

**CODE ENFORCEMENT BOARD OF WARREN COUNTY
MINUTES**

January 10, 2007

Warren County Fiscal Court Room

MEMBERS PRESENT:

Doug Gorman
John Brown
Alan Stonex
Ray Wilt
Herman Wafford

CODE ENFORCEMENT STAFF PRESENT:

Alexander Maxwell
Todd Eadens
Pam Hurt
Steve Hunter
Jonathan Britt
Hamp Moore, Attorney

Chairman John Brown called the meeting to order. Chairman Brown asked Mrs. Hurt to call the roll. Herman Wafford-yes, John Brown-yes, Ray Wilt-yes, Alan Stonex-yes, and Doug Gorman-yes. A quorum was determined to be present.

Chairman Brown stated that the next order of business was to approve the September 13, 2006, minutes. He asked if there were any comments. No comments noted.

Action: Doug Gorman made the motion to approve the minutes, Alan Stonex, seconded the motion. Herman Wafford-yes, Alan Stonex-yes, Ray Wilt-yes, Doug Gorman-yes and John Brown-yes. The minutes from the September 13, 2006 meeting were approved.

Old Business

No old business to discuss.

Consent Agenda

WC-255 - 621 Goodrum Road

Bob Appling stated that there was a contractor who stated that he had no employees, but found employees on site and was issued a citation for \$250.00. The citation has been paid and asked that the Board accept the citation as written.

ACTION: Mr. Stonex made the motion to accept citation WC-255 and the fine of \$250.00, Mr. Wafford seconded the motion. Herman Watford-yes, Ray Wilt-yes, Alan Stonex-yes, Doug Gorman-yes and John Brown-yes.

WC-300 – 556 Briggs Hill Road

Alexander Maxwell stated that he received this complaint in August of 2006. A Notice of Violation was sent in August in regards to the junk accumulation on the property and the number of motor vehicles on the property that weren't licensed and inoperable and/or wrecked. Mr. Maxwell stated that he has known this man for quite a few years and made several phone calls to him over the past couple of months trying to get him to clean up the property and finally issued the citation on November 9th and by November 15th, he had paid the citation and had the property cleaned up and all the vehicles had been removed.

Mr. Maxwell asked that the Board accept this citation as the property has been cleaned up and the fine has been paid.

ACTION: Mr. Stonex made the motion to accept citation WC-300 and the fine of \$100.00, Mr. Wafford seconded the motion. Herman Watford-yes, Ray Wilt-yes, Alan Stonex-yes, Doug Gorman-yes and John Brown-yes.

Public Hearing

WC-0301 – 1978 Bristow Road

Steve Hunter requested that the Board go into closed session.

Chairman Brown announced that the meeting is back in session.

Hamp Moore stated that he was acting as attorney for the Code Enforcement Officers that have issued the citation with regard to signage on I-65. He stated that Mr. Pat Ross who is an attorney representing the landowner, Mr. Kimbro and also the sign owner, Mr. Harston. Mr. Moore stated that we have spoken about this issue over the last several weeks and again today and thinks that an agreement has been reached and would like to announce to the Board. Mr. Moore stated that the agreement has been developed after talking with Mr. Ross, Mr. Kimbro, Mr. Harston, Code Enforcement Officers Alexander Maxwell & Todd Eadens, and interim Director for the Planning Commission, Steve Hunter.

Mr. Moore stated that the sign is located on I-65, just north of the I-65 interchange is contented that the sign is located in a TVA easement. Mr. Harston and Mr. Kimbro agree that the sign will be removed from the TVA easement. Mr. Kimbro and Mr. Harston agree that they will file an application with the Warren County Board of Adjustments to seek a variance from the dimensional requirement for personal expression signs which are presently set at 32 square feet. That hearing, we believe, will take place at the Board of Adjustments February meeting that will be the fourth Thursday of February. It is also our agreement that the sign will not be removed until the hearing on the variance in order to prevent Mr. Harston from having to remove the sign twice. In other words, if he gets the variance then he'll move it to the location that the Board of Adjustments approves. Finally, our agreement is that neither side is waiving any defenses or claims which it may have as a result of this agreement. The reasoning for that language is if for some reason Mr. Harston should not get the variance, which is probably likely, but he'll put the sign back up and it will be necessary if he puts it back up in a place that violates the Ordinance, he will have to be cited again and have to have a hearing. Mr. Moore stated that he hoped that, that wouldn't happen, but both wanted to know certain that everybody still had all their rights if this agreement didn't work out.

Mr. Brown asked if citation WC-0301, would be held in abeyance or requested to be dismissed at this time? Mr. Moore stated that it would be best if it were held in abeyance pending the completion of this settlement/agreement.

Mr. Wilt asked Mr. Ross if he was in agreement with the restrictions of this settlement/agreement? Mr. Ross agreed that he was in agreement.

New Business

No new business.

Announcements

No announcements.

Meeting adjourned.

ADOPTED: _____

APPROVED: _____
Chairman, Code Enforcement Board

ATTEST: _____
Clerk, Code Enforcement Board