

NOTICE OF PUBLIC HEARING. In accordance with Tennessee Code Annotated Sections 5-5-105 and 13-7-105, the Board of County Commissioners of Blount County, Tennessee, will convene in a called meeting and hold public hearing on December 8, 2009 at 6:30 P.M., at the Blount County Courthouse Commission Meeting Room for the following proposed amendment to the Zoning Resolution of Blount County, Tennessee, being Resolution 00-06-010.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, BY ADDING A NEW SECTION 7.16 DESIGN STANDARDS FOR PRIVATE NON-COMMERCIAL AIRSTRIPS, AMEND SECTION 9.2 B TO INCLUDE PRIVATE NON-COMMERCIAL AIRSTRIPS, AND AMEND SECTION 11.5 C TO INCREASE THE TIME OF POSTING A REQUEST FOR SPECIAL EXCEPTION FROM FIVE (5) DAYS TO (10) DAYS.

7.16 Design Standards for Private Non-Commercial Airstrips. In addition to requirements for special exceptions, the following shall be requirements for private non-commercial airstrips.

- A.** A site plan of the proposed landing strip shall be presented at the time of the proposal. See section 7.2 for site plan requirements.
- B.** The landing strip shall be appropriate for and limited to small single engine fixed-wing aircraft only.
- C.** Airstrip runways are to be located no closer than one thousand (1000) feet from the centerline of the runway to the closest dwelling unit, excluding the owner of the property, and that said centerline be located no less than two thousand (2000) feet from any church, school or places of public assembly.
- D.** All landing strips shall be situated in such a manner that under no circumstances shall an approach or departure be over a residence, excluding the owners, provided that the residence be located a minimum of 2,000 (two thousand) feet beyond the end of the required landing strip length.
- E.** The site plan shall show all roads bordering the subject property, and the location and type of all adjacent utility lines.
- G.** A state erosion control permit shall be submitted prior to approval.
- H.** A slope and terrain analysis shall be submitted to confirm that no topographical obstructions exist at the ends of the runway.
- I.** A copy of all necessary local, state and federal documents must be submitted with the special exception application before issuance of said special exception. These documents should include, but not be limited to the following:

- a. State of Tennessee NPDES permit. Notice of coverage under the general NPDES permit for storm water discharges associated with construction activity.
- b. FAA form 7480-1. Letter of proposal of airport/landing strip construction supplied by the applicant.
- c. A copy of the FAA airspace determination letter without conditions or objections. Any conditions or objections noted in the document shall form the basis for denial of the special exception.
- d. Letter of agreement between existing airstrips within a five mile radius.

J. Public Notice. For purposes of this ordinance, any special exception request shall require notice of intent to apply for a private non-commercial airstrip sent by the applicant through registered mail at least 10 days prior to hearing to all abutting property owners and all owners of properties that are located within two thousand (2,000) feet of the property on which a private non-commercial airstrip is proposed, in addition to any notice otherwise required by this Resolution. Record of registered mail delivery to be supplied by the applicant prior to hearing by the Board of Zoning Appeals.

11.5 C. The land or site of the special exception shall be posted by a sign set by the Building Commissioner along a fronting or adjacent public road notifying neighboring property owners of the application for special exception, date, time and place of hearing, and telephone number of the Building Commissioner for further information. Such sign shall be posted at least ten (10) days prior to the date of the hearing.

9.2 B. Uses Permitted as Special Exceptions: multifamily dwellings including three or more of any dwelling units per lot (see also Section 7.6) and their associated sales or rental offices for the development, family commercial enterprises (see Section 7.10), nursing homes, retirement homes, sanitariums, assisted care living facilities, and resident facilities with special services, treatment, or supervision; day care facilities; commercial cemeteries not associated with a church or other place of worship; government and utility uses of a regional character necessary for providing service to the land and population within a broader region including the district; sawmills and associated lumberyards; bed and breakfast accommodations; golf driving range; vacation cabin rental (see also section 7.11); accessory structures customarily associated with the above uses, and *private non-commercial airstrips*.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, BY AMENDING ARTICLE VI SECTION A OF THE BLOUNT COUNTY FLOODPLAIN ZONING RESOLUTION TO SPECIFY THE BOARD OF ZONING APPEALS AS THE BODY WITH AUTHORITY TO HEAR VARIANCE REQUESTS.

ARTICLE VI. Section A.

1. The Board of Zoning Appeals created in Article 11 Section 1 of the "Zoning Resolution of Blount County, Tennessee" shall be the same Board of Zoning Appeals for purposes of this Resolution.

APPROVED:

ATTEST:

Steve Samples_____

Roy Crawford, Jr._____

Commission Chairman

County Clerk

Jerry G. Cunningham_____

County Mayor

RESOLUTION No. 09-12-002

Sponsored by Commissioners Gary Farmer and Brad Harrison.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 9.2 B to add private non-commercial airstrips to the list of uses permitted as special exception in the R-1 zone, and add section 7.16 Design Standards for Private Non-Commercial Airstrips to the zoning regulations for Blount County, Tennessee, and change section 11.5-C to increase the minimum number of days a property must be posted for a special exception from five (5) to ten (10).

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 17th day of December, 2009:

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101, *et seq.*, and

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED**, and

WHEREAS, it is desired to amend such Resolution to provide an avenue to permit said use upon review and approval,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

That Section 9.2 B be amended to read as follows:

9.2 B. Uses Permitted as Special Exceptions: multifamily dwellings including three or more of any dwelling units per lot (see also Section 7.6) and their associated sales or rental offices for the development, family commercial enterprises (see Section 7.10), nursing homes, retirement homes, sanitariums, assisted care living facilities, and resident facilities with special services, treatment, or supervision; day care facilities; commercial cemeteries not associated with a church or other place of worship; government and utility uses of a regional character necessary for providing service to the land and population within a broader region including the district; sawmills and associated lumberyards; bed and breakfast accommodations; golf driving range; vacation cabin rental (see also section 7.11); *private non-commercial airstrips*; and accessory structures customarily associated with the above uses.

That section 7.16 be added to read as follows:

7.16 Design Standards for Private Non-Commercial Airstrips. In addition to requirements for special exceptions, the following shall be requirements for private non-commercial airstrips.

A. A site plan of the proposed landing strip shall be presented at the time of the proposal. See section 7.2 for site plan requirements.

B. The landing strip shall be appropriate for and limited to small single engine fixed-wing aircraft only.

C. Airstrip runways are to be located no closer than one thousand (1000) feet from the centerline of the runway to the closest dwelling unit, excluding the owner of the property, and that said centerline be located no less than two thousand (2000) feet from any church, school or places of public assembly.

D. All landing strips shall be situated in such a manner that under no circumstances shall an approach or departure be over a residence, excluding the owners, provided that the residence be located a minimum of 2,000 (two thousand) feet beyond the end of the required landing strip length.

E. The site plan shall show all roads bordering the subject property, and the location and type of all adjacent utility lines.

G. A state erosion control permit shall be submitted prior to approval.

H. A slope and terrain analysis shall be submitted to confirm that no topographical obstructions exist at the ends of the runway.

I. A copy of all necessary local, state and federal documents must be submitted with the special exception application before issuance of said special exception. These documents should include, but not be limited to the following:

1. State of Tennessee NPDES permit. Notice of coverage under the general NPDES permit for storm water discharges associated with construction activity.
2. FAA form 7480-1. Letter of proposal of airport/landing strip construction supplied by the applicant.
3. A copy of the FAA airspace determination letter without conditions or objections. Any conditions or objections noted in the document shall form the basis for denial of the special exception.
4. Letter of agreement between existing airstrips within a five mile radius.

J. Public Notice. For purposes of this ordinance, any special exception request shall require notice of intent to apply for a private non-commercial airstrip sent by the applicant through registered mail at least 10 days prior to hearing to all abutting property owners and all owners of properties that are located within two thousand (2,000) feet of the property on which a private non-commercial airstrip is proposed, in addition to any notice otherwise required by this Resolution. Record of registered mail delivery to be supplied by the applicant prior to hearing by the Board of Zoning Appeals.

That section 11.5-C be amended to read as follows:

11.5-C. The land or site of the special exception shall be posted by a sign set by the Building Commissioner along a fronting or adjacent public road notifying neighboring property owners of the application for special exception, date, time and place of hearing, and telephone number of the Building Commissioner for further information. Such sign shall be posted at least ten days prior to the date of the hearing.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

Memo

To: Blount County Planning Commission
From: Blount County Building Commissioner
CC: Other members and staff
Date: December 8, 2009
Re: Proposed design standards for private non-commercial airstrips.

Below you will find the revised design standards for private non-commercial airstrips, and a proposed change to section 11.5 C.

7.16 Design Standards for Private Non-Commercial Airstrips. In addition to requirements for special exceptions, the following shall be requirements for private non-commercial airstrips.

- A. A site plan of the proposed landing strip shall be presented at the time of the proposal. See section 7.2 for site plan requirements.
- B. The landing strip shall be appropriate for and limited to small single engine fixed-wing aircraft only.
- C. Airstrip runways are to be located no closer than one thousand (1000) feet from the centerline of the runway to the closest dwelling unit, excluding the owner of the property, and that said centerline be located no less than two thousand (2000) feet from any church, school or places of public assembly.
- D. All landing strips shall be situated in such a manner that under no circumstances shall an approach or departure be over a residence, excluding the owners, provided that the residence be located a minimum of 2,000 (two thousand) feet beyond the end of the required landing strip length.
- E. The site plan shall show all roads bordering the subject property, and the location and type of all adjacent utility lines.

F. A state erosion control permit shall be submitted prior to approval.

G. A slope and terrain analysis shall be submitted to confirm that no topographical obstructions exist at the ends of the runway.

H. A copy of all necessary local, state and federal documents must be submitted with the special exception application before issuance of said special exception. These documents should include, but not be limited to the following:

1. State of Tennessee NPDES permit. Notice of coverage under the general NPDES permit for storm water discharges associated with construction activity.
2. FAA form 7480-1. Letter of proposal of airport/landing strip construction supplied by the applicant.
3. A copy of the FAA airspace determination letter without conditions or objections. Any conditions or objections noted in the document shall form the basis for denial of the special exception.
4. Letter of agreement between existing airstrips within a five mile radius.

F. Public Notice. For purposes of this section, any special exception request shall require notice of intent to apply for a private non-commercial airstrip sent by the applicant through registered mail at least 10 days prior to hearing to all abutting property owners and all owners of properties that are located within two thousand (2,000) feet of the property on which a private non-commercial airstrip is proposed, in addition to any notice otherwise required by this Resolution. Record of registered mail delivery to be supplied by the applicant prior to hearing by the Board of Zoning Appeals.

Proposed change to section 11.5-C to read as follows.

11.5-C. The land or site of the special exception shall be posted by a sign set by the Building Commissioner along a fronting or adjacent public road notifying neighboring property owners of the application for special exception, date, time and place of hearing, and telephone number of the Building Commissioner for further information. Such sign shall be posted at least ten days prior to the date of the hearing.

RESOLUTION No. 09-12-003

Sponsored by Gary Farmer and Brad Harrison

A RESOLUTION TO AMEND THE BLOUNT COUNTY FLOOD PLAIN ZONING RESOLUTION, ARTICLE VI SECTION A.1 CONCERNING MEMBERSHIP AND VARIANCE AUTHORITY OF THE BOARD OF ZONING APPEALS.

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 17th day of December, 2009:

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted amended flood plain zoning regulations in Resolution 07-06-001 **A RESOLUTION ADOPTED PURSUANT TO SECTIONS 13-7-101 THROUGH 13-7-115 OF THE TENNESSEE CODE ANNOTATED FOR THE PURPOSE OF REGULATING THE FLOODPLAIN AREAS OF BLOUNT COUNTY, TENNESSEE TO MINIMIZE DANGER TO LIFE AND PROPERTY AND TO ESTABLISH CONTINUED ELIGIBILITY IN THE NATIONAL FLOOD INSURANCE PROGRAM BY AMENDMENT OF THE BLOUNT COUNTY FLOOD PLAIN RESOLUTION ADOPTED JUNE 15, 2000 AS RESOLUTION 00-06-011.**, and

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101 through 13-7-115, and has specifically enabled Blount County to adopt regulations for special districts or zones where land is deemed subject to seasonal or periodic flooding in Tennessee Code Annotated Section 13-7-101(a)(1), and

WHEREAS, such zoning regulations for such special districts or zones allows Blount County and its citizens to be eligible for participation in the National Flood Insurance Program, and

WHEREAS, such zoning regulations for such special districts may designate the Board of Zoning Appeals appointed under sections in the Zoning Resolution of Blount County, Tennessee, to have authority for variance of flood plain regulations, and

WHEREAS, it is desired to make such zoning regulations for such special districts consistent with the general provisions for membership of the Board of Zoning Appeals in the Zoning Resolution of Blount County, Tennessee,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

That Article VI, Section A.1 be amended by deletion thereof and replacement with the following:

- 1. The Board of Zoning Appeals created in Article 11 Section 1 of the “Zoning Resolution of Blount County, Tennessee” shall be the same Board of Zoning Appeals for purposes of this Resolution.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____
Vetoed: _____

County Mayor

Date

Memo

To: Blount County Planning Commission
From: Roger D. Fields
CC: Other Planning Commission Members
Date: December 8, 2009
Re: Revision of flood regulations.

At last months meeting we discussed a change that needed to be addressed in our flood plain regulations. The change was to specify if the appeals board is a 3 of 5 member board. Our board is a 5 member board and I have made that correction below. This would replace the current wording in the document, which you can see below. This change has been recommended by Bart Hose with the State of Tennessee's local planning assistance.

ARTICLE VI. VARIANCE PROCEDURES

The provisions of this section shall apply exclusively to Areas of Special Flood Hazard within the unincorporated areas of Blount County, Tennessee.

Section A. Board of Appeals

1. Creation and Appointment **CURRENT WORDING**

A Board of Appeals is hereby established which shall consist of **three (3)/five (5)** members appointed by the Chief Executive Officer. The term of membership shall be four (4) years except that the initial individual appointments to the Board of Appeals shall be terms of one, two, and three years respectively. Vacancies shall be filled for any unexpired term by the Chief Executive Officer.

Proposed Correction

1. The Board of Zoning Appeals created in Article 11 Section 1 of the "Zoning Resolution of Blount County, Tennessee" shall be the same Board of Zoning Appeals for purposes of this Resolution.

Memo

To: Blount County Planning Commission
From: Blount County Building Commissioner
CC: Other staff
Date: September 14, 2009
Re: Discussion on a National Flood Insurance Program Information Exchange Visit.

Back Ground:

In June 2009 Mr. Bart Hose conducted an information exchange visit on behalf of the National Flood Insurance Program. I have included a copy of his follow up letter to Mayor Cunningham for your review. In the letter Mr. Hose addresses a few items that should be discussed and possibly have action taken. In paragraph 4, he identifies an issue with our grading permit process as far as not requiring a grading permit for any and all grading. Then in paragraph 5 he points out some changes that may be required in the subdivision regulations in regards to subdivisions greater than fifty lots or five acres and have a portion of the land located in a flood zone. In paragraph six he notes that we need to include a TVA high water study in our regulations, but this has already been added in our new maps. Later in the paragraph he indicates that we need to clarify our regulations about how many members are in the board of appeals. See attached letter below.

STATE OF TENNESSEE
DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT
LOCAL PLANNING ASSISTANCE OFFICE
EAST TENNESSEE REGION
5401 KINGSTON PIKE, SUITE 210
KNOXVILLE, TENNESSEE 37919
TELEPHONE: 865.594.6666 — FAX: 865.594.6653
HTTP://WWW.TNECD.GOV

June 1, 2009

The Honorable Jerry Cunningham
Blount County Mayor
341 Court Street
Maryville, TN 37804-5906

RE: National Flood Insurance Program Information Exchange Visit

Dear Mayor Cunningham:

Please find enclosed a copy of the Information Exchange Visit (IEV) report that has been prepared by our office for the Federal Emergency Management Agency (FEMA). The purpose of the IEV report is to maintain communication with National Flood Insurance Program (NFIP) participant communities, identify any problems with their floodplain management programs, and offer assistance regarding their participation in the NFIP.

I recently met with Mr. Roger Fields, Blount County Building Commissioner, to conduct the IEV. This visit involved a discussion regarding the status of the county's floodplain management regulations, as adopted in your floodplain zoning resolution, and their administration. A review of the county's adopted floodplain management regulations was also conducted to determine if they meet minimum FEMA requirements.

The findings of the IEV indicate that your county's floodplain management program is generally well administered. My review and meeting with Mr. Fields found that significant efforts are being made to encourage property owners to build outside of defined flood hazard areas wherever possible. The program also appears to be coordinated with other land use and development related control efforts within the county. There were however, several administrative or regulatory issues that should be addressed within the next six months. I have discussed these issues with Mr. Fields and they are further described below.

The IEV identified two administrative issues that should be addressed to avoid potential enforcement problems and assure regulatory compliance. **The first of these relates to recent changes to the county's grading permit process. The floodplain management regulations require a permit for all development within defined flood hazard areas. This includes grading and fill activities.** Mr. Fields does enforce this regulation and permits are required when he identifies

proposed development within flood hazard areas. Unfortunately, it is my understanding that the county recently changed its overall permitting process and no longer requires a general grading permit in some areas. This change may increase the potential for floodplain violations in situations where a property owner does not know that a flood hazard area exists and is not required to obtain a permit before grading begins. The county should review its permitting process to ensure that the floodplain administrator is afforded a reasonable opportunity to fully evaluate all proposed development before it occurs.

The second administrative issue relates to the enforcement of Article V Subsection B5 of the county's floodplain management regulations. Specifically, part "d." of this subsection requires that base flood elevation data be provided for all subdivisions and other proposed developments that are greater than fifty lots or five acres in area. The requirement applies in all flood zones including unnumbered or approximate A Zones. This issue was discussed with Mr. Fields and it appears that the requirement has not been fully implemented. The issue was also discussed with representatives of the county planning office due to its relationship with the subdivision approval process. These discussions indicate that enforcement efforts have largely focused on the fifty lot threshold and that there was some confusion regarding the application of the five acre standard. It was also noted that the county planning commission now requires that all newly developed subdivision lots contain a useable building site located outside of any defined flood hazard area. While this is an excellent practice and should be maintained by the planning commission, it does not appear to fully satisfy FEMA requirements regarding the provision of base flood information. I have provided Mr. Fields with additional information regarding this issue, including a downloaded copy of FEMA Publication 265, July 1995; "Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations". I would suggest that this document be reviewed by both Mr. Fields and the county planning office so they can better coordinate enforcement efforts.

The findings of the IEV also identified two amendments that should be made to the county's floodplain zoning resolution. The first involves formally adopting a TVA high water profile study that the administrator is currently utilizing as best available information to supplement his enforcement efforts. I have discussed this with Mr. Fields and we determined that the amendment should be made to Article III, Section B, "Basis for Establishing the Areas of Special Flood Hazard" in your county's resolution. The second involves a minor correction to Article VI Section A.1. of the resolution to clearly specify whether your Board of Appeals is a three or five member body.

Please feel free to contact me if you have any other questions regarding this report or if you have any other NFIP assistance needs.

Sincerely,



Bart Hose
Community Planner

Copy: Mr. Roger Fields, Blount County Building Commissioner

NOTICE OF PUBLIC HEARING

The Board of County Commissioners of Blount County, Tennessee will hold a public hearing on December 8, 2009 at 6:30 pm regarding its intent to utilize an online legislative forum to enable electronic communication. Any citizen wishing to address this issue may do so at that time.

Roy Crawford, Jr.
Blount County Clerk

Blount County does not discriminate based on race, color, or national origin in federal or state sponsored programs, pursuant to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d).

RESOLUTION No. 09-11-004

Sponsored by Commissioners Steve Samples and David Ballard.

A RESOLUTION TO ADOPT A PLAN FOR A BLOUNT COUNTY COMMISSION FORUM

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 19th day of November, 2009:

WHEREAS, the Tennessee General Assembly has enacted legislation allowing local governments to establish a legislative forum to enable electronic communications, and

WHEREAS, the Board of Commissioners of Blount County, Tennessee wishes to establish an electronic forum, and

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

1. That Blount County will host the forum on an internal server. This server will be available at all times other than that necessary for technical maintenance or unforeseen technical limitations. It is estimated that the server will be available over 98% of the time based on the county's experience with its present web server. Said server will be replaced on at least a five year cycle.
2. The Blount County Information Technology (IT) Department shall maintain and monitor the forum to ensure that it functions properly, but will not delete or edit any comment posted.
3. A link to the forum will be published on the County Commission's Web Page with a contact email address and phone number to report problems.
4. Every January and July, passwords will be changed by the IT department. All passwords will require at least six letters and 2 numbers. The IT department will inform the commissioners by phone of the new passwords before the password is changed.
5. All communication will remain on the active page for at least one year. Every January, the IT department will archive and remove postings that have been on the forum for over one year.
6. Only Blount County commissioners can post to the forum.
7. Blount County commissioners are prohibited from using the forum until they accept the "Terms of Use Agreement" of the forum.
8. Free public access to the forum will be available at the Blount County Library. The Library will provide at least one computer that anyone can use to access the forum without showing a library card.
9. The Blount County Commission acknowledges that the Electronic Forum cannot be used until the Office of Open Records Counsel issues a Report of Compliance.
10. Prior to commencing use of the forum, the Blount County Commission shall conduct a public hearing relative to its intent to utilize the forum. A copy of the public comments shall be kept on record for public inspection.
11. Public notice of Blount County Commission's intention to use the electronic forum and the link to the forum will be placed in the same paper used to notify the public of its public meetings. As long as the Blount County Commission chooses to utilize an internet forum, it will fulfill its statutorily set responsibilities regarding that use. Failure by the Blount County Commission to fulfill its ongoing responsibilities will render the Report of Compliance void. If the Blount County Commission determines that it is no longer going to utilize the forum, notification will be given to both the public and the Office of Office of Open Records Counsel.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

Terms of Use Agreement for the Blount County Forum.

1. This forum is for the exchange of ideas and/or questions. It is not to be used for personal attacks or to promote commercial or private ventures. This forum is to be used to discuss Blount County Commission matters only.
2. The only users allowed to post are Blount County commissioners (hereinafter "commissioners"), but the content is available to the public.
3. No one other than a commissioner may post to the forum, and a commissioner may not allow anyone else access to his or her account.
4. The use of objectionable or inflammatory remarks shall be avoided.
5. Once posted, the communication will remain available over the internet for at least one year. Comments posted in error cannot be deleted and will not be edited.
6. The forum will be password protected. A commissioner shall notify IT if his/her password is compromised.
7. A commissioner shall protect his/her password so that no one else may post in the commissioner's name. Blount County will assume that items posted from a commissioner's user account came from the commissioner.
8. If a commissioner has his/her computer remember passwords, the commissioner must protect access to his/her computer.
9. The forum will be available at all times except for technical maintenance or unforeseen technical limitations.
10. The views expressed on the forum are those of the posting user. It should not be assumed that the views expressed represent the official views of the County.
11. Communication over the forum is not a substitute for decision making in an open meeting held in accordance with the Tennessee Open Meetings Law. The Blount County Commission meeting is where official votes are taken.
12. Participation in the forum is not eligible for any per diem reimbursement.
13. Signature on this "Terms of Use Agreement" acknowledges receipt of a copy of Public Chapter 175, Acts of 2009.

I, _____, acknowledge that I have read and agree to these terms of use for the Blount County Forum.

Signature: _____
Commissioner: District _____, Seat _____

Date: _____

STATE OF TENNESSEE
PUBLIC CHAPTER NO. 175
HOUSE BILL NO. 533

By Representatives Dunn, Campfield, Haynes

Substituted for: Senate Bill No. 832

By Senator McNally

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 44, Part 1, relative to public meetings.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-44-110, is amended by deleting the section in its entirety.

SECTION 2. Tennessee Code Annotated, Section 8-44-109, is amended by deleting the existing language and substituting instead the following:

(a) A governing body may, but is not required to, allow electronic communication between members by means of a forum over the Internet only if the governing body:

(1) Insures that the forum through which the electronic communications are conducted is available to the public at all times other than that necessary for technical maintenance or unforeseen technical limitations;

(2) Provides adequate public notice of the governing body's intended use of such electronic communication forum;

(3) Controls who may communicate through the forum;

(4) Controls the archiving of the electronic communications to ensure that the electronic communications are publicly available for at least one (1) year after the date of the communication; provided, that access to the archived electronic communications is user-friendly for the public; and

(5) Provides reasonable access for members of the public to view the forum at the local public library, the building where the governing body meets, or other public building.

(b) Electronic communications posted to a forum shall not substitute for decision making by the governing body in a meeting held in accordance with this part. Communications between members of a governing body posted to a forum

complying with this section shall be deemed to be in compliance with the open meetings laws compiled in this part.

(c) Prior to a governing body initially utilizing a forum to allow electronic communications by its members which meets the requirements of this section, including the public notice required in subsection (a), the governing body shall file a plan with the office of open records counsel. The plan shall describe how the governing body will ensure compliance with subsection (a). Within thirty (30) days of receipt of the plan, the office of open records counsel shall acknowledge receipt of the plan and shall report whether or not the plan and the proposed actions comply with subsection (a). If the office determines that compliance with subsection (a) has not been met, the office shall provide written comments regarding the plan to the governing body. Until such time as the governing body complies with the written comments provided by the office and the office issues a report of compliance, the governing body shall not be allowed to establish or utilize such forum. This subsection shall not apply to any governing body which had established a forum pursuant to this section prior to the effective date of this act.

(d) No member participating in an electronic communication pursuant to this section is deemed to be eligible for per diem for such participation.

(e) As used in this section, "governing body" means the elected governing body of a county, city, metropolitan form of government, or school board.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 23, 2009



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 7th day of May 2009


PHIL BREDESEN, GOVERNOR

AGENDA
BOARD OF COMMISSIONERS AGENDA COMMITTEE MEETING
TUESDAY, DECEMBER 8, 2009, 6:30 P.M.
ROOM 430, BLOUNT COUNTY COURTHOUSE

- A. ROLL CALL.**
- B. PUBLIC INPUT ON ITEMS ON THE AGENDA.**
- C. APPROVAL OF AGENDA COMMITTEE MINUTES – NOVEMBER 10, 2009.**
- D. SETTING OF AGENDA.**
- E. ITEMS FOR CONSENT AGENDA.**
 - 1. Resolutions for special recognitions.
 - a. Resolution to allow safe passage in Blount County, Tennessee, for a certain visitor from the North Pole. (Gary Farmer)
 - 2. Appointments.
- F. UNFINISHED BUSINESS:**
- G. NEW BUSINESS:**
 - 1. Budget Transfers.
 - 2. Budget Increases.
 - 3. Other Budget Items.
 - 4. Resolution to amend the Zoning Resolution of Blount County, Tennessee, by adding a new Section 7.16 Design Standards for Private Non-Commercial Airstrips, amend Section 9.2B to include private non-commercial airstrips, and amend Section 11.5C to increasing the time of posting a request for special exception from five (5) Days to ten (10) days. (Commission)
 - 5. Resolution to amend the Zoning Resolution of Blount County, Tennessee, by amending Article VI Section A of the Blount County Floodplain Zoning Resolution to specify the Board of Zoning Appeals as the body with authority to hear variance requests. (Commission)
 - 6. Setting of Public Hearings.
 - 7. Petition for Traffic Calming Devices on Highland Road and Cecelia Avenue. (Bill Dunlap)
 - 8. HUD Homeless Management Information System. (Monika Murrell)
- H. PUBLIC INPUT ON ITEMS NOT ON AGENDA.**
- I. ADJOURNMENT.**

**STATE OF TENNESSEE
COUNTY OF BLOUNT**

BE IT REMEMBERED, that an Agenda Committee of the Blount County Board of County Commissioners meeting was held on Tuesday, November 10, 2009, at 6:30 pm at the courthouse in Maryville, Tennessee.

Roll call was taken by Roy Crawford, Jr., County Clerk:

David Ballard, Jr. – present	Mark Hasty – present	Joe McCulley – present
Tonya Burchfield – present	Scott Helton – absent	Kenneth Melton – present
Gary Farmer – present	John Keeble – present	Monika Murrell – present
Ron French – present	Gerald Kirby – present	Robert Proffitt – present
David Graham – present	Holden Lail – present	Wendy Pitts Reeves – present
Steve Hargis – present	Peggy Lambert – present	Steve Samples – present
Brad Harrison – absent	Mike Lewis – present	Mike Walker – absent

There were 18 present and 3 absent. Chairman Pro Tem Farmer declared a quorum to exist. The following proceedings were held to-wit:

IN RE: SETTING OF AGENDA.

Commissioner Hargis made a motion to set the agenda. Commissioner Lewis seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – yes	Proffitt – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: RESOLUTION OF APPRECIATION FOR LOUDON COUNTY.

Commissioner Samples made a motion to send the resolution to the agenda for the November County Commission meeting. Commissioner Burchfield seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – yes	Proffitt – yes	

There were 18 voting yes, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: APPOINTMENT OF ROBERT PERRY TO THE BLOUNT COUNTY CHILDREN'S HOME BOARD OF DIRECTORS and APPOINTMENT OF MICHAEL KENNEDY TO THE BLOUNT COUNTY VETERAN'S COMMITTEE.

Commissioner Reeves made a motion to send the appointments to the consent agenda of the November County Commission meeting. Commissioner Proffitt seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	

Hargis – yes Lail – yes Proffitt – yes
There were 18 voting yes, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: MODIFICATION OF COMMISSION RULES REGARDING CITIZEN INPUT AT MEETINGS.

Commissioner Reeves made a motion to place the item on the agenda of the November County Commission meeting. Commissioner Murrell seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – no	Reeves – yes
Burchfield – no	Hasty – no	Lewis – no	Samples – no
Farmer – no	Helton – absent	McCulley – yes	Walker – absent
French – no	Keeble – no	Melton – no	
Graham – yes	Kirby – no	Murrell – yes	
Hargis – no	Lail – yes	Proffitt – yes	

There were 7 voting yes, 11 voting no, and 3 absent. Chairman Pro Tem Farmer declared the motion to have failed.

**IN RE: RESOLUTION TO AMEND GENERAL COUNTY FUND BUDGET - \$36,624.99 and
RESOLUTION TO AMEND GENERAL COUNTY FUND BUDGET - \$407,903.00 and.
RESOLUTION TO AMEND DRUG COURT FUND BUDGET - \$6,706.00 and
RESOLUTION TO AMEND DRUG COURT FUND BUDGET - \$7,729.00 and
RESOLUTION TO AMEND DRUG COURT FUND BUDGET - \$35,565.00 and
RESOLUTION TO AMEND HIGHWAY/PUBLIC WORKS FUND BUDGET - \$75,000.00 and
RESOLUTION TO AMEND HIGHWAY/PUBLIC WORKS FUND BUDGET - \$7,500.00 and
RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET - \$28,050.00 and
RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET – (\$80,000.00)
and
RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET - \$11,406.00 and
RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET – (\$5,000.00) and
RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET – (\$26,400.00)
and
RESOLUTION TO AMEND GENERAL PURPOSE SCHOOL FUND BUDGET - \$86,777.00 and
RESOLUTION TO AMEND CENTRAL CAFETERIA FUND BUDGET - \$9,000.00 and
RESOLUTION TO AMEND EXTENDED SCHOOL PROGRAM FUND BUDGET - \$9,000.00.**

Commissioner Keeble made a motion to send the increases/decreases to the agenda of the November Commission meeting. Commissioner Hargis seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – yes	Proffitt – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

**IN RE: RESOLUTION AUTHORIZING APPROPRIATION FOR CONSTRUCTION OF PROSPECT SCHOOL and
RESOLUTION DECLARING THE OFFICIAL INTENT OF BLOUNT COUNTY, TENNESSEE TO REIMBURSE ITSELF FOR EXPENDITURES RELATING TO A SCHOOL PROJECT WITH THE PROCEEDS OF A LOAN FROM THE STATE OF TENNESSEE MADE FROM THE PROCEEDS OF QUALIFIED SCHOOL CONSTRUCTION BONDS.**

Commissioner Keeble made a motion to send the resolutions to the agenda of the November County Commission meeting. Commissioner French seconded the motion.

Commissioner Graham made a motion to amend to require anything other than a long term fixed rate bond issue be brought back to the Blount County Commission for consideration and action. Commissioner McCulley seconded the motion.

A roll call vote was taken on the motion to amend:

Ballard – yes	Harrison – absent	Lambert – no	Reeves – yes
Burchfield – no	Hasty – no	Lewis – no	Samples – no
Farmer – no	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – no	Melton – no	
Graham – yes	Kirby – no	Murrell – yes	
Hargis – no	Lail – no	Proffitt – yes	

There were 7 voting yes, 11 voting no, and 3 absent. Chairman Pro Tem Farmer declared the motion to amend to have failed.

A roll call vote was taken on the original motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – no
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – no	Proffitt – yes	

There were 16 voting yes, 2 voting no, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: RESOLUTION AUTHORIZING THE COMMISSION MEMBERS OF THE BUDGET COMMITTEE (MIKE LEWIS, STEVE SAMPLES, KEN MELTON, AND JOHN KEEBLE) TO HIRE AN INDEPENDENT EXPERT TO REVIEW BLOUNT COUNTY'S OUTSTANDING DEBT.

Commissioner French made a motion to send the resolution to the agenda of the November County Commission meeting and after accepting proposals, that the top three proposals with cost figures be presented to the County Commission for approval. Commissioner Melton seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – yes	Proffitt – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: RESOLUTION TO ADOPT A PLAN FOR A BLOUNT COUNTY COMMISSION FORUM.

Commissioner Samples made a motion to send the item to the agenda of the November County Commission meeting. Commissioner Lewis seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – yes	Proffitt – yes	

There were 18 voting yes and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: RESOLUTION TO AMEND THE ZONING MAP OF BLOUNT COUNTY, TENNESSEE, FROM S-SUBURBANIZING TO COMMERCIAL FOR THE FIRST 500 FEET OF THE PROPERTY LOCATED AT 620 NELSON LANE, BEING TAX MAP 055, PARCEL 069.00.

Commissioner Hargis made a motion to send the item to the agenda of the November County Commission meeting. Commissioner Samples seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – yes	Proffitt – yes	

There were 18 voting yes, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: SETTING OF PUBLIC HEARING REGARDING DESIGN STANDARDS FOR PRIVATE NON-COMMERCIAL AIRSTRIPS and SETTING OF PUBLIC HEARING REGARDING REVISION OF FLOOD PLAIN REGULATIONS.

Commissioner Proffitt made a motion to send the setting of the public hearings to the agenda of the November County Commission meeting. Commissioner French seconded the motion.

A roll call vote was taken on the motion:

Ballard – yes	Harrison – absent	Lambert – yes	Reeves – yes
Burchfield – yes	Hasty – yes	Lewis – yes	Samples – yes
Farmer – yes	Helton – absent	McCulley – yes	Walker – absent
French – yes	Keeble – yes	Melton – yes	
Graham – yes	Kirby – yes	Murrell – yes	
Hargis – yes	Lail – yes	Proffitt – yes	

There were 18 voting yes, and 3 absent. Chairman Pro Tem Farmer declared the motion to have passed.

IN RE: ADJOURNMENT.

Chairman Pro Tem Farmer declared the meeting to be adjourned.

RESOLUTION No. 09-12-004

Sponsored by Commissioners Gary Farmer and John Keeble

A RESOLUTION TO ALLOW SAFE PASSAGE IN BLOUNT COUNTY, TENNESSEE FOR A CERTAIN VISITOR FROM THE NORTH POLE.

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 17th day of December, 2009:

WHEREAS, runways at the McGhee Tyson Airport have been extended, and the Superintendent of Highways has worked with the Tennessee Department of Transportation on facilitating a safe landing pad in Blount County; and

WHEREAS, the inspection of Santa's sleigh has revealed that the sleigh, while old, is in remarkable condition, and by recommending the proper diet and exercise throughout the year, the veterinarians of Blount County have given a clean bill of health to eight tiny reindeer; and

WHEREAS, the Sheriff's Department deputies are willing to give their time and effort to protect travel on December 24, and the physicians in the county have examined this portly old gentleman from the North Pole and found him in the best of health.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE that this portly old gentleman be extended all the rights, courtesies, and privileges to travel throughout this county to deliver gifts, good will, charity, happiness, and a jolly ho-ho-ho to all Blount Countians; and

BE IT FURTHER RESOLVED that a point in time be called from December 24 at 6:00 pm to December 25 at 6:00 am and that the Blount County Legislative Body wishes all a Merry, Merry Christmas and a Happy New Year.

BE IT FURTHER RESOLVED that this resolution shall become a part of the official records of the Board of County Commissioners of Blount County, Tennessee.

CERTIFICATION OF ACTION

ATTEST

Steve Samples - Commission Chairman

Roy Crawford, Jr. - County Clerk

Approved: ____

Vetoed: _____

Jerry G. Cunningham - County Mayor

Date

RESOLUTION No. 09-12-002

Sponsored by Commissioners Gary Farmer and Brad Harrison.

A RESOLUTION TO AMEND THE ZONING RESOLUTION OF BLOUNT COUNTY, TENNESSEE, SECTION 9.2 B to add private non-commercial airstrips to the list of uses permitted as special exception in the R-1 zone, and add section 7.16 Design Standards for Private Non-Commercial Airstrips to the zoning regulations for Blount County, Tennessee, and change section 11.5-C to increase the minimum number of days a property must be posted for a special exception from five (5) to ten (10).

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 17th day of December, 2009:

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101, *et seq.*, and

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted zoning regulations in Resolution 00-06-010 **A RESOLUTION ADOPTING ZONING IN BLOUNT COUNTY PURSUANT TO SECTIONS 13-7-101, *et seq.*, OF THE TENNESSEE CODE ANNOTATED**, and

WHEREAS, it is desired to amend such Resolution to provide an avenue to permit said use upon review and approval,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

That Section 9.2 B be amended to read as follows:

9.2 B. Uses Permitted as Special Exceptions: multifamily dwellings including three or more of any dwelling units per lot (see also Section 7.6) and their associated sales or rental offices for the development, family commercial enterprises (see Section 7.10), nursing homes, retirement homes, sanitariums, assisted care living facilities, and resident facilities with special services, treatment, or supervision; day care facilities; commercial cemeteries not associated with a church or other place of worship; government and utility uses of a regional character necessary for providing service to the land and population within a broader region including the district; sawmills and associated lumberyards; bed and breakfast accommodations; golf driving range; vacation cabin rental (see also section 7.11); *private non-commercial airstrips*; and accessory structures customarily associated with the above uses.

That section 7.16 be added to read as follows:

7.16 Design Standards for Private Non-Commercial Airstrips. In addition to requirements for special exceptions, the following shall be requirements for private non-commercial airstrips.

A. A site plan of the proposed landing strip shall be presented at the time of the proposal. See section 7.2 for site plan requirements.

B. The landing strip shall be appropriate for and limited to small single engine fixed-wing aircraft only.

C. Airstrip runways are to be located no closer than one thousand (1000) feet from the centerline of the runway to the closest dwelling unit, excluding the owner of the property, and that said centerline be located no less than two thousand (2000) feet from any church, school or places of public assembly.

D. All landing strips shall be situated in such a manner that under no circumstances shall an approach or departure be over a residence, excluding the owners, provided that the residence be located a minimum of 2,000 (two thousand) feet beyond the end of the required landing strip length.

E. The site plan shall show all roads bordering the subject property, and the location and type of all adjacent utility lines.

G. A state erosion control permit shall be submitted prior to approval.

H. A slope and terrain analysis shall be submitted to confirm that no topographical obstructions exist at the ends of the runway.

I. A copy of all necessary local, state and federal documents must be submitted with the special exception application before issuance of said special exception. These documents should include, but not be limited to the following:

1. State of Tennessee NPDES permit. Notice of coverage under the general NPDES permit for storm water discharges associated with construction activity.
2. FAA form 7480-1. Letter of proposal of airport/landing strip construction supplied by the applicant.
3. A copy of the FAA airspace determination letter without conditions or objections. Any conditions or objections noted in the document shall form the basis for denial of the special exception.
4. Letter of agreement between existing airstrips within a five mile radius.

- J. Public Notice. For purposes of this ordinance, any special exception request shall require notice of intent to apply for a private non-commercial airstrip sent by the applicant through registered mail at least 10 days prior to hearing to all abutting property owners and all owners of properties that are located within two thousand (2,000) feet of the property on which a private non-commercial airstrip is proposed, in addition to any notice otherwise required by this Resolution. Record of registered mail delivery to be supplied by the applicant prior to hearing by the Board of Zoning Appeals.

That section 11.5-C be amended to read as follows:

11.5-C. The land or site of the special exception shall be posted by a sign set by the Building Commissioner along a fronting or adjacent public road notifying neighboring property owners of the application for special exception, date, time and place of hearing, and telephone number of the Building Commissioner for further information. Such sign shall be posted at least ten days prior to the date of the hearing.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date

Memo

To: Blount County Planning Commission
From: Blount County Building Commissioner
CC: Other members and staff
Date: December 8, 2009
Re: Proposed design standards for private non-commercial airstrips.

Below you will find the revised design standards for private non-commercial airstrips, and a proposed change to section 11.5 C.

7.16 Design Standards for Private Non-Commercial Airstrips. In addition to requirements for special exceptions, the following shall be requirements for private non-commercial airstrips.

- A. A site plan of the proposed landing strip shall be presented at the time of the proposal. See section 7.2 for site plan requirements.
- B. The landing strip shall be appropriate for and limited to small single engine fixed-wing aircraft only.
- C. Airstrip runways are to be located no closer than one thousand (1000) feet from the centerline of the runway to the closest dwelling unit, excluding the owner of the property, and that said centerline be located no less than two thousand (2000) feet from any church, school or places of public assembly.
- D. All landing strips shall be situated in such a manner that under no circumstances shall an approach or departure be over a residence, excluding the owners, provided that the residence be located a minimum of 2,000 (two thousand) feet beyond the end of the required landing strip length.
- E. The site plan shall show all roads bordering the subject property, and the location and type of all adjacent utility lines.

F. A state erosion control permit shall be submitted prior to approval.

G. A slope and terrain analysis shall be submitted to confirm that no topographical obstructions exist at the ends of the runway.

H. A copy of all necessary local, state and federal documents must be submitted with the special exception application before issuance of said special exception. These documents should include, but not be limited to the following:

1. State of Tennessee NPDES permit. Notice of coverage under the general NPDES permit for storm water discharges associated with construction activity.
2. FAA form 7480-1. Letter of proposal of airport/landing strip construction supplied by the applicant.
3. A copy of the FAA airspace determination letter without conditions or objections. Any conditions or objections noted in the document shall form the basis for denial of the special exception.
4. Letter of agreement between existing airstrips within a five mile radius.

F. Public Notice. For purposes of this section, any special exception request shall require notice of intent to apply for a private non-commercial airstrip sent by the applicant through registered mail at least 10 days prior to hearing to all abutting property owners and all owners of properties that are located within two thousand (2,000) feet of the property on which a private non-commercial airstrip is proposed, in addition to any notice otherwise required by this Resolution. Record of registered mail delivery to be supplied by the applicant prior to hearing by the Board of Zoning Appeals.

Proposed change to section 11.5-C to read as follows.

11.5-C. The land or site of the special exception shall be posted by a sign set by the Building Commissioner along a fronting or adjacent public road notifying neighboring property owners of the application for special exception, date, time and place of hearing, and telephone number of the Building Commissioner for further information. Such sign shall be posted at least ten days prior to the date of the hearing.

RESOLUTION No. 09-12-003

Sponsored by Gary Farmer and Brad Harrison

A RESOLUTION TO AMEND THE BLOUNT COUNTY FLOOD PLAIN ZONING RESOLUTION, ARTICLE VI SECTION A.1 CONCERNING MEMBERSHIP AND VARIANCE AUTHORITY OF THE BOARD OF ZONING APPEALS.

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled this 17th day of December, 2009:

WHEREAS, the Board of Commissioners of Blount County, Tennessee adopted amended flood plain zoning regulations in Resolution 07-06-001 **A RESOLUTION ADOPTED PURSUANT TO SECTIONS 13-7-101 THROUGH 13-7-115 OF THE TENNESSEE CODE ANNOTATED FOR THE PURPOSE OF REGULATING THE FLOODPLAIN AREAS OF BLOUNT COUNTY, TENNESSEE TO MINIMIZE DANGER TO LIFE AND PROPERTY AND TO ESTABLISH CONTINUED ELIGIBILITY IN THE NATIONAL FLOOD INSURANCE PROGRAM BY AMENDMENT OF THE BLOUNT COUNTY FLOOD PLAIN RESOLUTION ADOPTED JUNE 15, 2000 AS RESOLUTION 00-06-011.**, and

WHEREAS, the Legislature of the State of Tennessee has enabled Blount County to adopt and amend zoning regulations in Tennessee Code Annotated Sections 13-7-101 through 13-7-115, and has specifically enabled Blount County to adopt regulations for special districts or zones where land is deemed subject to seasonal or periodic flooding in Tennessee Code Annotated Section 13-7-101(a)(1), and

WHEREAS, such zoning regulations for such special districts or zones allows Blount County and its citizens to be eligible for participation in the National Flood Insurance Program, and

WHEREAS, such zoning regulations for such special districts may designate the Board of Zoning Appeals appointed under sections in the Zoning Resolution of Blount County, Tennessee, to have authority for variance of flood plain regulations, and

WHEREAS, it is desired to make such zoning regulations for such special districts consistent with the general provisions for membership of the Board of Zoning Appeals in the Zoning Resolution of Blount County, Tennessee,

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF BLOUNT COUNTY, TENNESSEE, to adopt the following:

That Article VI, Section A.1 be amended by deletion thereof and replacement with the following:

- 1. The Board of Zoning Appeals created in Article 11 Section 1 of the “Zoning Resolution of Blount County, Tennessee” shall be the same Board of Zoning Appeals for purposes of this Resolution.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION SHALL BE IN FORCE AND BECOME EFFECTIVE UPON ITS ADOPTION, THE PUBLIC WELFARE REQUIRING IT.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

Approved: _____
Vetoed: _____

County Mayor

Date

Memo

To: Blount County Planning Commission
From: Roger D. Fields
CC: Other Planning Commission Members
Date: December 8, 2009
Re: Revision of flood regulations.

At last months meeting we discussed a change that needed to be addressed in our flood plain regulations. The change was to specify if the appeals board is a 3 of 5 member board. Our board is a 5 member board and I have made that correction below. This would replace the current wording in the document, which you can see below. This change has been recommended by Bart Hose with the State of Tennessee's local planning assistance.

ARTICLE VI. VARIANCE PROCEDURES

The provisions of this section shall apply exclusively to Areas of Special Flood Hazard within the unincorporated areas of Blount County, Tennessee.

Section A. Board of Appeals

1. Creation and Appointment **CURRENT WORDING**

A Board of Appeals is hereby established which shall consist of **three (3)/five (5)** members appointed by the Chief Executive Officer. The term of membership shall be four (4) years except that the initial individual appointments to the Board of Appeals shall be terms of one, two, and three years respectively. Vacancies shall be filled for any unexpired term by the Chief Executive Officer.

Proposed Correction

1. The Board of Zoning Appeals created in Article 11 Section 1 of the "Zoning Resolution of Blount County, Tennessee" shall be the same Board of Zoning Appeals for purposes of this Resolution.

Memo

To: Blount County Planning Commission
From: Blount County Building Commissioner
CC: Other staff
Date: September 14, 2009
Re: Discussion on a National Flood Insurance Program Information Exchange Visit.

Back Ground:

In June 2009 Mr. Bart Hose conducted an information exchange visit on behalf of the National Flood Insurance Program. I have included a copy of his follow up letter to Mayor Cunningham for your review. In the letter Mr. Hose addresses a few items that should be discussed and possibly have action taken. In paragraph 4, he identifies an issue with our grading permit process as far as not requiring a grading permit for any and all grading. Then in paragraph 5 he points out some changes that may be required in the subdivision regulations in regards to subdivisions greater than fifty lots or five acres and have a portion of the land located in a flood zone. In paragraph six he notes that we need to include a TVA high water study in our regulations, but this has already been added in our new maps. Later in the paragraph he indicates that we need to clarify our regulations about how many members are in the board of appeals. See attached letter below.

STATE OF TENNESSEE
DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT
LOCAL PLANNING ASSISTANCE OFFICE
EAST TENNESSEE REGION
5401 KINGSTON PIKE, SUITE 210
KNOXVILLE, TENNESSEE 37919
TELEPHONE: 865.594.6666 — FAX: 865.594.6653
HTTP://WWW.TNECD.GOV

June 1, 2009

The Honorable Jerry Cunningham
Blount County Mayor
341 Court Street
Maryville, TN 37804-5906

RE: National Flood Insurance Program Information Exchange Visit

Dear Mayor Cunningham:

Please find enclosed a copy of the Information Exchange Visit (IEV) report that has been prepared by our office for the Federal Emergency Management Agency (FEMA). The purpose of the IEV report is to maintain communication with National Flood Insurance Program (NFIP) participant communities, identify any problems with their floodplain management programs, and offer assistance regarding their participation in the NFIP.

I recently met with Mr. Roger Fields, Blount County Building Commissioner, to conduct the IEV. This visit involved a discussion regarding the status of the county's floodplain management regulations, as adopted in your floodplain zoning resolution, and their administration. A review of the county's adopted floodplain management regulations was also conducted to determine if they meet minimum FEMA requirements.

The findings of the IEV indicate that your county's floodplain management program is generally well administered. My review and meeting with Mr. Fields found that significant efforts are being made to encourage property owners to build outside of defined flood hazard areas wherever possible. The program also appears to be coordinated with other land use and development related control efforts within the county. There were however, several administrative or regulatory issues that should be addressed within the next six months. I have discussed these issues with Mr. Fields and they are further described below.

The IEV identified two administrative issues that should be addressed to avoid potential enforcement problems and assure regulatory compliance. **The first of these relates to recent changes to the county's grading permit process. The floodplain management regulations require a permit for all development within defined flood hazard areas. This includes grading and fill activities.** Mr. Fields does enforce this regulation and permits are required when he identifies

proposed development within flood hazard areas. Unfortunately, it is my understanding that the county recently changed its overall permitting process and no longer requires a general grading permit in some areas. This change may increase the potential for floodplain violations in situations where a property owner does not know that a flood hazard area exists and is not required to obtain a permit before grading begins. The county should review its permitting process to ensure that the floodplain administrator is afforded a reasonable opportunity to fully evaluate all proposed development before it occurs.

The second administrative issue relates to the enforcement of Article V Subsection B5 of the county's floodplain management regulations. Specifically, part "d." of this subsection requires that base flood elevation data be provided for all subdivisions and other proposed developments that are greater than fifty lots or five acres in area. The requirement applies in all flood zones including unnumbered or approximate A Zones. This issue was discussed with Mr. Fields and it appears that the requirement has not been fully implemented. The issue was also discussed with representatives of the county planning office due to its relationship with the subdivision approval process. These discussions indicate that enforcement efforts have largely focused on the fifty lot threshold and that there was some confusion regarding the application of the five acre standard. It was also noted that the county planning commission now requires that all newly developed subdivision lots contain a useable building site located outside of any defined flood hazard area. While this is an excellent practice and should be maintained by the planning commission, it does not appear to fully satisfy FEMA requirements regarding the provision of base flood information. I have provided Mr. Fields with additional information regarding this issue, including a downloaded copy of FEMA Publication 265, July 1995; "Managing Floodplain Development in Approximate Zone A Areas, A Guide for Obtaining and Developing Base (100-Year) Flood Elevations". I would suggest that this document be reviewed by both Mr. Fields and the county planning office so they can better coordinate enforcement efforts.

The findings of the IEV also identified two amendments that should be made to the county's floodplain zoning resolution. The first involves formally adopting a TVA high water profile study that the administrator is currently utilizing as best available information to supplement his enforcement efforts. I have discussed this with Mr. Fields and we determined that the amendment should be made to Article III, Section B, "Basis for Establishing the Areas of Special Flood Hazard" in your county's resolution. The second involves a minor correction to Article VI Section A.1. of the resolution to clearly specify whether your Board of Appeals is a three or five member body.

Please feel free to contact me if you have any other questions regarding this report or if you have any other NFIP assistance needs.

Sincerely,



Bart Hose
Community Planner

Copy: Mr. Roger Fields, Blount County Building Commissioner

Received
11/25/09

DATE: November 25, 2009

TO: Bill Dunlap, Superintendent
Blount County Highway Department
1227 McArthur Road
Maryville, TN 37804

FROM: Sheila Dunlap
1936 Highland Road
Maryville, TN 37801

RE: Petition for Speed Bumps on Highland Road

You indicated that we would need to have an agreement from 60% of the affected residents in order to install speed bumps along a portion of Highland Road in Highland Acres. There are a total of 52 occupied addresses within that area of concern along Highland Road, from the "T" at the foot of Highland Road and around to the right, up to Argo Street. (See map, attached).

We therefore circulated a petition along that stretch, which was signed by 57 residents, occupying 38 addresses, and representing 73% of the total homes affected.

We trust this is adequate for your department to begin this work project.

The community would like to thank you for your help with this dangerous "speeding drivers" situation.

Please let us know if you require anything further.

PETITION FOR SPEED BUMPS ON HIGHLAND ROAD

We, the residents of Highland Acres, request that "speed bumps" be installed along Highland Road (from the "T" turn at the foot of the hill and bearing right along Highland). The posted speed signs (20 MPH) have no effect in slowing down speeding drivers. Our neighborhood demography has changed as more young families move here and now increased numbers of children are placed in danger by the many speeding cars along Highland Road. A number of small animals have been killed recently and we need to take steps to protect our children.

NAME	ADDRESS	PHONE
SHEILA DUNLAP	1936	977-7039
Adam Archer	1907	681-8408
ELAINE O'SULLIVAN	1936	684-6771
John Archer	1967	214 5834
Teresa Archer	1907	681-8408
TERESA DUCKWORTH	1905	233-3029
Shane Campbell	1905	233-3029
Karen Reagan	1904	380-0315
Eric Burns	1904	256-8383
Bill Meyers	1901	233-4188
Lee R. Rogers	1823	983-7843
Billie Pacer	1821	233-0411
Raymond G Brown	1819	
Jason White	1815	233-3567
Mary Ann Cannon	1807	982-1658
Jammy Anderson	1806	982-6216
Chad Duke	1806	982-6216
Mark Miller	2036	209-6777
Mark Rounds	2036	727-560-9668
Sharon Foley	508 BORGHILD	982-5342



PETITION FOR SPEED BUMPS ON HIGHLAND ROAD

We, the residents of Highland Acres, request that "speed bumps" be installed along Highland Road (from the "T" turn at the foot of the hill and bearing right along Highland). The posted speed signs (20 MPH) have no effect in slowing down speeding drivers. Our neighborhood demography has changed as more young families move here and now increased numbers of children are placed in danger by the many speeding cars along Highland Road. A number of small animals have been killed recently and we need to take steps to protect our children.

NAME	ADDRESS	PHONE
Richard Lyle	1913	271-8487
Mike Wheat	1923	379-8804
Amie Wheat	Amie Wheat 1923	379-8804
Kevin M'Eleath	1906	335-4691
Farm Country	1917 Highland Rd	865-356-2580
Judy Wilson	1922 Highland Rd	865-379-8931
Joe K	1517 Hickory	865-206-8366
Haven Dukes	1817	865-977-8620
Dulma Porter	1805	
Bobby L YATES	1803	
Joyce Kirkham	1803	
Scott Barzun	1912 Highland	865-233-2328
Kate McDowell	1912 Highland	
Samuel L. Garner	1929 Highland RD	865-681-6320

(1) ADDRESS

(2) NAMES

EO

PETITION FOR SPEED BUMPS ON HIGHLAND ROAD

We, the residents of Highland Acres, request that "speed bumps" be installed along Highland Road (from the "T" turn at the foot of the hill and bearing right along Highland). The posted speed signs (20 MPH) have no effect in slowing down speeding drivers. Our neighborhood demography has changed as more young families move here and now increased numbers of children are placed in danger by the many speeding cars along Highland Road. A number of small animals have been killed recently and we need to take steps to protect our children.

NAME

ADDRESS

PHONE

Shanda Webb

2025

599-6549

William J. Ketch

2005

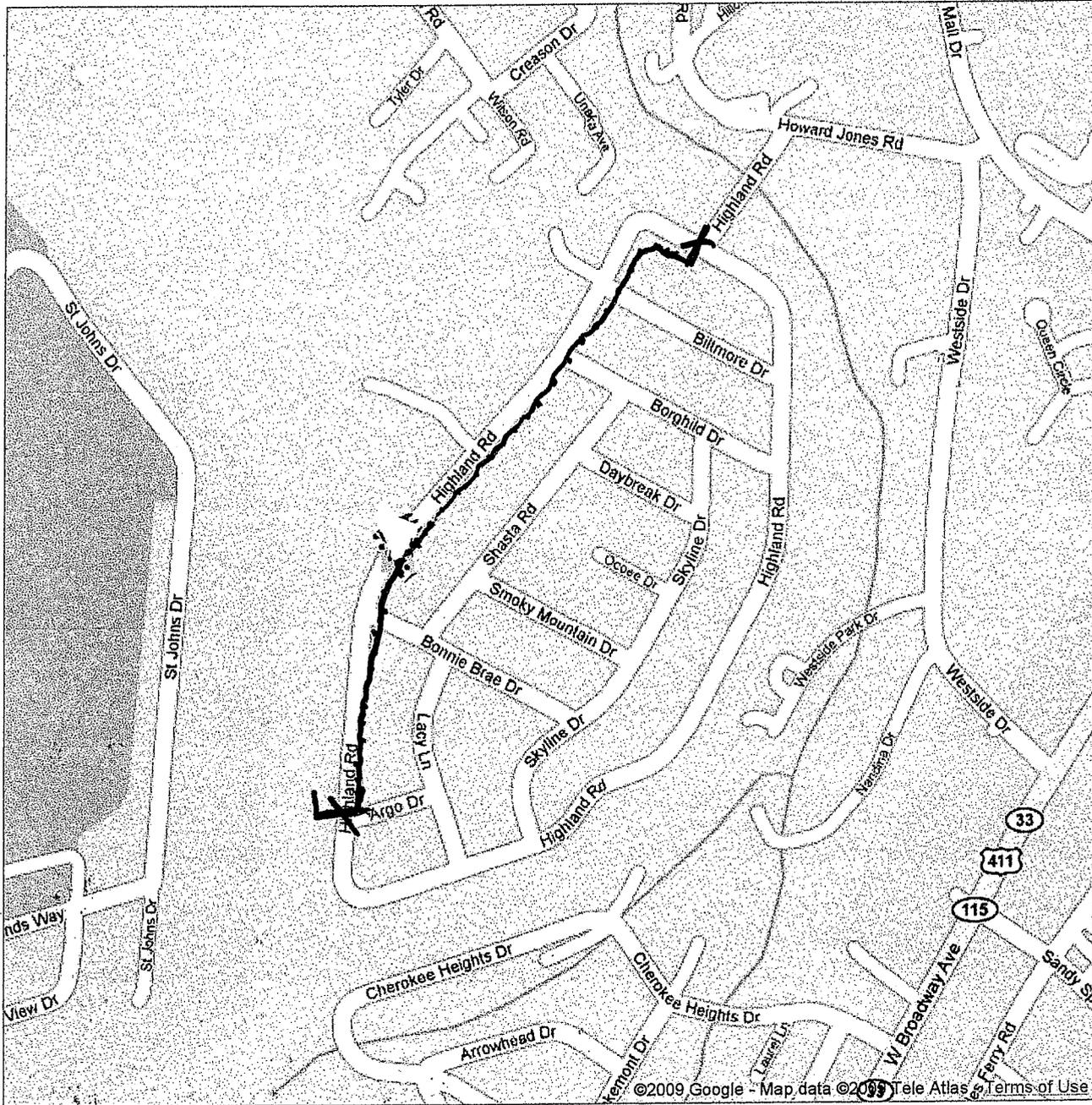
977-0284

Google maps

Address 1936 Highland Rd
Maryville, TN 37801

Get Google Maps on your phone

Text the word "GMAPS" to 466453



X AREA REQUESTING SPEED BUMPS

BLOUNT COUNTY HIGHWAY DEPARTMENT

441 NORTH HALL ROAD - ALCOA, TN 37701



865-982-4652
FAX (865) 681-8938



BILL DUNLAP
SUPERINTENDENT

HUBERT McKEE
ASST. SUPERINTENDENT

FAX TO: RHONDA PITTS

ATTENTION: _____

FAX NUMBER: 273 5832

FROM: TONY ABBOTT

TOTAL NUMBER OF PAGES: 4

CONFIDENTIALITY NOTICE

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COMMENTS: CECELIA AVE. PETITION -
TRAFFIC CALMING

2503 CeCelia Ave 865 356 3523

11-9-09

We the people that lives on CeCelia Ave
would like to have Speed breakers installed
to slow down traffic due to the safety of our
Children.

① Rebecca Blidsoe

② Joe Godbey

③ CHARLES Newcomb

④ Sherry WALLACE

⑤ CHRISTA CONASER

⑥ Jerry WALLACE

⑦ BRIAN WYCASTER

⑧ Connie Forister

⑨ DAVID WARD

⑩ James H. Porter Jr

⑪ Mary Laves

⑫ Joe Smith

⑬ Curtis Lindsey

⑭ Marcus Jones

⑮ Donald Jones

⑯ Donnie Jenkins

⑰ Charles Jarvis

⑱ Kathleen Jenkins

⑲ Michael Jenkins

⑳ Stephanie Smith

㉑ Albert Forishi

㉒ Jerry Case

㉓ Dave Smith

㉔ Gypsy Quinn

㉕

William E. Gash
~~Joseph H. Gash~~
 Elmer Brown
 Theodore Sandt
 Nancy Sandt
 Mary Davis
 Anny Porter
 George McKelton
 Margaret Parks
 Michael Parks
 Jenny Smith
~~Sam Johnson~~
~~Sam Johnson~~
 Matt M. Johnson
 Suzanne Gline
 Elmyr Chino
~~Cliff D. Nelson~~
 James C. Hopp
 COX 2365 [OLEMAN]
 Randi McKee
~~Mark Potts~~
 Karen Potts
 Ryan Massengale
 Stella Campbell
 Kelly Wilson
 Nick Hill
 Matt Hill
 Scott Hill

129

- 1 ~~Debra Eacrot~~
- 2 ~~William James~~
- 3 Sarah R. Hill
- 4 Jessica Massengale
- 5 John Cummings
- 6 James Ch. Cell
- 7 Cheryl Pa
- 8 Luby Richards
- 9 ~~Don Hill~~
- (10) Jo Ann Pegg
- (11) Jan D. D. D.
- 12 Gary Osborn
- 13 Jeff Osborn
- 14 Thelma Wallace
- (15) Spencer Parsley
- 16 Devin McLeach
- (17) Luane Richardson
- (18) Janie Richardson
- (19) Johnny Richardson
- 20 Patricia Projo
- 21 Jose Projo

RESOLUTION NO.09-12-005

SPONSORED BY COMMISSIONER GERALD KIRBY

RESOLUTION FOR CONTINUED SUPPORT FOR MINIMAL TAX RATES FOR THE FISCAL YEAR 2010-2011 FOR PROPERTY OWNERS IN BLOUNT COUNTY, TENNESSEE

BE IT RESOLVED, by the Board of Commissioners of Blount County, Tennessee, in session assembled the 17th day of December, 2009:

WHEREAS, the Blount County Board of Commissioners recognizes that its citizens are suffering during these trying economic times; and

WHEREAS, since taking office on September 1, 2006, the Blount County Commission has made many efforts to be good stewards of the citizen's government by keeping the annual property tax rate as low as possible, implementing policies that resulted in a more stable financial status, and by building back dangerously depleted fund balances; and

WHEREAS, this was accomplished while not interrupting services to the citizens as was the case in some areas of the country; and

WHEREAS, Blount County Commissioners wish to continue to provide reasonable tax rates for property owners in Blount County, giving our most careful attention as to not place any additional burdens on property taxpayers; and

WHEREAS, the tax year 2010 is a reevaluation year for Blount County property owners; and

WHEREAS, Blount County Commissioners support fair and just reviews of all real property in Blount County, Tennessee, however the Commission also supports making all practical effort to not increase property tax bills for its citizens.

NOW THEREFORE BE IT RESOLVED that the Blount County Board of Commissioners hereby requests that all officials, departments, boards and committees do everything in their power to keep budgets and taxes at a reasonable level during these difficult economic times.

Duly authorized and approved this 17th day of December, 2009.

CERTIFICATION OF ACTION:

ATTEST:

Commission Chairman

County Clerk

Approved: _____

Vetoed: _____

County Mayor

Date