



Time Code  
Position

**HAMILTON COUNTY COMMISSION  
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FEBRUARY 22, 2017**

0:25

**PRESENTATION – HAMILTON COUNT DEPARTMENT OF EDUCATION – INTERIM  
SUPERINTENDENT DR. KIRK KELLY**

Dr. Kirk Kelly, Interim Superintendent for the Hamilton County Department of Education, distributed a copy of the Board of Education’s Facility Plan in Priority Order list. A copy of the list was filed in the Clerk’s office. He noted that the list was approved by the school board on February 16, 2017. It was noted that the “New Construction/Addition section is in priority order, the remaining sections are in alphabetical order.

1:47

Justin Witt, Director of Maintenance and Operations for the Hamilton County Department of Education explained each section of the list. Mr. Witt gave a brief overview of the list and highlighted several areas of interest.

1. Harrison Elementary replacement would consolidate Harrison and Hillcrest, accept a portion of the Lakesite zone and eliminate portables.
2. CSLA replacement would include a K-12 program and could help with overcrowding in other schools.
3. New East Hamilton Middle School would accommodate 1200 pupil capacity, relieve overcrowding at East Hamilton High School and Ooltewah High School, and address additional growth.

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4. Snow Hill addition would address additional growth in the Hwy 58 area and also relieve some of the growth experienced when Birchwood was closed.
5. Howard Middle renovation would accommodate growth in the downtown area.
6. Gym additions to Lookout Valley Middle High, Central High, and Hixson High have been on the Board of Education's project list for 10 years.

6:10

In response to Commissioner Mackey's question Mr. Witt stated he would send a list detailing classroom space and pupil capacity for each of the 73 schools. Chairman Bankston stated the commission has already received the list.

In response to Commissioner Mackey question Mr. Witt confirmed the School Board's Deferred Maintenance list on existing buildings is \$210 - \$240 million dollars.

Commissioner Mackey questioned the possibility of rezoning school districts to utilized empty classroom space. Dr. Kelly stated rezoning could help but won't solve all issues. Commissioner Mackey addressed low test scores and suggested spending money on the kids not buildings.

13:33

Commissioner Smedley thanked Dr. Kelly and Mr. Witt for today's presentation and announced that a joint work session with the County Commission and the School Board will take place March 14<sup>th</sup>, 6 pm at the Department of Education. She

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recommended the list detailing each school's classroom capacity and pupil capacity be updated and sent to the commission before the aforementioned joint meeting. Dr. Kelly agreed to update the list and send it.

14:50

Commissioner Martin thanked Dr. Kelly for today's presentation and all the hard work he has done as interim superintendent. At this time, a round of applause was given to Dr. Kelly. Commissioner Martin thanked Dr. Kelly for his willingness to communicate and remain transparent.

In response to Commissioner Martin's question, Mr. Witt stated the CSLA replacement does include athletic facilities.

Dr. Kirk Kelly noted the schools listed on the Facility Plan, under New Construction/additions, are approaching 80 years old.

23:56

Commissioner Boyd addressed the Building Needs section and noted the \$5 million allocated to reroof several buildings. He recommended the reroofing projects be made a high priority to prevent further deterioration.

27:05

Commissioner Graham also thanked Dr. Kelly and Mr. Witt for their leadership and today's presentation. He acknowledged that the vocational building at Lookout

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Valley Middle High was listed to be reroofed; he added the main building also has a leaky roof. Buckets are placed in the hallways on a daily basis. He reported Lookout Valley Elementary is in desperate need of maintenance and a gymnasium. Currently the students have nowhere to go during inclement weather. He asked a gymnasium be added to the school board's future wish list.

He reported the Department of Education has \$60 million in their reserve fund and suggested \$25 million be spent on emergency maintenance of current facilities. He also stated CSLA should not be considered a priority and the condition of the building should have been addressed a long time ago. He stated it was his understanding that Brainerd and Tyner were at low capacity and recommended the school board consider consolidating the two schools and moving CSLA into the empty building and use a small amount of money to clean the building up for CSLA.

Dr. Kelly reported Mr. Witt has been working with CSLA to make their current situation better.

Commissioner Graham stated as he has in the past that every student and teacher should have equal environments to learn and work. He reminded everyone the commission has no authority over the school board, only input.

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41:15

Commissioner Fairbanks thanked Dr. Kelly and Mr. Witt for today's discussion and district four school board member Tiffanie Robinson for attending today's meeting. He reported Soddy Daisy Middle is still using portables and questioned the three gym additions that were made priority over roof leaks. Mr. Witt stated the gym additions have been on the school board's wish list for 30 years. He also stated roof leaks will take priority.

46:03

Commissioner Smedley asked that the commission and school board come to the joint meeting with an open mind. Once again she asked Dr. Kelly to send an updated list detailing classroom space and pupil capacity for each of the 73 schools. She also stated it would be helpful to have a prioritized list of the reroofing projects.

47:36

Chairman Bankston also thanked Dr. Kelly and Mr. Witt for their presentation.

47:51

**PRESENTATION – CERTIFICATE OF CONGRATULATIONS – LIBERTY BARNUM**

Commissioner Martin presented a certificate of congratulations to Liberty Barnum, for being crowned 2017 Little Miss Wheelchair Tennessee. He stated she is an advocate for those with disabilities. On September 11, 2012 Miss Barnum was in an accident that left her fighting for her life and relying on a wheelchair. The Children's Miracle Network hospital chose her as an ambassador to represent the state of North

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Carolina and she was welcomed to the White House by the President of the United States. He applauded her commitment to advocacy and community service.

51:11

Miss Barnum thanked the Commission for honoring her and asked for help with her cause. She explained inaccessibility in school does not only affect children, but also parents, teachers, grandparents, aunts, uncles, and disabled vets. People in wheelchairs are the one minority anyone can become a part of. She asked the commission to help and make accessibility a priority.

52:46

Mayor Coppinger stated he meets with Miss Barnum annually to sign an accessibility proclamation. He thanked her for continuing to educate and bring awareness.

53:46

Commissioner Beck stated Miss Barnum's speech was moving and brought a choke in his throat. He committed to bringing awareness to accessibility in county buildings.

Commissioner Mackey stated he was greatly touched by Miss Barnum's speech. He stated MTSU takes great pride in their college campus being ADA compliant and stated every student has the right to a good quality education. He also committed to being more aware of the need for accessibility in county buildings.

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Commissioner Graham thanked Miss Barnum for being courageous and bringing attention to ADA compliance. He also committed to bringing awareness to accessibility in county buildings.

Commissioner Boyd was brought to tears when he spoke of his brother who became a quadriplegic twenty years ago. He stated his brother's disability has him wheelchair bound and unable to care for himself. Commissioner Boyd stated he gets in a wheelchair at every jobsite to make sure the building he is working on is ADA compliant.

At this time the Mayor, Attorney Taylor and the Commission walked over to Miss Barnum and shook her hand.

**COMMITTEE ASSIGNMENTS**

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

- Trustee Monthly and Excess Fee reports, for January 2017 were submitted for the record.
- Resolution No. 317-1 was the usual County Clerk item regarding notaries, etc. This required no committee assignment.



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- Resolution Nos. 317-5 through 317-14 were assigned to the Finance Committee, chaired by Commissioner Boyd.
- Resolution Nos. 317-16 and 317-17 were assigned to the Zoning Committee, chaired by Commissioner Smedley.
- Resolution Nos. 317-2 through 317-4, 317-15, and 317-18 were assigned to a Committee of the Whole.

Chairman Bankston stated that Resolution Nos. 317-2 through 317-4, 317-15, and 317-18 would now be heard by a Committee of the Whole.

1:00:43

**COMMITTEE OF THE WHOLE – RESOLUTION NO. 317-2**

Don Gorman, Director of Administration for the Sheriff’s Department spoke regarding this item, which authorizes the Sheriff’s Office to purchase from the Tennessee Statewide contract, new and unused vehicles to be utilized as unmarked or under cover vehicles. The number of vehicles to be purchased to be determined by the funds appropriated annually, not to exceed \$100,000.00 for fiscal year 2017. It was noted three vehicles will be replaced and there are sufficient previously budgeted monies in the Narcotics Enforcement Fund.

1:02:04

**COMMITTEE OF THE WHOLE – RESOLUTION NO. 317-3**

Don Gorman, with the Sheriff’s Department also spoke regarding this item, which accepts a continuation contract between the Sheriff’s office and the Hamilton

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County Department of Education to provide two school resource officers for two years, between July 1, 2016 and June 30, 2018 and to amend the Sheriff's budget. It was noted the Department of Education pays the Sheriff's Department for the officers.

There were no questions from the Commission.

1:02:39 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 317-4**

Administrator of Public Works and County Engineer Todd Leamon spoke regarding this item, which authorizes the Hamilton County Board of Commissioners to approve the subdividing of certain property owned by Nippon Shobukai America Industries, Inc. located within the Centre South Riverport Industrial Park. It was noted the subdivision will assist in economic growth and expansion.

In response to Commissioner Fields question, Mayor Coppinger stated Mahindra (Topp Properties, LLC) did not ask for a PILOT and they have been very successful.

1:05:01 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 317-15**

Administrator of Public Works and County Engineer Todd Leamon spoke regarding this item, which authorizes the County Mayor to enter into and execute an

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agreement with Derthick, Henley, & Wilkerson Architects, PLLC for preliminary design services through construction administration for the new Walden's Ridge fire hall for an amount not to exceed \$278,760.08. It was noted that Resolution No. 217-7 approved Derthick, Henley & Wilkerson to design the fire hall.

1:05:55

**COMMITTEE OF THE WHOLE – RESOLUTION NO. 317-18**

County Attorney Rheubin Taylor spoke regarding this item, which acknowledges the entering into of an Interlocal agreement between the Hamilton County Board of Education and the City of East Ridge, Tennessee, for the conveyance of the East Ridge High School Athletics Complex (as declared surplus) to the city of East Ridge, Tennessee. It was noted the Board of Education owns the property and has declared the sports complex as surplus due to its need of significant capital investments and maintenance. The City of East Ridge is willing to appropriate funds in order to make the facility of benefit to the middle and high school students and the general community.

1:06:47

Commissioner Boyd questioned why the commission had to acknowledge the transfer. Attorney Taylor stated it was an out of courtesy request by the Board of Education. He also stated the Municipal Technical Advisory Service (MTAS) advised the Board of Education to do so because the Interlocal agreement extends beyond the current board members terms of office. The County Technical Advisory Service (CTAS)

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advised the county to the contrary because the school board has the authority to transfer the sports complex without the commission's approval. It was noted that the school board unanimously approved the transfer.

1:10:08

In response to Commissioner Martin's question, Attorney Taylor stated the law provides once a piece of property is declared surplus the board can transfer it to the county or to any municipality within the county for public use without the requirement for competitive bidding or sale. The definition of surplus property is property no longer having an intended use for the system or no longer capable of being used in its condition. Therefore the county attorney's office inserted "as declared surplus" to the resolution.

In response to Commissioners Boyd's question, Mayor Coppinger asked the school board to include the county in future discussions when transferring property. Giving away property could negatively affect the county's bond rating and their ability to borrow money.

Finance Administrator Albert Kiser stated this transfer, by itself, does not have a negative effect on the county's bond rating, but if this practice continued it would. He recommended that each transfer be evaluated to make sure it's appropriate and doesn't violate the county's bond covenant.

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In response Commissioner Graham stated several concerns regarding the City of East Ridge using the sports complex as collateral and defaulting on payment. He reported he would not be supporting the resolution next week.

Attorney Taylor stated Hamilton County has zero responsibility if the City of East Ridge defaults on payments. Hamilton County has no interest in the property and is not listed on the title.

Commissioner Fields stated he did not intend to vote on the resolution because the commission's vote has no effect on the transfer.

In response to Commissioner Martin's question, Mr. Witt stated that \$300,000 from the Department of Education's general fund was spent on the East Ridge stadium less than twelve months ago. He noted in the past volunteers and booster clubs kept up field maintenance; that is no longer the case.

Attorney Taylor noted the Interlocal agreement states the City of East Ridge can't encumber or convey the property.

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Commissioner Boyd stated it took four to six months to draft the Interlocal agreement and East Ridge City Council approved the transfer. Seamless transfers have happened in the past with surrounding municipalities and the commission was never asked to acknowledge them. He stated East Ridge's economic growth is prospering and the city's future looks bright. He noted to his knowledge the City of East Ridge is not looking to start their own school system.

District four school board member Tiffanie Robinson pointed out that page 4, no. 5 of the Interlocal agreement states the property reverts back to the Hamilton County Board of Education if the City of East Ridge fails to make the athletic fields suitable for use within twelve months, obtain the proper insurance, encumber, lease, sell, convey or subdivide any portion of the property, or attempt to start their own school system. She stated the Interlocal agreement protects the board of education, provides a zero dollar lease for East Ridge, and doesn't affect the Department of Education's bond rating.

1:34:16

Commissioner Boyd, Chairman of the Finance Committee, stated that the Finance Committee would meet in the Commission Room immediately following the Agenda Session.

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1:34:40

Commissioner Graham stated that the Zoning Committee would meet in the Commission conference room immediately following the Agenda session. It was noted that Commissioner Smedley, Chairman of the Zoning Committee had to leave.

**ANNOUNCEMENTS**

Chairman Bankston asked for announcements from members of the Commission.

1:35:18

Commissioner Mackey announced District four is hosting an educational forum March 13th, 6 – 8 pm at the Orchard Knob Missionary Baptist Church. Public Ed, Chattanooga 2.0, the School Board and the County Commission have been invited. Last week while representing Hamilton County at the statewide Tennessee County Commissioners Association (TCCA) meeting, he learned TCCA Executive Director Charles Curtiss will be presenting current bills in the House and Senate to Hamilton County citizens March 2<sup>nd</sup>.

1:36:54

Commissioner Graham thanked the Mayor and finance staff for providing a summary of the Chattanooga Visitors Bureau (CVB) audit report. He noted staff spent almost two years extensively going through CVB's revenues and expenses. He stated his support for CVB and thanked the organization for building a one billion dollar

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industry in Hamilton County. He stated that the county's internal audit of CVB and the external audit should put all concerns to rest.

1:39:23

Commissioner Boyd, Chairman of the Finance Committee, stated he will continue to investigate the county's revenue streams. He stated the outrage from the CVB community is alarming. He will continue his investigation and stated he will be asking CVB several questions. After his investigation is complete he will publicly expose the facts. He acknowledged CVB has done an outstanding job and questioned if a portion of the hotel motel tax revenue could be used to service debt.

Commissioner Boyd spoke about an article in today's Times Free Press titled "Hamilton County commissioner texts board member demanding he support construction of new school". He stated the text was sent in a passionate disappointment after six years of working with CSLA to try and get them higher priority. He stated the text was an immature act on his part and Joe Smith, district three School Board member is an outstanding man with the highest integrity. He apologized to Mr. Smith and the public for sending the text.

Commissioner Beck stated he is currently looking into unused bond funds and would be working with Attorney Taylor to prepare a resolution that would equally divided



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the remaining bond funds between the nine commissioners. District five's portion will be presented to the commission in the form of a resolution.

1:46:52

Attorney Taylor noted that a statement published in a recent news article regarding the commission's code of ethics was incorrect. He cleared up the record by stating that the county commission is bound by a Code of Ethics (Resolution No. 607-62). He pointed out the document is displayed outside the meeting room.

1:47:34

Mayor Coppinger announced that Tim Spires, President and CEO of the Tennessee Association of Manufacturers and the Chattanooga Regional Manufacturers Association, died suddenly of a heart attack on Sunday. He was only 57 years old and will be deeply missed in the community. The Mayor gave his condolences to Mr. Spires's family. He then made compassionate remarks about the brevity of life, encouraging everyone to take a moment to put their concerns and opinions into the right perspective.

1:51:05

Commissioner Mackey highly commended Commissioner Boyd for his public apology to School Board member Joe Smith.

1:51:35

Chairman Bankston stated sometimes it is best to keep opinions to yourself.

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**DELEGATIONS**

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

Being no further business, Chairman Bankston declared the meeting adjourned until Wednesday, March 1<sup>st</sup> at 9:30 AM.

Respectfully submitted:



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William F. (Bill) Knowles, County Clerk

Approved:

03-15-17  
Date

W.F.K.  
Clerk's Initials