

**REGULAR MEETING
HAMILTON COUNTY BOARD OF COMMISSIONERS
JULY 15, 2020**

STATE OF TENNESSEE) Regular Meeting
COUNTY OF HAMILTON) July 15, 2020

0:01

BE IT REMEMBERED, that on this 15th day of July, 2020, a Regular Meeting of the Hamilton County Board of Commissioners was conducted electronically pursuant to Executive Order No. 16 issued by Tennessee Governor Bill Lee on March 20, 2020, Executive Order No. 34 issued on May 6, 2020, and Executive Order No. 51 issued on June 29, 2020 in response to the Coronavirus Disease 2019 (COVID-19), when the following proceedings were held, to wit:--

Present and presiding was the Honorable Chairman Randy Fairbanks. Chief Deputy County Clerk Brooke Weaver called the roll of the County Commission and the following, constituting a quorum, answered to their names: Commissioner Baker, Commissioner Bankston, Commissioner Boyd, Commissioner Geter, Commissioner Mackey, Commissioner Martin, Commissioner Sharpe, Commissioner Smedley, and Chairman Fairbanks. Total present – 9. Total absent – 0.

Also in attendance were County Mayor Jim Coppinger and County Attorney Rheubin Taylor.

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Chairman Fairbanks asked County Attorney Rheubin Taylor to offer the invocation. Commissioner Smedley led in the pledge to the flag.

Chairman Fairbanks read a statement into the record regarding today's electronic meeting. He stated the Governor's directive (*Executive Order No. 51*) allows local governmental bodies to conduct their meetings without its members being physically assembled together in order to reduce exposing the general public, members of those local governmental bodies, and governmental staff to the possibility of contracting COVID-19. Chairman Fairbanks reported each Commissioner, staff member, or member of the public participating in today's meeting is doing so from his or her own home or outside office, and none is gathered together in any one place.

Chairman Fairbanks explained prior to the conclusion of today's meeting, all viewers would be advised how they may call in; identify themselves; and address the Commission on matters other than zoning. He added the meeting would be livestreamed for public access on County's YouTube page, which can be found by visiting www.youtube.com/hamiltoncountyttn.

Chairman Fairbanks announced that without objection, the Commission's present Rules of Procedure would be suspended in order to conduct today's meeting in conformance with the Governor's directive. There was no objection.

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PRESENTATION – OUTSTANDING CITIZEN CERTIFICATE – BRAYLON BEASON

Mayor Coppinger presented an Outstanding Citizen Certificate to Braylon Beason for his actions on April 15, 2020 in rescuing Stan Sumrell, who had jumped in the water at Browns Ridge Recreation Area in Sale Creek, Tennessee to retrieve his bass boat and was struggling in the strong current. Mayor Coppinger stated Mr. Beason's quick thinking and willingness to jump in the cold water and help were instrumental in saving Mr. Sumrell's life.

Mr. Sumrell thanked Mayor Coppinger and Commissioners for honoring Mr. Beason's heroic actions. He noted Mr. Beason would soon be enlisting in the United States Marine Corps.

Mr. Beason thanked Mayor Coppinger for the recognition.

Commissioner Mackey spoke about Mr. Sumrell's character and military service and thanked Mr. Beason for saving his life.

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APPROVAL OF MINUTES

ON MOTION of Commissioner Smedley, seconded by Commissioner Baker, that the minutes of the Recessed Meeting of June 24, 2020, the Agenda Preparation Session of June 24, 2020, the Regular Meeting of July 1, 2020 be approved, treat same as read, made a matter of record and filed. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

THREE STAR COMPLIANCE REPORT

Mayor Coppinger submitted for the record a letter reflecting Hamilton County's compliance with the Three Star Program.

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RESOLUTION NO. 720-13 A RESOLUTION CONFIRMING THE APPOINTMENT OF ASSISTANT ADMINISTRATOR OF FINANCE LEE BROUNER AND THE REAPPOINTMENTS OF COUNTY AUDITOR JENNETH RANDALL, COUNTY ATTORNEY RHEUBIN TAYLOR, COUNTY COMMISSIONER RANDY FAIRBANKS AND COUNTY CLERK WILLIAM "BILL" KNOWLES AS MEMBERS OF THE HAMILTON COUNTY ETHICS COMMITTEE FOR A TERM OF TWO (2) YEARS, BEGINNING JULY 8, 2020 AND ENDING JULY 8, 2022.

ON MOTION of Commissioner Smedley, seconded by Commissioner Martin, to adopt Resolution No. 720-13.

In response to Commissioner Martin's question, Mayor Coppinger stated the state law, by virtue of position, appoints most of the selections to the Ethics Committee.

Commissioner Mackey encouraged giving more Hamilton County citizens the opportunity to serve on boards as well as advocated for shorter-term limits.

The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows:
Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman

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Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 720-14 A RESOLUTION TO AUTHORIZE THE SHERIFF TO ADD THREE (3) FULL-TIME EMPLOYEES TO ASSIST WITH THE FUSE INITIATIVE, AND TO AMEND THE SHERIFF MENTAL HEALTH DEPARTMENT EXPENDITURES BUDGET BY ADDING \$60,000 AND TO REDUCE THE GENERAL FUND BUDGET FOR THE DEVELOPMENT DEPARTMENT BY \$60,000.

ON MOTION of Commissioner Martin, seconded by Commissioner Smedley, to adopt Resolution No. 720-14. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 720-15 A RESOLUTION APPROVING, BY A TWO-THIRDS (2/3RDS) MAJORITY, THE ADOPTION OF TENNESSEE CODE ANNOTATED SECTION 40-14-210, THEREBY PERMITTING AN INCREASE OF TWELVE DOLLARS AND FIFTY CENTS (\$12.50) TO THE COST ASSESSED IN CRIMINAL

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**PROCEEDINGS (WITH THE EXCEPTION OF NON-MOVING TRAFFIC VIOLATIONS)
BEFORE THE VARIOUS COURTS WITHIN HAMILTON COUNTY, TENNESSEE,
AND APPROPRIATING SAID FUNDS AS COLLECTED FOR THE PUBLIC
DEFENDER OFFICE'S REPRESENTATION OF INDIGENT DEFENDANTS IN
CRIMINAL PROCEEDINGS.**

ON MOTION of Commissioner Baker to adopt Resolution No. 720-15. The Motion died due to lack of a second.

RESOLUTION NO. 720-19 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO PARTICIPATE IN THE ELECTRONIC MONITORING INDIGENCY FUND ("EMIF") WITH THE STATE OF TENNESSEE AND COMMIT A BUDGETED AMOUNT OF \$80,000 WHICH WILL BE MATCHED BY THE STATE FOR THE FISCAL YEAR BEGINNING JULY 1, 2020.

ON MOTION of Commissioner Smedley, seconded by Commissioner Geter, to adopt Resolution No. 720-19.

In response to Commissioner Sharpe's question, Administrator of Finance Lee Brouner reported this is the second year for this program.

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The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

**RESOLUTION NO. 720-20 A RESOLUTION AUTHORIZING THE COUNTY MAYOR
TO ENTER INTO AND EXECUTE AN AMENDMENT TO DEED COVENANTS
RELATIVE TO LOT 15-A CENTRE SOUTH/RIVERPORT INDUSTRIAL PARK.**

ON MOTION of Commissioner Smedley, seconded by Commissioner Martin, to adopt Resolution No. 720-20. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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RESOLUTION NO. 720-21 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO ENTER INTO AGREEMENT NO. 200104 WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR MISCELLANEOUS SAFETY IMPROVEMENTS ON SNOW HILL ROAD, FROM FOREST CREEK LANE TO NORTH OF WHITE CYPRESS DRIVE AND TO PAY \$26,210.00 FROM PREVIOUSLY BUDGETED FUNDS FOR CONSTRUCTION OF THE PROJECT.

ON MOTION of Commissioner Smedley, seconded by Commissioner Geter, to adopt Resolution No. 720-21. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 720-22 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO SUBMIT A GRANT APPLICATION IN AN AMOUNT OF \$75,000 REQUIRING A 1:1 COUNTY MATCH OF \$75,000, TO THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (TNECD) FOR THE PURPOSES OF DEVELOPING EXPANDED WATERFRONT PARKING FACILITIES AT CHESTER

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**FROST PARK TO FURTHER TOURISM OPPORTUNITIES, AS RECOMMENDED IN
A 2017 GRANT FUNDED CHESTER FROST ENHANCEMENT PLAN.**

ON MOTION of Commissioner Martin, seconded by Commissioner Baker, to adopt Resolution No. 720-22. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 720-23 A RESOLUTION AUTHORIZING THE COUNTY MAYOR ON BEHALF OF HAMILTON COUNTY, TENNESSEE, THE HEALTH SERVICES DIVISION, OPERATING AS THE CHATTANOOGA-HAMILTON COUNTY HEALTH DEPARTMENT TO SIGN A CONTINUATION CONTRACT WITH THE TENNESSEE DEPARTMENT OF HEALTH IN THE AMOUNT OF \$749,740.00 TO PROVIDE A SCHOOL BASED DENTAL SEALANT PROGRAM IN HAMILTON COUNTY FOR THE TIME PERIOD JULY 1, 2020 THROUGH JUNE 30, 2022.

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ON MOTION of Commissioner Baker, seconded by Commissioner Smedley, to adopt Resolution No. 720-23. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 720-24 A RESOLUTION GRANTING A SPECIAL PERMIT FOR A SHORT TERM VACATION RENTAL FOR PROPERTY LOCATED AT 7336 HARRIS HAVEN DRIVE.

ON MOTION of Commissioner Bankston, seconded by Commissioner Baker, to adopt Resolution No. 720-24. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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**RESOLUTION NO. 720-25 A RESOLUTION TO REZONE FROM A-1
AGRICULTURAL DISTRICT TO R-3 APARTMENT-TOWNHOUSE DISTRICT FOR
PROPERTY LOCATED AT 7519 MIDDLE VALLEY ROAD.**

ON MOTION of Commissioner Bankston, seconded by Commissioner Martin, to adopt Resolution No. 720-25. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

**RESOLUTION NO. 720-26A A RESOLUTION TO LIFT AND AMEND CONDITIONS
FROM RESOLUTION NO. 1102-278 OF PREVIOUS CASE NO. 2002-195 FOR THE
PROPERTY LOCATED AT 7521 MIDDLE VALLEY ROAD.**

No action was taken on Resolution No. 720-26A.

**RESOLUTION NO. 720-26B A RESOLUTION TO LIFT AND AMEND CONDITIONS
FROM RESOLUTION NO. 1102-278 OF PREVIOUS CASE NO. 2002-195 FOR THE
PROPERTY LOCATED AT 7521 MIDDLE VALLEY ROAD.**

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ON MOTION of Commissioner Martin, seconded by Commissioner Bankston, to adopt Resolution No. 720-26B. The foregoing Motion was adopted on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 720-28 A RESOLUTION AMENDING THE HAMILTON COUNTY 2021 FISCAL YEAR BUDGET BY APPROPRIATING NINE HUNDRED THOUSAND DOLLARS (\$900,000.00) FOR DISCRETIONARY SPENDING AS MAY BE DISBURSED BY MEMBERS OF THE HAMILTON COUNTY BOARD OF COMMISSIONERS (AT \$100,000.00 EACH) FOR NON-PROFIT CIVIC ENTITIES THAT SERVE THE HAMILTON COUNTY COMMUNITY.

This item was pulled at Commissioner Mackey's request. There was no objection.

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At this time, Chairman Fairbanks stated the phone line for members of the public wishing to address the Commission on matters other than zoning would be open at this time. He stated those wishing to speak should call 423-209-8998 to be added to the queue.

ANNOUNCEMENTS

Chairman Fairbanks asked for announcements from members of the Commission.

Commissioner Baker thanked Commissioner for their support of last week's item approving the Friends of the Festival Riverfront Nights concert series (*Resolution No. 720-27*).

Commissioner Geter thanked the Health Department staff and the Community Foundation of Greater Chattanooga for their COVID-19 testing efforts at African American churches. She announced another testing event would take place at Stoney Point Baptist Church on Saturday from 10:00 AM to 1:00 PM and Sunday from 12:00 PM to 3:00 PM.

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Commissioner Mackey spoke about Commissioner Martin's recent opinion article in the Chattanooga voicing his opposition to amending the budget to add in discretionary funds. He refuted certain comments including that discretionary funds are a way to curry favor with voters for the next election.

Commissioner Martin commended Public Defender Steve Smith for the proposal he brought forward for additional funding (*Resolution No. 720-15*). He responded to Commissioner Mackey's comments and stated his decision was not personal.

Commissioner Sharpe spoke about the COVID-19 pandemic and the many challenges it has presented. He made comments regarding the reduced jail populations and encouraged open dialogue regarding funding for the Public Defender's Office and addressing other needs throughout the community. He also spoke about health care professionals who have lost their lives during the pandemic and emphasized the severity of the disease.

In response to Commissioner Smedley's question, Mayor Coppinger stated a report from the Water and Wastewater Treatment Authority (WWTA) should be coming in the next few weeks.

Commissioner Smedley reported early voting begins on Friday.

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Mayor Coppinger announced the retirement of Bob Colby after 30 years of service as the Director of the Chattanooga-Air Pollution Control Bureau. He thanked Mr. Colby for his many years of dedicated service.

Mayor Coppinger provided an update on the impact of the COVID-19 pandemic on Hamilton County. He reported over 50,000 tests have been administered and encouraged everyone to follow protocols such as wearing a mask and social distancing. He added the economic outlook for Hamilton County is very good.

Commissioner Fairbanks also encouraged everyone to follow protocols such as wearing a mask and social distancing. He noted the Commission has a scheduled off week next week and would not be meeting.

Commissioner Boyd responded to earlier comments regarding jail populations and encouraged more conversation regarding decriminalization of non-violent crimes.

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DELEGATIONS

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

There being no further business, Chairman Fairbanks declared the meeting in recess until Wednesday, July 29, 2020 at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

08-05-20

Date



Clerk's Initials