

Carter County Planning Commission
Meeting Minutes
September 23, 2014

Members Present

Jerry Pearman, Chairman
Ralph Watson, Vice-Chairman
Jerry Smith
Steve Chambers
Richard Winters
Steve Chambers
Richard Winters
Mary Ann Patton

Members Absent

Jamie Hughes
Bill Armstrong
Bob Townsend
Thomas Bowers
Steve Pierce
Russ Kyte

Planning Staff Present

Chris Schuettler, Director
Jimmy Church, Assistant Director
Chris Pierce, Codes Enforcement
Diane Cannon, Secretary

Elected County Officials Present

Leon Humphrey, Mayor

Local Planning Staff Present

Ronda Sawyer

The Chairman called the meeting to order and welcomed everyone in attendance. Roll call. During roll call Mr. Schuettler announced that he had a letter from Bill Armstrong resigning as a member of the Planning Commission. Quorum met with seven of twelve members in attendance.

Mayor Humphrey " Mr. Chairman, while we are speaking of membership and the like I would like to advise you those members of the County Commission that lost election or have chosen not to run are no longer members of this commission. That is per Tennessee statute 3-3-101 that occurred back in March 2010. Any person that holds a commission seat, once they lose that election they also lose their position on the planning commission. I have a letter as of this morning from County Attorney Hardin who has confirmed that with Christy Brown with C-TAS and her opinion is that the state statute supercedes the private act here at the county and his (Hardin's) recommendation would be if those members so choose to stay on the planning commission they would have to make application and go before the full commission. As of this meeting those people are not members of this commission and that applies to Mr. Winters and Mr. Chambers.

Chris Schuettler " Mr. Chairman, as that's being stipulated, as you know we had a letter from our county attorney (Keith Bowers) previously prior to April requesting (an opinion) on the situation. Evidently something has changed - Mr. Bowers stipulated County Commissioners would be left as appointed. With that being said, we do not have a quorum Mr. Chairman so we must disband this meeting sir."

Mayor Humphrey "We do have a quorum sir because our private act states we have a minimum of seven members and if you've got 5 of 7."

Mr. Schuettler "I think with that private act stipulation that I still say with those private individuals still not here to keep from disturbing the Sunshine Law and anything else that could cause any problems I think it would be the best and most dutiful to go ahead and close this meeting. Mr. Chairman"

Chairman Pearman "At this time we will close this meeting."

Ralph Watson "I make a motion to adjourn"

Chairman Pearman "I am sorry people. We will advise you of the next meeting. We have a motion, do we have a second?"

Chris Schuettler "We don't need a second"

Mayor Humphrey "Could we have a vote on that with 5 members?"

Chris Schuettler "No, we're not having a vote, we don't have a quorum Mr. Mayor."

Mayor Humphrey "Well we do. Five of seven is a quorum."

Chris Schuettler "Our statute states, and how it is set, is we have twelve members of the Carter County Planning Commission. We will have training at 5:30"