

City of Townsend
Commission Meeting Minutes
For
July 29, 2013

Attendance: Attending the meeting was Mayor Michael Talley, Vice Mayor Becky Headrick, Commissioner Jackie Suttles, Commissioner Ron Palewski, Commissioner David Wietlisbach, City Recorder Shelia Moss, Police Chief Ron Suttles, Fire Chief Don Stallions, Iva Butler, Charles King, Ernie and Judy Lancaster, Don and Sandy Headrick, Pat Jenkins, Alicia McClary, Travis Grant, Richard Carnes, Eddie Davis, Johnny Anderton, Mrs. Rick Myers, Gilbert Webb, and Richard Koella.

Pledge: Mayor Talley opened the meeting with the Pledge of Allegiance at 6:30 pm.

Vote on Appeal – City of Townsend, TN. v. Anthony Damico, Blount County Circuit Court

Docket No. L-18244: Mayor Talley explained that this meeting was for the Commission to decide to appeal Judge Duggan’s judgment found in docket L-18244. Upon citizen request, Mayor Talley allowed people to speak about this issue. Mr. Richard Koella stated that he is a life long resident of Blount County, is an outdoorsman, and loves the river. He mentioned that in the past few years things have gotten out of hand. Mr. Koella read a list of issues related to tubing that he drafted. Mr. Don Headrick stated that he has lived in Townsend his whole life. He referenced a Tennessee Attorney General’s opinion from 2011 (AG opinion 11-75) and another Townsend case from 1999 that also referenced navigability (Docket E-17030). Mr. Gilbert Webb mentioned that the biggest problem is crowding and the allowance of tube rental when it’s not safe. He said he would like to see more definitive parameters for portage rights.

Mayor Talley then explained the judgment. He explained that the judgment defines the Little River as navigable in the legal sense, addresses portage rights, and cites that Anthony Damico did not trespass. A motion to appeal the judgment on all three issues (navigability, portage, trespass) was made by Commissioner Palewski. Vice Mayor Headrick seconded and the motion passed with 4 yea votes. Commissioner Wietlisbach abstained. Mayor Talley stated that Mr. Webb’s concern about safety is a good point.

There being no further business Vice Mayor Headrick made a motion to adjourn at 6:42 pm. Commissioner Palewski seconded and the motion passed with 5 yea votes.

Shelia Moss

Approve: _____
Title: _____
_____ date