee with First Utility District asked to be recognized and stated the problem had been corrected at the present time. Chairman Pierce also noted the ditch needed to be cleaned out and opened. Mr. Schuettler advised the board that Mr. Douglas "Slim" Miller opened the ditch on the corner of E. L. Bowers and did bring some relief. Russ Kyte made the motion to assist C. C. H. D. with the problem and Ralph Watson seconded the motion, which passed unanimously. B.) Letter regarding Animal Control. Mr. Schuettler read aloud a statement regarding the overseeing of the animal shelter by himself and Mr. Church. As agreed the shelter was upgraded: plumbing repaired, painted shelter, etc. Mr. Schuettler stated he spoke with city official following a Carter County Tomorrow meeting. He also read aloud the letter that was sent to Fred Edens. (Letter attached).
9. Adjournment. Mr. Tom Bowers made the motion to adjourn. Seconded my many.

Meeting adjourned.