

Time Code
Position

**RECESSED MEETING
HAMILTON COUNTY COMMISSION
OCTOBER 25, 2011**

3:23 **RESOLUTION NO. 1011-27A A RESOLUTION APPOINTING JUDICIAL COMMISSIONERS FOR A ONE (1) YEAR TERM, COMMENCING NOVEMBER 1, 2011, AND EXPIRING OCTOBER 31, 2012; AND DESIGNATING A CHIEF JUDICIAL COMMISSIONER; AND ESTABLISHING THE COMPENSATION TO BE RECEIVED BY EACH DURING THEIR RESPECTIVE TERM(S) IN OFFICE.**

Chairman Henry reported that during October 19th Regular Meeting, the Commission had selected four individuals to serve as Judicial Commissioner for a specified term. Action on the confirming Resolution was deferred until today's meeting after two tie votes were taken on roll call for Chief Commissioner. Commissioner Boyd was out of town.

Chairman Henry disclosed his relationship to his nephew in-law Larry Ables. Mr. Ables presently serves as the Chief Judicial Commissioner.

He stated that he had made the Commission aware of this relationship last year, with the exception of Commissioner McClure, who was not a Commissioner at the time.

Attorney Taylor confirmed that the Commission Henry will not violate any laws or ethics when voting for Larry Ables to serve as Chief Judicial Commissioner.

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Commissioner McClure confirmed that he had been aware of this relationship during these proceedings.

Chairmen Henry reminded the Commission that two nominees were to be considered for Chief Judicial Commissioner, Larry Ables and Randall Russell. Chairman Henry called upon County Clerk Knowles to call the roll.

The roll was called for the purpose of voting on nominees Larry Ables and Randy Russell. The following members of the County Commission were present and voted as follows: Commissioner Bankston: "Larry Ables"; Commissioner Beck: "Larry Ables"; Commissioner Boyd: "Larry Ables"; Commissioner Fields: "Randall L. Russell"; Commissioner Graham: "Randall L. Russell"; Commissioner Mackey: "Larry Ables"; Commissioner McClure, "Randall L. Russell", and Commissioner Skillern, "Randall L. Russell". Chairman Henry, "Larry Ables". Total present – 9. Total absent – 0. Total votes for Larry Ables – 5; Total votes for Randall L. Russell – 4.

Clerk Knowles reported that the Commission had voted 5-4, in favor of Larry Ables.

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Attorney Taylor indicated that a revised Resolution had been prepared, with the Chief Judicial Commissioner name included. He provided the Clerk's office with this revised Resolution for the record.

ON MOTION of Commissioner McClure, seconded by Commissioner Boyd, to adopt Resolution No. 1011-27A. 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

8:09 **RESOLUTION NO. 1011-28 A RESOLUTION TO CONFIRM THE APPOINTMENT BY THE COUNTY MAYOR OF ALECIA A. POE AS ASSISTANT DIRECTOR OF THE HUMAN RESOURCES DEPARTMENT.**

ON MOTION of Commissioner Graham, seconded by Commissioner Fields, to adopt Resolution No. 1011-28. 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";

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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

8:57

Mayor Coppinger thanked the Commission for their support of Alecia A. Poe's appointment. He also noted that this appointment would result in a cost savings to the County, as it will take the place of two recent manager resignations in the department. Mayor Coppinger and members of the Commission welcomed Ms. Poe.

10:20

DISCUSSION RE: 1011-26

Attorney Taylor noted that an amended version of Resolution 1011-26 was completed and delivered to the Commission and the Clerk's office. This Resolution was adopted as amended on October 19th, 2011. The amendment included two changes, including inserting Hamilton County as the purchaser of the property and insuring that the proceeds from the sale of the existing Ooltewah Elementary School are turned over to the Commission for capital improvements within the school system.

Commissioner Beck expressed concern about the school system rejecting the structure of Resolution 1011-26. Attorney Taylor stated the school system will have to approve the structure. If denied, the matter would be back before the Commission to decide.

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13:19 Commissioner Mackey had a major concern regarding the lack of hearing an overall building plan. He expressed a desire to hear the School Board present a well thought out plan taking such matters as zoning and population into consideration.

Commissioner Graham reminded the Commission that the Resolution states Hamilton County will have the project completed in 36 months from closing date. Attorney Taylor further noted that there is not a reversionary clause or penalty in the contract if the school is not built on time.

Commissioner Graham pointed out that the sales contract stated that the building and completion of the new school was to occur within 36 months of the closing on the property. He expressed a desire to have a county representative readily available to be present from beginning to end when further property or school negotiations were made with County funds.

15:32 Attorney Taylor noted that there was no reversionary clause or penalty in the contract if the school was not built in that time frame.

16:40 Commissioner Skillern stated to his knowledge for schools in his district in the past, the school system selected the property, and all other matters were handled by the County.

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Real Property Manager Paul Parker confirmed that this process had been followed in the past.

Commissioner Skillern asked that a resolution be prepared for Commission consideration to establish procedures for future school construction projects.

Commissioner Bankston indicated he had been aware of this process since its inception and thought Paul Parker had been involved as well. Mr. Parker responded that Mayor Coppinger had requested his assistance with this matter three weeks ago.

Chairman Henry noted this matter will be added to November 10th, 2011 Agenda Session for discussion, with the Commission to take action at the November 16th Regular Meeting.

There being no further business, Chairman Henry declared the meeting adjourned.

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Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

11-16-11
Date

WJK
Clerk's Initials