

# **Sevier County Commission Meeting**

## **April 15<sup>th</sup>, 2024 at 6P.M.**

### **I. CALL TO ORDER**

### **II. ROLL CALL**

Quorum Present (25 Present, 0 Absent)

Present: Mayor Larry Waters, Ronnie Allen, Fred Atchley, Scott Catlett, Mike Chambers, Gary Cole, Bryan Delius, Aaron Foster, Greg Haggard, Brandon Headrick, Dale Hill, Mike Hillard, Todd Humble, Warren Hurst, Michael Maddron, Don McGill, Chad Ogle, Ray Ogle, Frank Parton, Jack Parton, Harold Pitner, Carrol Rauhuff, Tommy Watts, Ronnie Whaley, Kent Woods, District 9 Seat B

### **III. CONSIDERATION OF APPOINTMENT TO SEVIER COUNTY BOARD OF COMMISSIONERS DISTRICT 9, SEAT B**

In accordance with TCA Title V the Sevier County Board of Commissioners will fill the vacant seat until the certification of the Special Election which will take place on August 1, 2024.

Under recommendation of the Steering Committee, Melissa Godfrey was recommended to fill District 9, Seat B in place of the late Chuck Godfrey.

A motion was made by F. Atchley, and duly seconded by C. Rauhuff to nominate and fill District 9 Seat B with Melissa Godfrey. Passed by voice vote 25 Yes, 0 No, 0 Absent.

### **IV. CONSIDERATION OF PROCLAMATION 2024-04-01: RECOGNIZE THE SEVIER COUNTY HIGH SCHOOL GIRLS BASKETBALL TEAM MAKING THE 2024 TSSAA CLASS AAAA STATE TOURNAMENT**

Mayor Larry Waters congratulated the team for making it to the state tournament, took lots of dedication and lot of hard work and the county was proud of them.

A motion was made by M. Maddron, and duly seconded by F. Atchley.  
Passed by roll call vote 25 Yes, 0 No, 0 Absent.

V. CONSIDERATION OF PROCLAMATION 2024-04-02: RECOGNIZE  
THE KING’S ACADEMY GIRLS BASKETBALL TEAM MAKING THE  
2024 TSSAA DIVISION-II A STATE TOURNAMENT

Warren Hurst commended all the school teams that have been through the state and district tournaments this past school year and that the county has a lot to be proud of.

Mayor Waters congratulated the team for all their hard work and dedication that got them there. We all appreciate that because you represented the County and its citizens of this County for that we say thank you.

A motion was made by B. Delius, and duly seconded by M. Maddron.  
Passed by roll call vote 25 Yes, 0 No, 0 Absent.

VI. CONSIDERATION OF MINUTES FROM THE PREVIOUS  
COMMISSION MEETING

A motion was made by G. Haggard, and duly seconded by G. Cole. Passed  
by roll call vote 25 Yes, 0 No, 0 Absent.

VII. CONSIDERATION OF REPORTS OF OFFICIALS, DIVISIONS, AND  
DEPARTMENTS

A. Officials

- Mayor
- Circuit Court Clerk
- Director of Schools
- Register of Deeds
- Road Superintendent

- General Sessions Court Clerk
- Sheriff
- Trustee

B. Division of Community Planning and Development

- Building Inspection
- Codes Enforcement
- Environmental Health Services
- Geographical Information Services and Administration
- Planning
- Stormwater Services
- Water Services

C. Division of Emergency Services

- Central Communications
- Emergency Management
- Emergency Medical Services
- Fire Prevention and Response
- Juvenile Detention
- County Medical Examiner

D. Division of Facilities

- Maintenance
- Operations
- Parks and Recreation
- Safety

E. Division of Finance and Administration

- Alcohol and Drug Prevention
- Archives and Records
- Finance
- Fleet Administration and Services
- Grants and Special Projects
- Human Resources
- Information and Technology Services

F. Division of Government Services

- Judicial Services
- Library Services
- Probation Services

- Senior Center and Services
- Solid Waste Management and Services
- Veterans Services

#### G. Division of Tourism and Communications

- Tourism
- Public Affairs and Communications

#### H. Other Departments

- Elections
- Emergency Communications District
- Judicial Commissioners
- Youth Services

#### I. State Offices

- Health Department
- Soil Conservation
- UT Agricultural Extension

Dr. Jack Parton asked for an update on the internet expansion project. Director of Grants and Special Projects Andrew Temple said there was no update at this time, should have a solid update at the next commission meeting. Mayor's office has met with Charter and Comcast both are interested in the grant to provide internet to the whole county.

Warren Hurst asked for an update on the short-term rental convenience centers. Assistant County Mayor and Senior Director Matt Rudder said there was no updates at this time. The Centerview convenience center was close to completion, should be up and running at full operation by the end of May. Hurst asked if the software was ready or needed to be ordered ahead of time. Rudder so no the software was already in stock, and will the staff will spend the next few weeks getting familiar with the program. Questions were brought up on ultimately how many short-term rental convenience centers were going to be set up, Matt Rudder responded at this time just two (2) Mayor Waters stated that he wanted to talk to the committee about time table, Vice Mayor Bryan McCarter will also talk to the committee about getting the second site ready to move forward with renovations or wait until first site was running smoothly before closing site two down for renovations.

A motion was made by C. Rauhuff, and duly seconded by B. Delius. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

VIII. PUBLIC COMMENT ON AGENDA ITEMS/PUBLIC HEARING ON REZONING REQUESTS

A. PUBLIC COMMENT ON AGENDA ITEMS

- No public comments made

B. PUBLIC HEARING ON REZONING ITEMS

- Stephen and Shelly Stockton spoke before the commission about the propose Dollar General that just bought a piece of property on Jones Cove Rd. The Stockton's are 5th generation strawberry farm owners speaking out against Dollar General being built on Jones Cove Rd. raising concerns of increase of commercial traffic on a road that is showing wear and tear from the current traffic and weight of the vehicles. Questionable business practices that have brought forth many lawsuits against Dollar General, mentioned one example of price gouging and overcharging customers from what is advertised. The property was zoned C2 in 2006 but appealed by citizens in 2007 but was unsuccessful, mentioned the property would fall into spot zoning which is against the law currently. Asking Commissioners to please reconsider letting Dollar General build in Jones Cove.  
\*This topic was not up for vote at this time

IX. CONSIDERATION OF PETITION 2024-04-01: RELEASE THE SEVIER COUNTY TRUSTEE FROM FUTHER LIABILITY FOR THE COLLECTION OF REAL AND PERSONAL PROPERTY TAXES FOR THE YEAR 2022 AS REQUESTED BY THE SEVIER COUNTY TRUSTEE

Accountant of the Trustee's Office Tilon Simms spoke on behalf of Mrs. Faye Loveday who was unable to attend at this time. Presented the petition to release the Sevier County Trustee from further liability for the collection of real and personal property taxes for the Year 2022 as outline in TCA 67-5-

2407. The Trustee office successfully collected 98.66% (ninety-eight and sixty-six percent) amounting to \$77,908,431.75 (seventy-seven million, nine hundred and eight thousand, four hundred and thirty-one dollars and seventy-five cents). The remaining percentage of 2022 property taxes will be turned over the Sevier County Chancery Court as 1.34% (one and thirty-four percent) amounting to \$1,057,610.26 (one million, fifty-seven thousand, six hundred and ten dollars and twenty-six cents).

A motion was made by M. Maddron, and duly seconded by H. Pitner. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

- X. CONSIDERATION OF RESOLUTION 2024-04-01: AMEND THE ZONING RESOLUTION FOR SEVIER COUNTY, TENNESSEE BY REZONING PO TAX MAP 51 PARCELS 84.00 FROM R-1, RURAL RESIDENTIAL DISTRICT TO C-1, RURAL COMMERCIAL DISTRICT
- A. ADDRESS: CROSS OVER ROAD
  - B. REQUESTED BY: MATT JOHNSON
  - C. SEVIER COUNTY REG. PLANNING COMMISSION
- RECOMMENDATION: FOR

A motion was made by K. Woods, and duly seconded by F. Atchley. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

- XI. CONSIDERATION OF RESOLUTION 2024-04-02: AMEND THE ZONING RESOLUTION FOR SEVIER COUNTY, TENNESSEE BY REZONING PO TAX MAP 58 PARCEL 53.00 FROM A-1, AGRICULTURAL DISTRICT TO C-1 RURAL COMMERCIAL DISTRICT
- A. ADDRESS: 12350 CHAPMAN HIGHWAY
  - B. REQUESTED BY: RILEY PARTNETS
  - C. SEVIER COUNTY REG. PLANNING COMMISSION
- RECOMMENDATION: FOR

A motion was made by K. Woods, and duly seconded by F. Atchley. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

- XII. CONSIDERATION OF RESOLUTION 2024-04-03: AMEND THE ZONING RESOLUTION FOR SEVIER COUNTY, TENNESSEE BY REZONING PO TAX MAP 35 PARCEL 32.26 FROM A01, AGRICULTURAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT
- A. ADDRESS: 1234 BOYDS CREEK HIGHWAY
  - B. REQUESTED BY: STORM SHULAR
  - C. SEVIER COUNTY REG. PLANNING COMMISSION  
RECOMMENDATION: FOR

Greg Haggard asked what this parcel is being considered for? Planning Director James Temple stated that the rest of the property on that side of the road zoned as C-2 was being considered for High Density Residential Development, this property has been owned by the same individual for years at this time, there was a house on this parcel that has been since removed and will be part of this proposed residential development. The planning commission agreed to rezone it the same as the land adjacent to it.

Kent Woods asked if using field line or sewer would need to be installed. Director James Temple responded no, they have a sewer line already installed, from something proposed years ago. There would be no new tap onto this property.

A motion was made by C. Ogle, and duly seconded by H. Pitner. Passed by roll call vote 24 Yes, 1 No G. Haggard, 0 Absent.

- XIII. CONSIDERATION OF RESOLUTION 2024-04-04: AMEND THE ZONING RESOLUTION FOR SEVIER COUNTY, TENNESSEE BY REZONING PO TAX MAP 821 GROUP D PARCELS 16.00 AND 16.05 FROM R-1, RURAL RESIDENTIAL DISTRICT TO A-1, RUAL AGRICULTURAL DISTRICT
- A. ADDRESS: 1638 AND 1646 WALT PRICE ROAD
  - B. REQUESTED BY: JESSICA STEPP
  - C. PIGEON FORGE REG. PLANNING COMMISSION  
RECOMMENDATION: AGAINST

Pigeon Forge Reg. Planning Commission recommended against this request due to it being considered spot zoning.

A motion was made by G. Haggard to deny Consideration of Resolution 2024-04-04, and duly seconded by A. Foster. Passed by roll call vote 24 Yes, 0 No, 0 Absent.

- XIV. CONSIDERATION OF RESOLUTION 2024-04-05: AMEND THE ZONING RESOLUTION FOR SEVIER COUNTY, TENNESSEE BY REZONING PO TAX MAP 821 GROUP C PARCELS 3.00-8.00 FROM R-1, RURAL RESIDENTIAL DISTRICT TO A-1, RUAL AGRICULTURAL DISTRICT
- A. ADDRESS: WALT PRICE ROAD
  - B. REQUESTED BY: JESSICA STEPP
  - C. PIGEON FORGE REG. PLANNING COMMISSION  
RECOMMENDATION: AGAINST

Pigeon Forge Reg. Planning Commission recommended against this request due to it being considered spot zoning.

A motion was made by H. Pitner to deny Consideration of Resolution 2024-04-05, and duly seconded by B. Delius. Passed by roll call vote 24 Yes, 0 No, 0 Absent.

- XV. CONSIDERATIN OF RESOLUTION 2024-04-06: CONSIDERATION OF A RESOLUTION TO AMEND SECTIONS OF THE ZONING RESOLUTION FOR SEVIER COUNTY, TENNESSEE
- A. SEVIER COUNTY REG. PLANNING COMMISSION  
RECOMMENDATION: FOR
  - B. PIGEON FORGE REG. PLANNING COMMISSION  
RECOMMENDATION: FOR
  - C. SEVIERVILLE REG. PLANNING COMMISSION  
RECOMMENDATOIN: FOR

Planning Director James Temple updated that at last month commission meeting revised the entire zoning resolutions doing that the planning department found a few resolutions that needed amended and definitions in section 201, there was in our requirement that our customers have to supply site plan for a residential house that is not in our critical slope zones, the department clarified and added language that gave authority to the planning commission that in part of the critical slop zone. Made changes regarding

parking, under recommendation from the Building Inspection Department and Planning Department, some of the problems that have been brought to attention is regarding parking on private roads on the larger cabins they would park in the road because at the time the department only required two (2) to three (3) parking places on cabins that might sleep twenty (20), that has since been updated for some of the larger developments is that it is required that one (1) parking space per bedroom. The department added some definition to how wide a driveway has to be a private drive is currently twelve (12) feet and tied up on the grade of a driveway when it comes down and touches the county road or a private road so it flattens it out a little bit so doesn't run the gravel out into the road. The department has further tweaked our sign regulations and consult consultation with our County Attorney to try to tighten that up to prohibit the off-premise of signs that the County is facing in the Seymour area, it has been since confirmed that the off-premise signs have not been allowed since 2019 the language just made it a little clearer. The last addition is to section 700 is the Planning & Zoning Department will no longer issue a zoning compliance permit that has been done for years because this office will now issue building permits, it comes through the department to start with the staff looks at the zoning requirements when checking those boxed it automatically goes to the building department. In consultation with the County Attorney our office tightened some language regarding if a builder ignores the rules and does it on their own, and what recourse we have to make them come into compliance.

Warren Hurst asked if this resolution was amending the whole? Director Temple clarified this was just amending some sections, last month resolution reapproved the entire book the way it didn't get approved correctly in the times past. These are new amendments being added.

Hurst asked if he understood correctly that it is not required for a sight plan for a residential house? Director Temple clarified that yes, it can be a sketch it does not have to be done by a professional they can draw it out themselves for an individual house. Can be done on our tax maps, it is the same as it's always been just added some language to add the critical slope lots to know where the lot is steep, the office has had the ability and have done for five (5) years a surveyed site plan because the office needs to know the office

tries not to do it that way but if you don't know where the contours are and the grade of the roads and where the house sits, on a steep lot you'd end up with a driveway that can't park a car.

Kent Woods asked if a person owns a steep lot and cannot meet those requirements for that driveway would it be considered undevelopable?

Director Temple responded that most owners are able to work it out in some or another, the current maximum grade is twenty-five percent (25%) on a driveway for a steep lot. At this time there hasn't been one turned down, it might be difficult and might now be the few they want but usually able to put the house closer to the road where the house can be built with the driveway.

A motion was made by G. Haggard, and duly seconded by K. Woods. Passed by roll call vote 24 Yes, 1 No M. Chambers, 0 Absent.

XVI. CONSIDERATION OF RESOLUTION 2024-04-07: CONFIRM  
DELINQUENT PROPERTY TAX ATTORNEY COMPENSATION

Warren Hurst asked if the Chairman would explain to the audience what this and what this is for. Mayor Waters explained that rate has been set for forty (40) years, the delinquent property tax attorney is recommended by the Trustee and Mayor's office and it sets a compensation at ten percent (10%) of the delinquent real and personal property taxes as provided by law, so if the attorney has to sell something the attorney gets ten percent (10%), but it sets that delinquent tax attorney fee at a fixed rate. Usually there is a sale every other year, once it has been proven that everything has been done to notify the property by certified mail and every known way to contact that property owner. If unable to contact them or they refuse to pay their property tax then the attorney proceeds with a public sale at the courthouse.

A motion was made by G. Cole, and duly seconded by C. Rauhuff. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

XVII. CONSIDERATION OF RESOLUTION 2024-04-08: APPOINT MEMBERS  
TO THE SEVIER COUNTY BOARD OF EQUALIZATION

A motion was made by R. Ogle, and duly seconded by F. Atchley. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

XVIII. CONSIDERATION OF RESOLUTION 2024-04-09: UPDATE THE FEE SCHEDULE FOR THE DEPARTMENT OF WATER SERVICES

Director Brent Shults address concerns that were brought up at the Water Committee over the one (1) inch and two (2) inch water meter which is normally a commercial type meter right now the department is losing with those, this resolution will not affect residential type meters. Right now, the current cost for the two (2) inch is five thousand dollars (\$5,000) and depending on the side of the road it could run anywhere from seven thousand and two hundred dollars to eight thousand and five hundred dollars (\$7,200 - \$8,500) because if you have to cross the road the department either has to bore or cut open the road it's a lot more so the department averaged it out to eight thousand dollars (\$8,000). The department doesn't want to lose this money on the commercial rate payers cause then the residential rate payers will have to pick up the slack and pay for a lot more. The two (2) inch meters are used for fire protection sprinkler system and there's no current way to bring back the lost of cost from water sales. If water is being sold with the system it usually means the owner is having a bad day and that hardly happens.

A motion was made by R. Whaley, and duly seconded by R. Ogle. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

XIX. NOTARIES

thirty-five (35) notary public applicants were up for approval

A motion was made by H. Pitner, and duly seconded by B. Headrick. Passed by roll call vote 25 Yes, 0 No, 0 Absent.

XX. OTHER BUSINESS

- Bryan Delius recognizes the veterans that were in attendance of this meeting and all who were present.

- Aaron Foster asked what the difference between the two rezoning resolution that were turned down at this meeting compared to dollar store property? Director Temple updated that the planning commission deferred on action on the side plan approval until they got their storm water permit to the department and TDOT entrance permit the planning department does not know what TDOT may require or if they will require a turn lane in the middle of Jones Cove Rd. Until that is turned in to understand how to handle it next. There has been no request from the current property owner to rezone it to anything other than it is, once something is zoned commercial, we can't rescind on that. The department policy is that the current property owner has to sign the application to rezone it unless we do some blanket changes on the entire subdivision to make it match the current use. The department did that the first two (2) to three (3) years to do that now would probably be questionable. Unless the current owner requested rezoning it would be difficult this land was zoned commercial in 2006 when the zoning maps were all created. Michael Maddron asked if it was the same property owner or has it been sold recently to Dollar General? Director Temple responded that the property was subdivided a few months ago the parcel that Dollar General is looking at, tax records show that it has not been sold to Dollar General at the time of the meeting but has changed hands a few years ago through a foreclosure.

## XXI. PUBLIC COMMENT ON NON-AGENDA ITEMS

- No comment made

## XXII. ADJOURNMENT

A motion was made by R. Whaley, and duly seconded by K. Woods. Passed by voice vote 25 Yes, 0 No, 0 Absent.