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**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
SEPTEMBER 1, 2011**

Mayor Coppinger asked that Resolution Number 911-26 be heard at this time in order that his staff may return to their work duties. Chairman Henry granted the request.

1:15 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 911-26**

Chairman Henry spoke regarding this Resolution, which would adopt the reapportionment/redistricting plan on the 2010 Federal Decennial Census.

3:15 Commissioner Fields noted that a copy of the first map had been attached to the Resolution. He questioned whether a copy of the second map was available.

Chairman Henry asked that all necessary maps or documents be provided to Commissioners before next week's meeting

Commissioner Fields pointed out that the first map had a substantial deviation, and questioned whether it would be in compliance with all State and Federal redistricting regulations.

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Attorney Taylor responded that representatives from the State had indicated that the County had made efforts to provide equal representation throughout the district.

Attorney Taylor answered additional questioning by Commissioner Boyd regarding standard and relative deviations.

Commissioner Mackey alerted the Commission of his intent to offer an amendment to one of the maps in discussion. He noted the second map proposed a total of twelve schools to be located in the district he represented. His proposed amendment would be for two of these schools to be added to Commissioner Graham's district, in an attempt to make the school representation more equitable. He pointed out that there would be no population change, as there was no housing surrounding these two schools.

12:02 Commissioner Graham indicated he had not studied Commissioner Mackey's proposed amendment or talked with his school board representative about it, so he could not comment on it at this time. Chairman Henry questioned whether he could be ready with his review before next Wednesday. Commissioner Graham indicated he would.

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13:08 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 911-22**

Trustee Bill Hullander addressed this Resolution, which would approve the purchase of U.S. postage for the 2011 Tax Bills from Kickoff Publishing. He reported that these annual tax bills would be sent out this month. He noted that he had been advised by Kickoff Publishing that it would cost 8/10 of a penny more than last year to perform the mail sort. The overall mailing would be cheaper, as an individual with three or more properties would only receive one mailing, as compared with multiple mailings in the past. These mailings would be processed through the County mail room.

Upon questioning by Commissioner Graham, Trustee Hullander responded that three local companies bid on this project.

15:10 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 911-23**

This Resolution would increase the contract with TriStar Environmental, Inc. for the Charles A. Bell Elementary School demolition and environmental abatement. Chairman Henry stated that any Commissioners with questions or comments regarding this Resolution may do so at this time. There were none.

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15:56 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 911-24**

This Resolution would authorize the Mayor to sign an agreement with the Chattanooga Area Urban League to provide certain contract compliance services.

Commissioner Boyd asked how many County jobs the Urban League had monitored during the previous budget year.

Warren Logan, Urban League President, responded that he did not have a specific number available. He stated the County Purchasing Department provides them with a list every other month detailing the County contracts. The Urban League monitors these particular sites to determine the number of minorities hired by the respective firms, whether any minority sub-contractors were on site, and to offer assistance to the contractors for qualified minority referrals.

Upon questioning by Commissioner Boyd, Mr. Logan stated there was no directive from the county mandating a percentage for the hiring of minorities by these contractors. He pointed out that under the contract with Hamilton County his organization also provides skills training to individuals to assure a quality, trained workforce.

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Mayor Coppinger and Chairman Henry expressed their appreciation to Mr. Logan and the Urban League for the valuable services they provide to the community.

21:21 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 911-25**

This Resolution would authorize the implementation of an ethanol transfer station by Englewood Enterprises, LLC on Lot 61 of the Bonny Oaks Industrial & Office Park.

Allison Bickerstaff, an attorney with Leroy, Hurst, and Bickerstaff, addressed the Commission as a representative of the legal counsel for Englewood Enterprises. She introduced her law partner James Hurst, and Kevin Condra, President of Englewood Enterprises.

Ms. Bickerstaff and Mr. Hurst gave a lengthy report and powerpoint presentation regarding the covenants and restrictions on the lot.

Ms. Bickerstaff distributed a handout to members of the Commission and Clerk's office for the record. She stated her belief that no amendment to the covenants was needed, but that the reversion rights implemented by the County in the 1980s must be waived. She reported that since the current owner of Lot 61, Kenco, did not build within 2 years after it was purchased, the County could purchase the property back for 90% of

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the amount Kenco paid the County in 1998. The County could also allow Kenco to sell the property and accept the sale for an amount greater than the price restriction set forth in the covenants. Kenco's contracted purchase price was \$399,500, or \$72,398 more than the Consumer Price Index.

Ms. Bickerstaff detailed the conditions of the covenants and stated that Englewood's design met all the specifications. She stated that they were informed that an M-1 zoning would be necessary for the property.

29:58 Real Property Manager Paul Parker, Assistant County Attorney David Norton, Mr. Hurst, and Mr. Condra responded to detailed questioning by members of the Commission.

Upon questioning by Commissioner Boyd, Mr. Parker indicated that Kenco would be required to come before the Commission to seek permission to sell the property to another party, as the property had not been developed. He pointed out that this was the last parcel in the park yet to be developed.

Assistant County Attorney Norton clarified that the group addressing the Commission today was seeking their consensus before pursuing various other requirements that had to be met.

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Commissioner Boyd read into the record a portion of letter from Mike Price, with MAP Engineering. The document was titled "Required Actions Needed for Approval". Item number one read: "Hamilton County Commission would need to amend the Bonny Oaks Industrial Park covenants and restrictions to allow for use of the proposed ethanol trans-loading facility."

1:13:47 Greg Haynes, with the Regional Planning Agency (RPA), clarified that the City of Chattanooga Zoning Enforcement Department had recommended the M-1 zoning. The RPA and Planning Commission was recommending denial of that request.

John Bridger, RPA Executive Director, provided additional details regarding the zoning and special permit process for the parcel.

1:17:25 Sue Powell, a resident at 4720 Maywood Lane, spoke as a representative of opposition present from Lake Hills subdivision. She encouraged the Commission to not alter the current covenant, as it may set a precedent for other properties in the County.

1:22:45 Graham Riley, Mac Paper General Manager, also spoke in opposition. Mac Paper is a company located in the Bonny Oaks Industrial Park across from the

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proposed site. He stated his belief that the rezoning of this property would decrease the property values of the surrounding companies.

1:25:19 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 911-27**

Wade Hinton, a representative from Volkswagen, spoke regarding this Resolution, which would approve the entering into of an Interlocal agreement with the City of Chattanooga and others regarding any taxes and/or fees that may be addressed to and paid by Volkswagen Group of America related to their leasehold interest in a training academy in Enterprise South Industrial Park. He stated that Volkswagen had been under the impression that because the academy was an educational facility, it would not be taxed.

Mr. Hinton pointed out that Assessor of Property Bill Bennett informed Volkswagen that the property would be assessed a tax because they had a leasehold interest in Volkswagen Academy. If the tax were paid, it would be considered a credit towards the Payments in Lieu of Ad Valorem Taxes (PILOT) payment. The education portion of the taxes would still be paid. He distributed a copy of an Interlocal Agreement Overview to the Commission and Clerk's office.

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1:29:50 **COMMITTEE ASSIGNMENTS**

Chairman Henry indicated the upcoming agenda items would be considered as follows:

- Resolution No. 911-1 was the usual County Clerk item regarding notaries, etc. This required no committee assignment.
- An Order of Designation to the Transportation Planning Commission would be submitted as a matter of record.
- A Fee Officials Report would be submitted for the record.
- A Quarterly Investment Report would be submitted for the record.
- Resolution No. 911-2 were board appointments requiring no committee assignments.
- Resolutions No. 911-3 through 911-21 were assigned to the Finance Committee, with Commissioner Mackey acting as Chairman in the absence of Commissioner Skillern.
- Resolutions No. 911-22 through 911-27 were considered by a Committee of the Whole.

1:32:03 **ANNOUNCEMENTS**

Chairman Henry asked for announcements from members of the Commission.

1:32:11 Commissioner Mackey spoke regarding the long length of recent Commission meetings. He expressed a desire that in the future meetings be more consolidated and less repetitious.

Chairman Henry shared his agreement with Commissioner Mackey's comments.

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1:32:59 Members of the Commission and Mayor Coppinger spoke regarding Legislative Administrator Lila Mack's retirement, which would be effective today. Each thanked her for her valuable years of service to the County. Mrs. Mack would be relocating with her husband Bob to Tucson, Arizona.

Commissioner Graham pointed out that he and three other Commissioners were celebrating their one year anniversary of serving on the Commission today. He noted that Mrs. Mack had done an excellent job training the new Commissioners.

1:34:20 Mayor Coppinger announced that a reopening ceremony for the Business Development Center would be held on Wednesday, September 7th at 1:30 PM. The business incubator had recently completed renovations. He invited all Commissioners to attend this celebration.

1:35:50 Chairman Henry spoke regarding the upcoming year's Committee Assignments. He stated that the Committees had functioned well over the past year and he did not have any intention to make changes. He indicated he had spoken with all Committee Chairmen and that they were agreeable to serving in that capacity for another year. He asked that any Commissioner desiring to receive a change to their Committee Assignment notify him. He looked forward to a productive year.

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DELEGATIONS

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

Being no further business, Chairman Henry declared the meeting adjourned.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

Date



Clerk's Initials