

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
OCTOBER 5, 2011**

STATE OF TENNESSEE)
COUNTY OF HAMILTON)

Regular Meeting
October 5, 2011

BE IT REMEMBERED, that on this 5th day of October, 2011, a Regular Meeting of the Hamilton County Board of Commissioners was begun and held at the Courthouse, in the City of Chattanooga, in the County Commission Room, when the following proceedings were held, to wit:--

0:21

Present and presiding was the Honorable Larry Henry, Chairman. County Clerk Bill Knowles called the roll of the County Commission and the following, constituting a quorum, answered to their names: Commissioner Bankston, Commissioner Beck, Commissioner Boyd, Commissioner Fields, Commissioner Graham, Commissioner Mackey, Commissioner McClure, Commissioner Skillern, and Chairman Henry. Total present - 9. Total absent – 0.

Also in attendance were County Mayor Jim Coppinger, members of his administrative staff, County Attorney Rheubin Taylor, and County Auditor Bill McGriff.

Attached hereto is a copy of the Public Notice of this meeting, which was published in a local newspaper and made a matter of record of this meeting.

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0:44 Reverend Al Miller, pastor at Meadowview Baptist Church, gave the invocation.
Commissioner Bankston led in the pledge to the flag.

3:04 **APPROVAL OF MINUTES**

ON MOTION of Commissioner Mackey, seconded by Commissioner McClure, that the minutes of the Recessed Meeting of September 15, 2011, the Agenda Preparation Session of September 15, 2011, and the Regular Meeting of September 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.

3:40 **RESOLUTION NO. 1011-1 A RESOLUTION TO APPROVE AND ACCEPT APPLICATIONS FOR NOTARY PUBLIC POSITIONS.**

Clerk Knowles indicated there were no additions or deletions to the Resolution.

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ON MOTION of Commissioner Fields, seconded by Commissioner McClure, to adopt Resolution No. 1011-1. 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 without objection, Resolutions No. 1011-2 and 1011-3 be considered together at this time. There was no objection.

4:17

RESOLUTION NO. 1011-2 A RESOLUTION TO ACCEPT A CONTINUATION CONTRACT BETWEEN THE SHERIFF'S OFFICE AND THE STATE OF TENNESSEE'S DEPARTMENT OF HUMAN SERVICES FOR A CHILD SUPPORT PROGRAM IN THE AMOUNT OF \$199,200 FOR THE PERIOD JULY 1, 2011 THROUGH JUNE 30, 2012.

RESOLUTION NO. 1011-3 A RESOLUTION RATIFYING THE PURCHASE OF GASOLINE AND DIESEL FUEL FOR THE PERIOD OF AUGUST 1, 2011, THROUGH AUGUST 31, 2011, AND TO AUTHORIZE THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

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Commissioner Skillern stated that the Finance Committee reviewed Resolutions No. 1011-2 and 1011-3 and recommended approval.

ON MOTION of Commissioner Skillern, seconded by Commissioner Mackey, to adopt Resolutions No. 1011-2 and 1011-3. 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.

Chairman Henry asked that without objection, Resolutions No. 1011-4 through 1011-7 be considered together at this time. There was no objection.

5:42 **RESOLUTION NO. 1011-4 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO SIGN A CONTRACT, WITH THE TERM FEBRUARY 28, 2011 THROUGH FEBRUARY 27, 2016, WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) TO REIMBURSE THE COUNTY FOR EXPENSES INCURRED DUE TO THE EXTREME WEATHER EVENTS IN FEBRUARY 2011 AND AMENDING THE**

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BUDGET OF THE EMERGENCY SERVICES DEPARTMENT BY ADDING \$33,406 TO REVENUES AND EXPENDITURES.

RESOLUTION NO. 1011-5 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO CONTINUE AN AGREEMENT BEGINNING OCTOBER 1, 2011 AND ENDING JUNE 30, 2012, BETWEEN HAMILTON COUNTY AND THE TENNESSEE DEPARTMENT OF HUMAN SERVICES FOR A \$192,691 TITLE XX GRANT TO PROVIDE ADULT DAY CARE AND HOMEMAKER SERVICES TO ELIGIBLE INDIVIDUALS AND FAMILIES.

RESOLUTION NO. 1011-6 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO CONTINUE SUBCONTRACT AGREEMENTS, WITH A PERIOD OCTOBER 3, 2011 TO JUNE 30, 2012, WITH THE PARTNERSHIP FOR FAMILIES CHILDREN AND ADULTS INC. AND SIGNAL CENTERS INC. TO PROVIDE TITLE XX SOCIAL SERVICES TO ELIGIBLE INDIVIDUALS AND FAMILIES.

RESOLUTION NO. 1011-7 A RESOLUTION ACCEPTING THE BID OF ROMTEC, INC. FOR TWO (2) WATERLESS OUTDOOR DOUBLE RESTROOMS AMOUNTING TO \$83,383.90 FOR THE RECREATION DEPARTMENT AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

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Commissioner Skillern stated that the Finance Committee reviewed Resolutions No. 1011-4 through 1011-7 and recommended approval.

ON MOTION of Commissioner Skillern, seconded by Commissioner Graham, to adopt Resolutions No. 1011-4 through 1011-7. 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.

9:02

RESOLUTION NO. 1011-8 A RESOLUTION FOR THE ACCEPTANCE OF A PROPOSAL BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF SR-317 FROM OLD LEE HIGHWAY TO SR-321 (OOLTEWAH-RINGGOLD ROAD) IN HAMILTON COUNTY.

Commissioner Bankston stated that the Roads Committee reviewed Resolution No. 1011-8 and recommended approval.

ON MOTION of Commissioner Bankston, seconded by Commissioner McClure, to adopt Resolution No. 1011-8. The foregoing Resolution was unanimously adopted

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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.

9:50

RESOLUTION NO. 1011-9 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO INCREASE THE CONTRACT WITH BARGE, WAGGONER, SUMNER & CANNON, INC. FOR THE DESIGN OF THE TENNESSEE RIVERPARK DOWNTOWN SEGMENT TO INCLUDE CONSTRUCTION DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED \$1,141,534.00 OF PREVIOUSLY BUDGETED FUNDS.

Commissioner Skillern stated that the Finance Committee reviewed Resolution No. 1011-9 and recommended approval.

ON MOTION of Commissioner Skillern, seconded by Commissioner Graham, to adopt Resolution No. 1011-9. The motion was not voted on at this time.

Commissioner Mackey pointed out that Barge, Waggoner, Sumner, and Cannon, Inc. had requested numerous contract increases from the Commission.

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11:16 Mayor Coppinger noted that these contract increases were often due to change orders requested by the County.

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 without objection, Resolutions No. 1011-10 and 1011-11 be considered together at this time. There was no objection.

12:21 **RESOLUTION NO. 1011-10 A RESOLUTION ACCEPTING THE BID OF TALLEY CONSTRUCTION COMPANY, INC. FOR THE CHARLES A. BELL ELEMENTARY SCHOOL MASS GRADING, CONCRETE/MASONRY DEMOLITION, AND ON-SITE REUSE AMOUNTING TO \$378,225.10 AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.**

RESOLUTION NO. 1011-11 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO GRANT A TEMPORARY

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**CONSTRUCTION EASEMENT TO THE STATE OF TENNESSEE DEPARTMENT OF
TRANSPORTATION (TDOT) ON A PORTION OF FINLEY STADIUM PROPERTY
JOINTLY-OWNED BY HAMILTON COUNTY AND THE CITY OF CHATTANOOGA TO
FACILITATE THE IMPROVEMENTS FOR U.S. HWY 27.**

Commissioner Skillern stated that the Finance Committee reviewed Resolutions No. 1011-10 and 1011-11 and recommended approval.

Commissioner Skillern spoke regarding Resolution No. 1011-10. He anticipated that this would likely not be the last expenditure associated with the clean-up of the former Charles A. Bell school property. He noted that often it is more expensive to clean up a property than to give it away.

ON MOTION of Commissioner Skillern, seconded by Commissioner Mackey, to adopt Resolutions No. 1011-10 and 1011-11. 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.

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14:21 **RESOLUTION NO. 1011-12 A RESOLUTION ACCEPTING AN OFFICE OF VIOLENCE AGAINST WOMEN GRANT, WITH A TERM OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2014, TO ESTABLISH THE HAMILTON COUNTY SAFE HAVENS PROGRAM AND AMENDING THE SAFE HAVENS GRANT BUDGET BY ADDING \$380,057 TO REVENUES AND EXPENDITURES.**

Commissioner Skillern stated that the Finance Committee reviewed Resolution No. 1011-12 and recommended approval.

ON MOTION of Commissioner Skillern, seconded by Commissioner Graham, to adopt Resolution No. 1011-12. 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 McClure, "Aye"; Commissioner Skillern, "Aye"; and Chairman Henry, "Aye". Commissioner Mackey was not present during this vote. Total present – 8. Total absent – 1. Total "Aye" votes – 8. Total "Nay" votes – 0.

15:24 **RESOLUTION NO. 1011-13 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO AWARD FIVE (5) DAYS OF PAID LEAVE FOR THE PURPOSE OF ENCOURAGING ALL HAMILTON COUNTY EMPLOYEES TO PARTICIPATE IN THE UNITED WAY CAMPAIGN THROUGH PAYROLL DEDUCTION.**

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Chairman Henry reported that Resolution No. 1011-13 had been heard by a Committee of the Whole.

ON MOTION of Commissioner Graham, seconded by Commissioner McClure, to adopt Resolution No. 1011-13. 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 McClure, "Aye"; Commissioner Skillern, "Aye"; and Chairman Henry, "Aye". Commissioner Mackey was not present during this vote. Total present – 8. Total absent – 1. Total "Aye" votes – 8. Total "Nay" votes – 0.

16:14 **ANNOUNCEMENTS**

Chairman Henry asked for announcements from members of the Commission.

16:31 Commissioner Graham reported that he and Commissioner Mackey recently conducted a community meeting to discuss the recent redistricting. He noted the high amount of participation from residents in their districts.

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17:23 Commissioner McClure informed the Commission that the Security and Corrections Committee had met earlier that morning to discuss the Judicial Commissioner appointment process. The Committee recommended that interviews be conducted on Monday, October 17th, at 9:00 AM in the Commission Room. He invited the Commission to participate in these interviews. It was also recommended that the Commission vote to appoint Judicial Commissioners at the October 19th Regular Commission Meeting.

18:39 Commissioner Skillern thanked everyone for their prayers and support while his son Rees continued receiving cancer treatment. He reported that Rees was able to come home yesterday.

19:12 Commissioner Fields thanked Mayor Coppinger and various other County staff who were able to attend a meeting Monday night regarding a pavilion at Shackelford Ridge Park. He expressed his appreciation for their support and feedback.

19:47 Commissioner Beck requested that the Commission revisit their recognizing February as “African-American History Month”, and instead designate February as “American History Month” to recognize all contributions throughout the nation. He asked that the Clerk’s office get a copy of one of these resolutions to the appropriate person to draft that resolution.

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DELEGATIONS

Chairman Henry asked for delegations on matters other than zoning.

21:55 Ben Layton, Regional Big-Game Biologist for the TN Wildlife Resources Agency (TWRA), spoke regarding recent requests that managed deer hunts no longer be permitted at the Enterprise South Nature Park.

Upon questioning by Commissioner Mackey, Mr. Layton responded the TWRA believed that given the acreage of the park, the current deer population could not sustain itself at a healthy level. The purpose of the archery hunts was designed to attempt to reduce the deer population so that the available habitat would better support the number of deer. He also cited complaints from residents of the area regarding deer venturing outside the park to feed on shrubs and plants. He noted this would also indicate a need to find additional food sources outside the park parameters.

26:56 Commissioner Graham questioned approximately how many years the TWRA had managed similar hunts throughout Tennessee. Mr. Layton estimated that hunts had been managed by the TWRA since its foundation in the 1940s.

Commissioner Graham thanked Mr. Layton, the TWRA and the Hamilton County Rangers for their contributions and service at the park.

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Mr. Layton responded to additional questioning by members of the Commission regarding deer population and migration.

Commissioner Beck reminded the Commission that a Building and Development Committee meeting would be held on Wednesday, October 12th at 2:00 PM in the adjacent Commission conference room, in order to discuss this matter further.

There being no further business, Chairman Henry declared the meeting in recess until Thursday October 13, 2011 at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

10-19-11
Date

WJK
Clerk's Initials