

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
JANUARY 4, 2012**

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0:31 Attorney Taylor gave the invocation. Commissioner Mackey led in the pledge to the flag.

1:51 **APPROVAL OF MINUTES**

ON MOTION of Commissioner Mackey, seconded by Commissioner Beck, that the minutes of the Recessed Meeting of December 15, 2011, the Agenda Preparation Session of December 15, 2011, and the Regular Meeting of December 21, 2011, be approved, treat same as read, made a matter of record and filed. The foregoing Motion was unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern, "Aye"; and Chairman Henry, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

2:34 **RESOLUTION NO. 112-1 A RESOLUTION TO APPROVE AND ACCEPT APPLICATIONS FOR NOTARY PUBLIC POSITIONS AND THE OATH OF OFFICE OF COMMISSIONERS OF THE SALE CREEK UTILITY DISTRICT AND THE OATH OF DEPUTY SHERIFF.**

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Clerk Knowles requested that the name of Charlene B. Groce, an employee of Allcare Health Services, Inc., be included as a late addition to the notary applicant's list.

ON MOTION of Commissioner Bankston, seconded by Commissioner McClure, to adopt Resolution No. 112-1 including the additional name presented by Clerk Knowles. The foregoing Resolution was unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern, "Aye"; and Chairman Henry, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

3:27

**COUNTY TRUSTEE AMENDED MONTHLY REPORT FOR JULY, AUGUST,
SEPTEMBER, AND OCTOBER 2011**

The County Trustee's amended monthly report for July, August, September, and October 2011 was submitted as a matter of record of this meeting.

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COUNTY TRUSTEE MONTHLY REPORT FOR NOVEMBER 2011

The County Trustee's monthly report for November 2011 was submitted as a matter of record of this meeting.

3:52

RESOLUTION NO. 112-2 A RESOLUTION TO REAPPOINT TWO (2) MEMBERS TO TWO (2) YEAR TERMS BEGINNING 1-4-2012 AND EXPIRING 1-4-2014 AND APPOINT ONE (1) MEMBER TO A ONE (1) YEAR TERM BEGINNING 1-4-2012 AND EXPIRING 1-4-2013 TO THE HAMILTON COUNTY EMPLOYEE APPEALS BOARD.

Resolution No. 112-2 confirms the reappointments of Dean Roddy and William Madison, and the appointment of Brenda Erwin to the Hamilton County Employee Appeals Board, to serve a two year term ending January 4, 2014 and one year term ending January 4, 2013, respectively.

ON MOTION of Commissioner McClure, seconded by Commissioner Bankston, to adopt Resolution No. 112-2. The foregoing Resolution was unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern,

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“Aye”; and Chairman Henry, “Aye”. Total present – 9. Total absent – 0. Total “Aye” votes – 9. Total “Nay” votes – 0.

4:46

RESOLUTION NO. 112-3 A RESOLUTION TO REAPPOINT ONE (1) MEMBER AND APPOINT ONE (1) MEMBER TO THE HAMILTON COUNTY HEALTH AND SAFETY HEARING BOARD FOR FOUR (4) YEAR TERMS BEGINNING JANUARY 4, 2012 AND ENDING JANUARY 4, 2016.

Resolution No. 112-3 confirms the reappointment of Patricia L. Henry and the appointment of John K. (Bucky) McCulley to the Hamilton County Health and Safety Board, to serve four year terms ending January 4, 2016.

ON MOTION of Commissioner Bankston, seconded by Commissioner Mackey, to adopt Resolution No. 112-3. The foregoing Resolution was unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, “Aye”; Commissioner Beck, “Aye”; Commissioner Boyd, “Aye”; Commissioner Fields, “Aye”; Commissioner Graham, “Aye”; Commissioner Mackey, “Aye”; Commissioner McClure, “Aye”; Commissioner Skillern, “Aye”; and Chairman Henry, “Aye”. Total present – 9. Total absent – 0. Total “Aye” votes – 9. Total “Nay” votes – 0.

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5:46 **RESOLUTION NO. 112-4 A RESOLUTION CONFIRMING THE REAPPOINTMENT OF TWO (2) MEMBERS AND APPOINTMENT OF ONE (1) MEMBER BY THE COUNTY MAYOR TO THE HAMILTON COUNTY CONTRACTORS BOARD OF APPEALS AND ADJUSTMENTS FOR TERMS ENDING JANUARY 4, 2016.**

Resolution No. 112-4 confirms the reappointments of Alan Derthick and Ernest Noll, Jr., and the appointment of Randy Metcalf to the Hamilton County Contractors Board of Appeals and Adjustments, to serve four year terms ending January 4, 2016.

ON MOTION of Commissioner Bankston, seconded by Commissioner McClure, to adopt Resolution No. 112-4. The foregoing Resolution was unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern, "Aye"; and Chairman Henry, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

Chairman Henry asked that Resolutions No. 112-5 and 112-6 be considered together, unless a Commissioner desired to hear a Resolution separately. There was no objection to combining the Resolutions.

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6:39 **RESOLUTION NO. 112-5 A RESOLUTION APPROVING THE PURCHASE OF A SUBMERSIBLE VIDEORAY AMOUNTING TO \$110,794.00 FROM VIDEORAY, LLC FOR THE SHERIFF'S DEPARTMENT AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.**

RESOLUTION NO. 112-6 A RESOLUTION ACCEPTING A STATE OF TENNESSEE, GOVERNOR'S HIGHWAY "SAFETY OFFICE GRANT FOR THE "REMOVE INTOXICATED AND IMPAIRED DRIVERS" PROJECT WITH A TERM ENDING SEPTEMBER 30, 2012 AND AMENDING THE SHERIFF'S OFFICE OPERATING BUDGET BY ADDING \$49,847.91 TO REVENUES AND EXPENDITURES.

Commissioner Skillern stated that the Finance Committee reviewed Resolution No. 112-5 and 112-6 and recommended approval.

Commissioner Mackey reported that the Finance Committee had agreed that once the grant funding being received for these programs was no longer available the County would not pick up the costs for continuation of the projects.

ON MOTION of Commissioner Skillern, seconded by Commissioner Graham, to adopt Resolution No. 112-5 and 112-6. The foregoing Resolutions were unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner

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Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern, "Aye"; and Chairman Henry, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

8:43

RESOLUTION NO. 112-7 A RESOLUTION ACCEPTING THE PROPOSAL OF ACACIA CHATTANOOGA VEHICLE AUCTION, INC. TO PROVIDE VEHICLE AUCTION SERVICES FOR HAMILTON COUNTY FOR A CONTRACT PERIOD OF THREE (3) YEARS WITH THE OPTION FOR UP TO TWO (2) ADDITIONAL ANNUAL RENEWALS AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

Commissioner Skillern stated that the Finance Committee reviewed Resolution No. 112-7 and recommended approval.

ON MOTION of Commissioner Skillern, seconded by Commissioner Graham, to adopt Resolution No. 112-7. The foregoing Resolution was unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern,

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“Aye”; and Chairman Henry, “Aye”. Total present – 9. Total absent – 0. Total “Aye” votes – 9. Total “Nay” votes – 0.

Chairman Henry asked that Resolutions No. 112-8 through 112-10 be considered together, unless a Commissioner desired to hear a Resolution separately. There was no objection to combining the Resolutions.

10:03

RESOLUTION NO. 112-8 A RESOLUTION TO AMEND THE “MASTER LIST OF ROADS AND SPEED LIMITS” SO AS TO ACCEPT THE FOLLOWING DISTRICT ROAD AND TO ESTABLISH A SPEED LIMIT THEREFORE: GRAZING LANE AS EXTENDED.

RESOLUTION NO. 112-9 A RESOLUTION TO AMEND THE “MASTER LIST OF ROADS AND SPEED LIMITS” SO AS TO ACCEPT THE FOLLOWING DISTRICT ROAD AND TO ESTABLISH A SPEED LIMIT THEREFORE: RAINBOW SPRINGS DRIVE AS EXTENDED.

RESOLUTION NO. 112-10 A RESOLUTION TO AMEND THE “MASTER LIST OF ROADS AND SPEED LIMITS” SO AS TO ACCEPT THE FOLLOWING DISTRICT ROADS AND TO ESTABLISH SPEED LIMITS THEREFORE: LITTLE GEM LANE AND DAJU COURT.

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Commissioner Bankston stated that the Roads Committee reviewed Resolutions No. 112-8 through 112-10 and recommended approval.

ON MOTION of Commissioner Bankston, seconded by Commissioner McClure, to adopt Resolutions No. 112-8 through 112-10. The foregoing Resolutions were unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern, "Aye"; and Chairman Henry, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

11:37

RESOLUTION NO. 112-11 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO ENTER INTO AND EXECUTE A CONTRACT WITH FRANKLIN ARCHITECTS FOR THE DESIGN OF THE NEW OOLTEWAH ELEMENTARY SCHOOL FOR AN AMOUNT NOT TO EXCEED \$1,195,191 OF PREVIOUSLY BUDGETED FUNDS.

Chairman Henry stated that Commissioner Graham would represent this resolution on behalf of the Finance Committee.

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Commissioner Graham stated that the Finance Committee reviewed Resolution No. 112-11 and based on the recommendation of Assistant Superintendent Gary Waters a majority of the committee members recommended approval.

ON MOTION of Commissioner Graham, seconded by Commissioner Mackey, to adopt Resolution No. 112-11. The foregoing Resolution was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Beck, "Aye"; Commissioner Boyd, "Aye"; Commissioner Fields, "Aye"; Commissioner Graham, "Aye"; Commissioner Mackey, "Aye"; Commissioner McClure, "Aye"; Commissioner Skillern, "Nay"; and Chairman Henry, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 8. Total "Nay" votes – 1.

13:10

RESOLUTION NO. 112-12 A RESOLUTION AUTHORIZING THE PLACEMENT OF PINK DUMPSTERS ON HAMILTON COUNTY PROPERTIES IN SUPPORT OF THE "SCRAP FOR THE CURE FOR CANCER" CAMPAIGN AS SPONSORED BY THE JUNKYARD MAFIA.

Chairman Henry reported that upon request by Commissioner Bankston, this Resolution had been submitted as a late item. This item was removed from a previous agenda for the County Attorney to look into questions raised by members of the Commission.

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Commissioner Bankston provided additional details obtained by the County Attorney regarding this Resolution. He noted that this campaign would not require any county funding.

14:31 Commissioner Boyd questioned whether the County would have any liability regarding the dumpsters. Finance Administrator Louis Wright responded that because the County is self-insured, if any legal issues arose from a private individual the individual would likely seek restitution from the County. He noted that the County could then subrogate against Junkyard Mafia if they desired. He stated that to his knowledge, the company was not a qualified and approved 501c3 charitable organization.

Commissioner Beck noted that recently, a similar Resolution to authorize the sale of farm-grown produce at the Bonny Oaks Industrial Park had been rejected by the Commission. He also commented that a 501c3 organization had contacted him about selling sandwiches at the Courts building and he had advised them against pursuing the idea.

Commissioner Fields raised a point of order as to whether discussion was in order since there was not a motion on the floor at this time. Chairman Henry opened the floor for a Motion on Resolution No. 112-12.

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ON MOTION of Commissioner Bankston, to adopt Resolution No. 112-12. The motion failed for lack of second.

Commissioner Skillern asked if the County still had scrap metal dumpsters at each County collection point. Mayor Coppinger indicated that there was.

Commissioner Skillern pointed out that the revenue typically attained by the sale of scrap at those facilities would be lost if the pink dumpsters were used.

25:56 **RESOLUTION NO. 112-13 A RESOLUTION SETTING AND ESTABLISHING RULES AND REGULATIONS FOR USE OF HAMILTON COUNTY OWNED GROUNDS AND FACILITIES BY THE GENERAL PUBLIC.**

Chairman Henry announced that late resolution, No 112-13, had been distributed. He asked that Deputy Clerk Michael Clark read the resolution in its entirety.

ON MOTION of Commissioner Graham, seconded by Commissioner Boyd, to adopt Resolution No. 112-13.

27:21 Commissioner Fields questioned whether the county's legal staff had reviewed this resolution. Attorney Taylor indicated that his office had helped draft these regulations and approved of their contents. He pointed out that these were the

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procedures that had been followed for more than 30 years but had never been adopted formally by this body. He noted that the word “and” was missing from the Resolution’s caption between the words “setting” and “establishing”. He indicated that he would submit a revised Resolution to the Clerk’s office for the record.

Chairman Henry asked if there were those in the audience who wished to speak regarding this resolution. There was no one.

The foregoing Resolution was unanimously adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, “Aye”; Commissioner Beck, “Aye”; Commissioner Boyd, “Aye”; Commissioner Fields, “Aye”; Commissioner Graham, “Aye”; Commissioner Mackey, “Aye”; Commissioner McClure, “Aye”; Commissioner Skillern, “Aye”; and Chairman Henry, “Aye”. Total present – 9. Total absent – 0. Total “Aye” votes – 9. Total “Nay” votes – 0.

28:38

ANNOUNCEMENTS

Chairman Henry asked for announcements from members of the Commission.

28:56

Commissioner McClure reported that last night he had attended a public meeting in Bledsoe County to discuss the potential closure by the State of Tennessee of the Taft

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Youth Development Center. Juvenile Court Judge Suzanne Bailey had also attended the meeting and expressed concern to him about the possible closure. The center provides treatment programs to delinquent youth. He informed the Commission of his intent to assemble the Security and Corrections Committee following adjournment of today's Commission meeting, in order to further discuss this issue. He indicated his desire that a Resolution be submitted at a future meeting expressing the Commission's support to the Tennessee General Assembly to keep the Taft Center open.

31:41

Commissioner Skillern noted that media reports indicated that facilities throughout the State similar to the Taft Center were only 80% occupied. For this reason he understood the State's decision. However, he pointed out that with recent juvenile violence reports in this community alone there should be greater occupancy and the need for even more facilities of this kind.

34:56

Commissioner Beck reported that Health Services Administrator Becky Barnes had invited each member of the Commission to attend a special leadership Spin Class at the Health and Wellness Center located in the McDaniel Building on Thursday, January 5th at 5:00 PM. He stated that he would attend and challenged members of the Commission to also participate.

36:17

Mayor Coppinger stated that Mayor staff member Arlene Hughes had distributed to Commissioners a letter from Rutherford County Clerk Lisa Crowell. In the letter,

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Clerk Crowell reported that the Rutherford County Commission recently adopted a Resolution urging the Tennessee General Assembly to make the sale of synthetic drugs a felony. She asked that the Hamilton County Commission consider a resolution requesting action of the General Assembly. A copy of this letter was submitted to the Clerk's office for the record.

37:09 **DELEGATIONS**

Chairman Henry asked for delegations on matters other than zoning. There were none.

There being no further business, Chairman Henry declared the meeting in recess until Thursday, January 12, 2012 at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

Date

W.F.K.
Clerk's Initials