

Carter County Planning Commission  
Meeting Minutes  
February 27, 2018

Members Present

Jerry Pearman, Chairman  
Ray Lyons  
Randal Jenkins  
Dr. Robert Acuff  
Robert Carroll  
Ken Arney  
Jerry Smith  
Steve Pierce  
Sonja Culler

Members Absent

Ralph Watson, Vice Chairman

Planning Staff Present

Chris Schuettler, Director  
Diane Cannon, Adm. Assistant  
Mel McKay, Assistant Director

Other County Officials/Staff Present

John Lewis, Commissioner  
Brad Johnson, Commissioner

Local Planning Staff Present

Ronda Sawyer

1. Chairman Pearman called the meeting to order and welcomed everyone in attendance. Roll Call, quorum met Motion made by Ray Lyons to approve agenda, seconded by Sonja Culler. Motion passed unanimously. Sonja Culler made the motion to approve the October 2017 meeting minutes, Ken Arney seconded the motion. Motion passed unanimously.
2. **Jack Hampton Report** Mr. McKay presented the report for the months of October 2017 through January 2018. Mr. McKay advised those in attendance the Planning Office is now performing "in-house" inspections and all permit fees will be kept in Carter County. Ken Arney commended Mr. McKay for his hard work and time spent studying for exams to obtain the necessary certifications and requested a round of applause for him.
3. **Codes Enforcement Report.** Mr. Schuettler advised Mr. Markland was no longer employed as Codes Enforcement Officer and presented the report. He then introduced Commissioner Brad Johnson who is assisting with efforts to form an Environmental Court. Mr. Johnson stated the cost of the court is too expensive at this time (\$250,000) and the second option was to employ a full time Codes Enforcement Officer and request money be added to the budget to allow for this position. Mr. Schuettler advised that he had allowed for this position in the 2018-2019 budget request to be presented to the budget committee at their next meeting. Commissioner Lewis questioned if "We still go over footage" (Referring to the current Litter Resolution which states any violations

- setting back more than 50 feet from the property line cannot not be considered) Mr. McKay advised that under the changes in the new resolution ALL of the property can be looked at and found in violation. Mr. Lewis also questioned whether there would be a charge if violators are taken to court to which Mr. Johnson replied there would be, "Any time you go before the bench you are going to have costs Mr. Johnson stated. Mr. Lyons asked if Mr. Schuettler had been invited to the Health and Welfare Committee Meeting to address the new resolution and request support for funding of the new full time Codes Enforcement position. Mr. Schuettler stated he had not been. Mr. Pierce questions the qualifications for this position and what the Codes Officer would do if no cases progress to court. Mr. Schuettler answered the Officer would have duties to keep him busy (inspections, paperwork, etc.) in addition to taking violators to court. Mr. Johnson stated he felt the best qualified person for this position would be someone with a background in law enforcement because they would have a knowledge of proper records keeping and working knowledge of how to deal with people in violation should citations be issued.
4. **Budget.** Mr. Schuettler presented the proposed 2018-2019 budget for the Planning Office and the Flood budget. Explained increases and justified each request. Randall Jenkins made motion to approve budget and present it to the committee. Steve Pierce seconded. Because money is involved a roll call vote was held with all in attendance voting in favor except for Mr. Robert Carroll who abstained from the vote. (NOTE: Ralph Watson was absent). Commissioner Lewis asked why we were discussing the budget when it was not time. Mr. Schuettler explained to him that he always went over the budget with his Planning Commission members and sought their approval prior to presenting it to the Budget Committee. Mr. Lyons asked where training monies came from and Mr. Schuettler stated line item 599. Mr. Arney asked if the planning office receives compensation for the mapping the office does for various offices within county government. Mr. Schuettler stated it does not. Mr. Arney requested Mr. Schuettler make the budget committee aware of this.
5. **Director's Report.** 1.) Mr. Schuettler requested Mr. McKay explain the new building application and fees (Attached) Mr. Schuettler stated one key factor is insuring the proper 9-1-1 address is given for all new constructions and additions. Mr. McKay stated everything needed proper permitting, even those that have no cost for permits (agricultural uses and anything that is less than 99 sq. feet). Commissioner Lewis stated a lot of people don't know they need a permit for outbuildings. Mr. McKay stated he is still working on the guide to obtaining permits and he will present it to the board when completed. Ms. Sawyer questioned whether this information will be available on line. Mr. Schuettler answered his office is going ahead with plans to put all on the website. Ms. Sawyer said once our website is updated her office (F. T. D. D.) can add a link to their website also. Mr. Schuettler advised members present Mr. Ronnie Taylor, Property Assessor, had requested a demolition permit also be considered to allow his office to be made aware of dwellings/structures which are removed from parcels and better track changes in taxation. Also, Mr. Schuettler made note of county roads being closed without proper notification being given to other

government offices within the county. Also, Mr. Schuettler addressed the matter of vehicles blocking roads throughout the county and plans to address this with the Carter County Highway Department Superintendent and Highway Committee

6. **Public Query.** Randy Dunlap/ Mr. & Mrs. Perkins, Shooting Range in their neighborhood. Mr. Dunlap addressed the pistol range that recently was built across the street from his property. Mr. Tim Barnett, owner of property in question and Barnett's Guns (Hampton) originally was going to open a temporary pistol range until he could get his indoor range in Hampton rebuilt following a fire that destroyed it. Mr. Barnett advised Mr. Dunlap he no longer planned to open the range to the public but instead, he was going to use it for family and friends use only. Mr. Dunlap stated he was worried what would happen if Mr. Barnett were to sell the property if it remains a "gun gallery". Mr. Schuettler advised Mr. Dunlap and Mr. & Mrs. Perkins current zoning does not address the issue and he cannot deny a landowner his second amendment right to own and shoot guns on his own property. Mr. Dunlap stated he was a gun enthusiast as well and enjoyed shooting on his property and did not want to deny anyone their second amendment rights. Mr. Dunlap further stated he was licensed in real estate, and as a loan officer and his concerns were based on what such a "gun gallery" would do to the value of his three properties and others in the neighborhood. Mr. Schuettler stated he felt for both him and his neighbors as well as Mr. Barnett and again stated he could not deny Mr. Barnett his second amendments rights. He asked Mr. Dunlap, following further discussion what he wanted him or his office to do and Mr. Dunlap stated he wanted something in black and white to prevent this from happening in his neighborhood. Mr. Schuettler advised Mr. Dunlap the original zoning resolution addressed shooting ranges but after being butchered by the Carter County Commission (in place at the time) it was presented for a vote without any gun range his (Mr. Schuettler) hands were tied and advised the only recourse the neighbors had at present was to call 9-1-1 when noise was excessive. Mr. Perkins asked about permits that were written for the current construction and Mr. Schuettler state no permit was required because Mr. Barnett had no structures on the property currently and no excavation permit was needed due to minimal work and work was less than one acre. Mr. Schuettler stated the board could once again address an amendment to the current zoning regulations regarding gun ranges. Steve Pierce made the motion and Randall Jenkins seconded the motion. Mr. Schuettler reiterated the fact this move would have no bearing on Mr. Barnett's usage of his property as a range. Following further heated discussion Mr. Schuettler stated he had a motion and second on floor and requested a vote. Motion passed unanimously. At this time Mr. Dunlap stood to leave and announced he was putting the planning board on legal notice.

7. **Randall Jenkins.** Mr. Randall Jenkins commended and thanked both Mr. Schuettler and Mr. McKay for all their work on the Park and Rec. Board.
8. **Adjournment.** Ken Arney made the motion to adjourn. Jerry Smith seconded. Meeting adjourned.