

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

STATE OF TENNESSEE) Regular Meeting

COUNTY OF HAMILTON) March 4, 2015

BE IT REMEMBERED, that on this 4th day of March, 2015, 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:--

0:17 Present and presiding was the Honorable Jim Fields, 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 Fairbanks, Commissioner Graham, Commissioner Haynes, Commissioner Mackey, Commissioner Smedley, and Chairman Fields. 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.

0:44 Commissioner Fields introduced Reverend Mark K. McCrory of First Lutheran Church who gave the invocation. Commissioner Fields led in the pledge to the flag.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

2:59 **PROCLAMATION TO HONOR LUTHER MASINGILL**

Mayor Coppinger presented a Proclamation declaring March 9th of each year as Luther Masingill Day and urged County citizens to recognize the many contributions Mr. Masingill made to Hamilton County. Mayor Coppinger asked members of the Masingill family to come forward to receive the Proclamation, as well as News Channel 3 personality, David Carroll. Mr. Masingill's daughter, Joanie Brown, introduced Mr. Masingill's wife, Mary Masingill, and youngest grandson, Evan Brown.

Mayor Coppinger asked Deputy Clerk Carrie Godwin to read the Proclamation into the record.

Mayor Coppinger highlighted Mr. Masingill's 73 years of service as a broadcaster in Chattanooga. He spoke about the love Mr. Masingill had for his community, and how he often turned down job opportunities in other areas so he could remain in Chattanooga. He added that Mr. Masingill remains a well-respected icon in Chattanooga and Hamilton County.

7:43 Mayor Coppinger introduced David Carroll to the audience and members of the Commission. Mr. Carroll acknowledged several members of the media in the audience including Luther's co-worker James Howard, and pointed out a painting in the Commission Room that portrays Mr. Masingill sitting on the seat of his car. Mr. Carroll spoke about Mr. Masingill's years of service in broadcasting and the records he has set

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

for his longevity. Mr. Carroll added that in recent recognition of Mr. Masingill, part of South Broad Street was renamed in his honor, he was inducted into the Tennessee Radio Hall of Fame and the National Radio Hall of Fame, and he was featured on CBS news and other national publications. Mr. Carroll also encouraged citizens to perform random acts of kindness in honor of Mr. Masingill.

Members of the Masingill family were thanked and shook hands with each member of the Commission.

14:47 APPROVAL OF MINUTES

ON MOTION of Commissioner Bankston, seconded by Commissioner Haynes, that the minutes of the Recessed Meeting of February 11, 2015, the Agenda Preparation Session of February 11, 2015, the Regular Meeting of February 18, 2015 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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

15:20 **TRUSTEE'S EXCESS FEE REPORT**

The Trustee's excess fee report for January 2015 was submitted and made a matter of record.

TRUSTEE'S MONTHLY REPORT

The Trustee's monthly report for January 2015 was submitted and made a matter of record.

15:29 **RESOLUTION NO. 315-1 A RESOLUTION TO APPROVE AND ACCEPT APPLICATIONS FOR NOTARY PUBLIC POSITIONS, THE OATH OF DEPUTY COUNTY CLERK, THE OATH OF DEPUTY SHERIFF, AND THE OATH OF MEMBER OF THE BOARD OF DIRECTORS HAMILTON COUNTY RAILROAD AUTHORITY.**

Chairman Fields stated he wished to abstain from voting due to a conflict of interest. He was listed as a notary public applicant on the resolution.

ON MOTION of Commissioner Graham, seconded by Commissioner Haynes, to adopt Resolution No. 315-1. 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 Fairbanks, "Aye"; Commissioner Graham, "Aye";

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; Chairman Fields abstained from voting. Total present – 9. Total absent – 0.
Total "Aye" votes – 8. Total "Nay" votes – 0. Total Abstentions – 1.

16:20 **RESOLUTION NO. 315-2 A RESOLUTION CONFIRMING THE REAPPOINTMENT
BY THE COUNTY MAYOR OF ONE MEMBER TO THE CARTER STREET
CORPORATION BOARD OF DIRECTORS FOR A TERM ENDING MARCH 4, 2019.**

ON MOTION of Commissioner Bankston, seconded by Commissioner Fairbanks, to adopt Resolution No. 315-2. 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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

17:00 **RESOLUTION NO. 315-3 A RESOLUTION PROCLAIMING THE MONTH OF MARCH
2015 AS MYELOMA AWARENESS MONTH**

ON MOTION of Commissioner Mackey, seconded by Commissioner Graham, to adopt Resolution No. 315-3.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Commissioner Beck welcomed Assessor of Property Bill Bennett to speak about this item. Assessor Bennett spoke about his diagnosis of multiple myeloma in July 2008, his treatment in a medical center in Tampa Florida, and the recovery process that followed. He stated that because of the medication, help from family, and prayers he received during that time, he was fortunate to be in remission since 2009.

Mr. Bennett introduced Linda Huguelet, leader of the Chattanooga Multiple Myeloma Networking Group. Ms. Huguelet thanked the Commission for the show of support for myeloma awareness. She provided additional details regarding the symptoms of the illness and noted that early detection is crucial for prognosis and therapy.

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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

20:56

**RESOLUTION NO. 315-4A A RESOLUTION TO REZONE FROM R-2A RURAL
RESIDENTIAL DISTRICT, A-1 AGRICULTURAL DISTRICT AND C-2 LOCAL
BUSINESS COMMERCIAL DISTRICT TO C-2 LOCAL BUSINESS COMMERCIAL**

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

**DISTRICT, PROPERTIES LOCATED AT 1704 & 1714 THRASHER PIKE AND 1636 &
7640 MIDDLE VALLEY ROAD**

NO ACTION WAS TAKEN ON RESOLUTION NO. 315-4A.

**RESOLUTION NO. 315-4B A RESOLUTION TO REZONE FROM R-2A RURAL
RESIDENTIAL DISTRICT, A-1 AGRICULTURAL DISTRICT AND C-2 LOCAL
BUSINESS COMMERCIAL DISTRICT TO C-2 LOCAL BUSINESS COMMERCIAL
DISTRICT, PROPERTIES LOCATED AT 1704 & 1714 THRASHER PIKE AND 1636 &
7640 MIDDLE VALLEY ROAD**

Commissioner Haynes provided details regarding Resolution No. 315-4A and 315-4B. He spoke about the discussion that took place during the Zoning Committee meeting after the February 25th Agenda Session. Commissioner Haynes stated publicly his opposition to these items and added the Zoning Committee would not be making a recommendation to approve.

ON MOTION of Commissioner Graham, seconded by Commissioner Mackey, to adopt Resolution No. 315-4B.

Commissioner Mackey spoke about last week's Zoning Committee meeting and acknowledged the present opposition to this project. He noted that the Regional

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Planning Agency brought a recommendation to approve before the Commission and added that there would be significant benefits to the area with this development.

Commissioner Graham thanked members of the audience for being present. He stated that the Commission took this matter very seriously, and that his decision to support this development came after thorough research and discussion with the public.

Chairman Fields asked for clarification on whether the Commission should be discussing Resolution No. 315-4A or 315-4B.

Attorney Taylor directed the question to Regional Planning Agency Executive Director, John Bridger. Mr. Bridger clarified that Resolution 315-4A was the applicant's initial request with no conditions, while 315-4B contains the conditions that were recommended by the staff of the Regional Planning Commission. He added that Resolution 315-4B is the Resolution the RPA recommended for approval.

Attorney Taylor noted that zoning items are advertised as public hearings and therefore require the Commission to hear public comments. He indicated it was the Chairman's discretion as to whether the committee meeting following last week's agenda session had met that public hearing requirement.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Commissioner Haynes added that he would consider supporting Resolution No. 315-4B if the new school in Middle Valley was already built to help alleviate some of the traffic problems in that area.

Commissioner Mackey added that the construction of the school across the street from the proposed development was a result of these types of projects that pay taxes.

Commissioner Fields asked if there were any members of the audience that wished to speak about this Resolution.

30:19

Debbie McKinney residing at 1648 West Colorado Street Hixson, TN 37343 spoke in opposition of Resolution 315-4B. She stated that she was concerned that this project would negatively affect her quality of life. She read a quote from the founder of Walmart, Sam Walton, noting that the chain would not go into neighborhoods where the citizens were opposed to it.

Julie Bomar residing at 7625 Lennox Trace Drive Hixson, TN 37343 spoke in opposition of Resolution 315-4B. She added that she was not opposed to economic development, but she was concerned that the proposed development would be too large for a residential area.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Michael Dupree residing at 7622 Wimpton Lane Hixson, TN 37343 added that this project would accelerate the need to make Middle Valley Road a five lane road at a high cost to all districts.

Paul Ware residing at 989 Wyndsor Drive Hixson, TN 37343 spoke in opposition to Resolution 315-4B. He explained that the increased traffic flow would disturb the quiet neighborhood. He added that he was concerned about this development being too large for the proposed location.

Kristie Jackson residing at 6639 Fairview Road Hixson, TN 37343 spoke in favor of Resolution 315-4B citing a petition she took showing there were more people in support of this development than against it. She asked the Commission to vote in favor of this Resolution to help progress Middle Valley.

45:23 Matt Phillips, Vice President of Real Estate of the Hutton Company and developer for this project, spoke in favor of Resolution 315-4B. He spoke about a third-party poll given to registered voters in District 3 in which 675 total calls were received with 66 percent voting yes, 28 percent voting no, and 6 percent no opinion. Mr. Phillips noted that most of the signatures on the petition Ms. Jackson spoke about were within a one and half mile radius of the project location. Mr. Phillips spoke in detail about the jobs this project would potentially create, and the salaries those employees would be paid.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

In response to Commissioner Hayne's question, Mr. Phillips clarified that the hours of operation of the fuel center and convenience store located at the corner of Middle Valley Road and Thrasher Pike would be from 6:00 a.m. to 10:00 p.m. The pharmacy would be open from 6:00 a.m. to 10:00 p.m., and the grocery store would be open 24 hours every day.

Rosabelle Gorman residing at 8684 Arbutus Drive Hixson, TN 37343 added that a new business would not necessarily generate new tax revenue.

53:01 Commissioner Smedley addressed the audience about whether the 10:00 p.m. closing had an impact on their support or opposition. The audience indicated this was the first time they had heard about a convenience store being located at the gas pumps.

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, "Nay"; Commissioner Fairbanks, "Nay"; Commissioner Graham, "Aye"; Commissioner Haynes, "Nay"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Nay"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 5. Total "Nay" votes – 4.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

56:52

RESOLUTION NO. 315-10 AN INITIAL RESOLUTION OF THE LEGISLATIVE BODY OF HAMILTON COUNTY, TENNESSEE AUTHORIZING THE ISSUANCE OF INTEREST-BEARING GENERAL OBLIGATION BONDS OF HAMILTON COUNTY, TENNESSEE, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$40,000,000, TO BE ISSUED IN ONE OR MORE SERIES, TO FINANCE OR REFINANCE CERTAIN SCHOOL PROJECTS AND VARIOUS OTHER PUBLIC WORKS PROJECTS IN HAMILTON COUNTY PURSUANT TO SECTION 9-21-101, ET. SEQ., OF THE TENNESSEE CODE ANNOTATED.

ON MOTION of Commissioner Graham, seconded by Commissioner Boyd, to adopt Resolution No. 315-10.

Commissioner Boyd spoke regarding this item which would begin the process of issuing \$132 million dollars in bonds with the intent of financing new capital projects, paying off \$35 million dollars in the line of credit, and refunding some previously issued bonds issued in 2009 and 2011 that have a higher interest rate. It was noted that there would be a significant savings in interest to the County as a result of refunding the previously issued bonds. Commissioner Boyd commended the Mayor's staff for their diligent work.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

59:13

**RESOLUTION NO. 315-11 A RESOLUTION OF THE LEGISLATIVE BODY OF
HAMILTON COUNTY, TENNESSEE, APPROVING THE SELECTION OF BOND
COUNSEL AND A FINANCIAL ADVISOR IN CONNECTION WITH THE PROPOSED
ISSUANCE BY THE COUNTY OF ITS GENERAL OBLIGATION BONDS.**

ON MOTION of Commissioner Graham, seconded by Commissioner Beck, to adopt Resolution No. 315-11.

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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

1:00:04

RESOLUTION 315-14 A RESOLUTION WAIVING THE HAMILTON COUNTY PURCHASING RULES AND AUTHORIZING THE COUNTY MAYOR TO DONATE NARCOTICS/PATROL DOGS TO THEIR RESPECTIVE HAMILTON COUNTY SHERIFF'S OFFICE HANDLERS AT THE TIME SUCH DOGS ARE RETIRED FROM SERVICE, OR OTHERWISE RELEASE SAID DOGS FROM THE COUNTY INVENTORY IN A MANNER IN THE BEST INTEREST OF PUBLIC SAFETY.

ON MOTION of Commissioner Boyd, seconded by Commissioner Haynes, to adopt Resolution No. 315-14. 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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

1:00:49

RESOLUTION NO. 315-5 A RESOLUTION ACCEPTING THE UNIT PRICE BID OF SHIELDS ELECTRONICS FOR BOGEN EQUIPMENT FOR THE PERIOD BEGINNING MARCH 4, 2015 THROUGH MARCH 3, 2016, WITH THE OPTION TO RENEW FOR ONE (1) ADDITIONAL ONE YEAR TERM FOR THE TELECOMMUNICATIONS DEPARTMENT AND TO AUTHORIZE THE COUNTY

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

**MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS
RESOLUTION.**

**RESOLUTION NO. 315-6 A RESOLUTION ACCEPTING THE BID OF THOMAS
BROTHERS CONSTRUCTION COMPANY, INC. FOR THE CONSTRUCTION OF THE
OOLTEWAH-RINGGOLD ROAD AND STANDIFER GAP ROAD INTERSECTION
IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$749,593.10 AND
AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY
TO IMPLEMENT THIS RESOLUTION.**

**RESOLUTION NO. 315-7 A RESOLUTION RATIFYING THE PURCHASE OF
GASOLINE AND DIESEL FUEL FOR THE PERIOD OF JANUARY 1, 2015,
THROUGH JANUARY 31, 2015, AND TO AUTHORIZE THE COUNTY MAYOR TO
SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.**

**RESOLUTION NO. 315-8 A RESOLUTION ACCEPTING THE BID OF PROSYS
INFORMATION SYSTEMS FOR DELL SERVERS AND DELL POWER VAULT
SYSTEM COMPONENTS AMOUNTING TO \$63,039.36 FOR THE INFORMATION
TECHNOLOGY SERVICES DEPARTMENT AND AUTHORIZING THE COUNTY
MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS
RESOLUTION.**

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

RESOLUTION NO. 315-9 A RESOLUTION ACCEPTING THE BID OF INSIGHT PUBLIC SECTOR FOR MICROSOFT SQL SERVER SOFTWARE LICENSES AMOUNTING TO \$29,335.28 FOR THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

RESOLUTION NO. 315-12 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO ENTER INTO A CONTRACT WITH THE UNITED STATES GEOLOGICAL SURVEY (USGS) TO PROVIDE HAMILTON COUNTY WITH LIDAR DATA AT A COST OF \$71,502 AND TO AMEND HAMILTON COUNTY GENERAL BUDGET BY ADDING \$47,668 TO THE REVENUE BUDGET AND \$47,668 TO THE EXPENDITURE BUDGET.

Commissioner Graham, Chairman of the Finance Committee, provided details regarding Resolutions No. 315-5, 315-7 through 315-9, and 315-12. He stated that the Finance Committee reviewed and recommended approval.

Commissioner Smedley spoke about Resolution 315-6 which would fund improvements to the intersection of Ooltewah-Ringgold Road and Standifer Gap Road. She explained the high number of traffic accidents that have occurred at this intersection created the necessity for these improvements. She added that this intersection is in her district and she supports these improvements.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

ON MOTION of Commissioner Graham, seconded by Commissioner Smedley, to adopt Resolution No. 315-5, 315-7 through 315-9, and 315-12. 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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

ON MOTION of Commissioner Smedley, seconded by Commissioner Graham, to adopt Resolution No. 315-6. 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 Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

1:07:43 **RESOLUTION 315-13 A RESOLUTION AMENDING THE RULES AND PROCEDURES OF THE HAMILTON COUNTY BOARD OF COMMISSIONERS TO ALLOW INDIVIDUALS AND/OR DELEGATIONS TO APPEAR AND ADDRESS THE COMMISSION ON MATTERS BEING CONSIDERED PRIOR TO THE COMMISSION MAKING A DECISION.**

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Commissioner Bankston, Chairman of the Legal and Legislative Committee spoke about this Resolution which would allow individuals three minutes to speak, and delegations sharing the same or similar views ten minutes to speak. He added that the Legal and Legislative Committee recommended approval.

ON MOTION of Commissioner Bankston, seconded by Commissioner Smedley, to adopt Resolution No. 315-13.

Commissioner Fields answered Commissioner Mackey's question regarding the amount of time delegations are allowed to speak. It was noted that each individual would be allowed three minutes to speak on each side of the issue with a ten minute limit for speakers favoring the item and ten minutes for speakers opposing the item. There would be no more than twenty minutes allowed in total from the public.

In response to Commissioner Graham's question, Commissioner Fields clarified that no discussion would take place until a motion and a second were on the floor.

At this time a lengthy discussion about the precedence of allowing the public to speak before voting took place.

Commissioner Beck reiterated that this Resolution would give a maximum of twenty minutes per item on the agenda.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

In response to Commissioner Smedley's comments, Commissioner Beck added that the public has the opportunity to speak at the agenda session before the regular meeting takes place. He added that he wanted to see more research on the precedence of this issue before the voting takes place.

1:12:49

ON MOTION of Commissioner Beck, seconded by Commissioner Mackey, to table Resolution No. 315-13 until further notice.

The motion to table Resolution No. 315-13 failed on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Nay"; Commissioner Beck, "Aye"; Commissioner Boyd, "Nay"; Commissioner Fairbanks, "Nay"; Commissioner Graham, "Nay"; Commissioner Haynes, "Nay"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Nay"; and Chairman Fields, "Nay". Total present – 9. Total absent – 0. Total "Aye" votes – 2. Total "Nay" votes – 7.

1:15:04

Commissioner Graham spoke about his support for Resolution 315-13. He also clarified for the public that many avenues were currently available for the public to voice their opinions on items presented to the Commission.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Commissioner Mackey added that most legislative bodies do not allow the public to address them before decisions are made as it leaves a lot of room for emotion to influence decisions.

1:16:42

ON MOTION of Commissioner Beck, seconded by Commissioner Mackey, to postpone Resolution No. 315-13 for thirty days.

The foregoing motion to postpone Resolution No. 315-13 failed on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Nay"; Commissioner Beck, "Aye"; Commissioner Boyd, "Nay"; Commissioner Fairbanks, "Nay"; Commissioner Graham, "Aye"; Commissioner Haynes, "Nay"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Nay"; and Chairman Fields, "Nay". Total present – 9. Total absent – 0. Total "Aye" votes – 3. Total "Nay" votes – 6.

1:17:22

ON MOTION of Commissioner Haynes, seconded by Commissioner Mackey, to amend Resolution No. 315-13 to allow six minutes for comments from the public on each side of an issue.

Commissioner Graham spoke about the proposed amendment noting that allowing such a limited time would not be fair when controversial items are on the agenda.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

1:20:07

In response to Commissioner Haynes question, Attorney Taylor cited the last phrase of Resolution No. 315-13 which gives the Chairman the power to regulate the procedure if more or less time is needed.

At this time several Commissioners voiced their concerns over the potential time limit changes.

The foregoing motion to amend Resolution No. 315-13 failed on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Bankston, "Aye"; Commissioner Boyd, "Nay"; Commissioner Fairbanks, "Aye"; Commissioner Graham, "Nay"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Aye"; Commissioner Smedley, "Nay"; and Chairman Fields, "Nay". Commissioner Beck abstained. Total present – 9. Total absent – 0. Total "Aye" votes – 4. Total "Nay" votes – 4. Total Abstentions – 1.

Chairman Fields asked if there was any other discussion on the original motion to adopt Resolution 315-13. There was none.

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 Boyd, "Aye"; Commissioner Fairbanks, "Aye"; Commissioner Graham, "Aye"; Commissioner Haynes, "Aye"; Commissioner Mackey, "Nay"; Commissioner Smedley, "Aye"; and Chairman Fields, "Aye".

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Commissioner Beck abstained. Total present – 9. Total absent – 0. Total “Aye” votes – 7. Total “Nay” votes – 1. Total Abstentions – 1.

1:24:59 ANNOUNCEMENTS

Chairman Fields asked for announcements from members of the Commission.

Commissioner Haynes publicly recognized that preceding district 3 Commissioner Mitch McClure was present in the audience and thanked Mr. McClure’s son for his military service.

1:25:58

Commissioner Mackey, President of the Tennessee County Commissioners Association, spoke regarding ongoing debate about suing the state over how it funds the Basic Education Program, also referred to as the BEP Formula. He added that the Hamilton County Board of Education is exploring the idea of joining the growing list of districts ready to move toward litigation against the state over the funding issue. Commissioner Mackey spoke about the BEP formula and its lack of fairness. In closing, he encouraged the Hamilton County Legislative body to join the School Board if they follow through with a lawsuit.

Commissioner Graham, Commissioner Boyd, and Commissioner Fairbanks acknowledged the BEP funding formula issue. They each stated their concerns regarding the possibility of following through with a lawsuit against the state.

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

Commissioner Boyd, Chairman of the Education Committee, announced that the joint meeting of the Education Committee and the Hamilton County Board of Education Facilities Committee had been rescheduled to March 18th at CSLA at 8:00 am. He invited the public and the media to attend.

Commissioner Bankston congratulated Chattanooga Central basketball team, the Purple Pounders, who recently won district playoffs and are heading to the state tournament.

Several members of the Commission and the Mayor wished Commissioner Haynes a Happy fifty-sixth Birthday, Commissioner Fairbanks led in singing Happy Birthday.

Commissioner Beck, Chairman of the Building and Economic Development Committee, announced that the committee would be meeting after next week's Agenda session to discuss the county's Payment in Lieu of Taxes program (PILOT). He also made comments regarding the BEP formula issue.

Mayor Coppinger reminded the Commission that at 11:00 am today, a reception would be held in the Courthouse rotunda honoring the Director of the Highway Department, Harold Austin, who recently announced his retirement. He invited members of the Commission to attend. In closing, he acknowledged the possibility of inclement

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

weather headed towards Chattanooga. He sincerely thanked the various first responders for their hard work and dedication.

1:35:41 Mayor Coppinger reminded the Commission that the Chattanooga Lookouts were scheduled to have a news conference today at 2:00 pm at AT&T Budweiser Pavilion. The press conference will focus on the recent sale of the Lookouts and introduce the new owners, the Minnesota Twins.

Commissioner Fields reminded the Commission that the agenda session next week will be Thursday, March 12th at 9:30 a.m.

DELEGATIONS

Chairman Fields asked for delegations on matters other than zoning.

1:37:30 Mark West residing at 2315 Heavenly View Drive Ooltewah, TN 37363 addressed the Commission regarding his resistance to the county's PILOT programs. He quoted tax abatement figures compiled by citizen activist Helen Burns Sharp and expressed concern regarding existing conflicts of interest. He suggested that the Commission give tax breaks equally among developers.

Commissioner Graham briefly responded to Mr. West's concerns regarding the county's PILOT program and his service on the River City Board. He reiterated that the

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
MARCH 4, 2015**

school tax portion of the PILOT program is paid in full every year. In closing, he noted that the \$26 million dollar tax revenue that was forgiven through prior approved PILOTs has provided a substantial amount of economic impact to the community.

In response to Commissioner Graham and Commissioner Smedley's request, Commissioner Beck invited all Commissioners to attend next week's Building and Economic Development Economic Committee meeting which will discuss the PILOT program issue

There being no further business, Chairman Fields declared the meeting in recess until March 12, 2015 at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

03-18-15

Date



Clerk's Initials