

OFFICIAL MINUTES
McKENZIE MUNICIPAL-REGIONAL PLANNING COMMISSION
25 JANUARY 2017 MEETING
MCKENZIE MUNICIPAL COMPLEX @ 3:00 P.M.

1. Call to Order:

The Meeting was called to order by Chairman Robb at 3:15 P.M.

2. Roll Call/Establish of Quorum:

a. Quorum Present

- i. **MMRPC:** Chairman, Dean Robb; Vice-Chair, Bobby Young; Council Liaison, Charles Pruneau; Peggy Kee.
- ii. **Absent:** Mayor, Jill Holland (City Business); Secretary, Garlon Prewitt (Medical); Ken Mitchum (Out-of-Town).
- iii. **Other:** Shelton I. Merrill, SWTDD Regional Planner; Ricky Watkins, Building Inspector/Codes Consultant; Terry McCoy, City Recorder; Jennifer Waldrup, City Economic Coordinator.
- iv. **Media:** None

3. Review and Approval of Agenda: 25 January 2017

Motion by: Peggy Kee;

Second By: Bobby Young;

Passed: 4-0-3*

*** Absent**

4. Election of Officers:

Chaired by Shelton I. Merrell, Staff (as per By Laws, Article III,)

Options for election of officers explained; Nominations from the floor for each office of Chairman, Vice-Chairman, Secretary or move to elect the current officers by acclimation. Should the commission move to elect the current officers, an additional option was explained: the commission could chose to select an Acting Secretary to serve until Secretary Prewitt returns from his extended recovery.

Current Officers: Chair, Dean Robb; Vice-Chair, Bobby Young; Secretary, Garlon Prewitt.
Nominations from the floor-None

Motion to elect the current officers by acclimation.

Motion by: Peggy Kee;

Second by: Bobby Young

Passed: 4-0-3*

Acting Secretary:

Nominations from the floor- Peggy Kee nominated by Dean Robb.

Motion to close the nominations for Acting Secretary and elect by acclimation.

Motion by: Bobby Young;

Second by: Charles Pruneau

Passed: 4-0-3*

Officers for 2017:

Chair, Dean Robb; Vice-Chair, Bobby Young; Secretary, Garlon Prewitt; Acting Secretary, Peggy Kee

5. **Commissioner Training Workshop presented by Shelton I. Merrill, SWTDD Regional Planner**

The Elephant in the Public Hearing Room, Will we be sued over this?

The Nine Golden Rules of Decision-Making (Summarized)

Rule 1: Make Informed Decisions

Rule 2: Do Not Exceed Your Authority

Rule 3: Deliberate in Public

Rule 4: Ask for Advice

Rule 5: Document Decisions

Rule 6: Correct Errors Immediately

Rule 7: Avoid Exclusionary Zoning

Rule 8: Respect Constitutional Rights

Right to Due Process of Law

“Taking” of Property for Public Use Without Just Compensation is Prohibited

Religious Land Uses and RLUIPA

Freedom to Petition the Government

Freedom of Speech

Rule 9: Express Your Opinion

Property Rights: Acquisition, Restriction & Vesting

Types of Property Rights in Tennessee

Possession

Use

Control

Quiet Enjoyment

Exclusion

Disposition

Multiple Ways to Own or Use Real Property

Fee simple

Leasehold (long or short term) **

Easement (temporary or permanent) **

Right-of-way (maybe)**

License **

Mineral **

Air **

Lateral support

Multiple Ways to Own or Jointly Own or Control Real Property

Fee simple

Life estate

Joint tenancy with ROS

Joint tenancy without ROS **

Tenants by entireties (married couple)

Joint tenancy

Adverse possession

Corporate/partnership **

****Right of less than fee simple**

Property Rights in Real Property May be Granted/Acquired By:

Deed (Warranty, Special Warranty, Quitclaim)

Adverse Possession

Eminent Domain (“Taking” of Property for Public Use)

Less Than Fee Rights in Real Property May be Granted/Acquired By:

Agreement

Plat (Notes)

Restrictive Covenants (Express and Implied)

Regulations, i.e. Zoning; Subdivision, Storm Water, Sewage/Wastewater Regulations;

General Health/Safety/Welfare Ordinances/Resolutions; All Other State and Federal Statutes/Regulations

Prescription (Prescriptive Easement)

Eminent Domain (“Taking” of Property for Public Use)

Public Chapter 666, Vested Property Rights Act of 2014 and Vested Rights Common Law Summarized.

6. November and December 2016 meetings cancelled . . .

Review and Approval of 26 October 2016 Minutes:

Motion by: Bobby Young;

Second By: Peggy Kee;

Passed: 4-0-3*

7. Old Business: None

8. New Business: None

Other Business: Municipal Reports:

a. Municipal Reports: None

b. Mayor/City Inspector/Codes:

c. Property Zoning Information request by Jennifer Waldrup, City Economic Coordinator, to Shelton Merrill and Ricky Watkins concerning prospect for Southern Star office and property on Magnolia Avenue.

9. Meeting Dates and Adjournment:

a. Agenda Meeting and Formal Monthly Meeting Scheduled Dates:

FEBRUARY:

Agenda Meeting: 08 FEBRUARY 2017, Wednesday @ 3:00 P.M.

Formal Monthly Meeting: 22 FEBRUARY 2017, Wednesday @ 3:00 P.M.

10. Adjournment:

a. Adjournment Time: 4:11 P.M.

Motion By: Bobby Young;

Second By: Peggy Kee;

Passed: 4-0-3*