

HAMILTON COUNTY COMMISSION AGENDA PREPARATION SESSION AUGUST 12, 2020

COMMITTEE ASSIGNMENTS

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

- An Order of Reappointment to the Walden's Ridge Utility District Board of Commissioners would be submitted as a matter of record.
- The Revised Trustee's Monthly and Excess Fee Reports for June 2020 would be submitted for the record.
- The Trustee's Unaudited Financial Report ending June 2020 would be submitted for the record.
- Fee Office reports for the quarter ending June 30, 2020 would be submitted for the record.
- A Report of Investment Activity for the quarter ending June 30, 2020 was submitted for the record.
- A Tennessee Comptroller of the Treasury Plan of Refunding Report would be submitted and made a matter of record.
- Resolution No. 820-18 was the usual County Clerk item regarding notaries, etc. This required no committee assignment.
- Resolution Nos. 820-19 through 819-22, 819-24 through 820-42, 820-43A, 820-43B, and 820-44 were heard by a Committee of the Whole.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-19

This Resolution reappoints Margaret Chastain to the Hamilton County Health and Safety Hearing Board beginning August 19, 2020 and ending August 19, 2024.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-20

This Resolution reappoints Brad Tucker to the Emergency Communications District Board of Directors for a term ending July 15, 2021.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-21

This Resolution reappoints Edward Townson to the Hamilton County Beer Board for a term expiring August 19, 2022.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-22

This Resolution confirms the appointment of Evann Freeman to the Carter Street Corporation Board of Directors for a term ending August 19, 2024.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-24

This item accepts a onetime deposit of expungement funds from the State of Tennessee in the amount of \$15,000 for the District Attorney General's Office and amends the general fund expense budget by adding \$15,000 to expenditures. Additionally, it amends the general fund revenue budget by adding \$15,000 to revenues.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-25

This Resolution authorizes the County Mayor to submit a Fasttrack Economic Development Fund grant application to the Tennessee Department of Economic and Community Development in an amount not to exceed \$1,200,000 to assist with construction costs to support Southern Champion Tray's expansion in Hamilton County.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-26

Steve Hiatt, Director of Existing Business Development for the Chattanooga Chamber of Commerce, spoke regarding this item, which makes certain findings relating to the Southern Champion Tray, L.P. and Southern Partners Project, delegates certain authority to the Industrial Development Board of Hamilton County, and authorizes the County Mayor to enter into and execute an agreement for payments in lieu of ad valorem taxes. He explained Southern Champion Tray is expanding their operations and has requested a five-year PILOT agreement with 100% of the school tax being paid. He explained that as part of the expansion, Southern Champion Tray would create more than 120 jobs in Hamilton County over the next five years. He noted Brian Hunt, Chief Operating Officer at Southern Champion Tray, was also on the line to answer any questions.

In response to Commissioner Martin's question, Mr. Hiatt reported the City of Chattanooga elected not to participate in this project. He added this is the first PILOT project located within the Chattanooga city limits in which the City is not participating.

In response to Commissioner Baker's question, Mr. Hunt reiterated the City of Chattanooga declined to participate in the project. Commissioner Baker thanked Mr. Hiatt, Mr. Hunt, and the Zeiser family, owners of Southern Champion Tray.

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In response to Commissioner Sharpe's question, Mr. Hiatt stated the 120 jobs would be in addition to any jobs brought from a recently acquired Ohio based company. He added the average annual wage commitment is \$48,000 not including a benefits package.

Commissioner Boyd thanked Mr. Hiatt, Mr. Hunt, and the Zeiser family for bringing this project before Commissioners. He made additional comments regarding the City of Chattanooga's lack of participation in this project.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-29

Mayor Coppinger spoke regarding this item, which authorizes the County Mayor to enter into and execute an "Offer to Purchase" relative to Lot One of the Centre South Riverport/Industrial Park – River Terminal Subdivision and authorizes the County Mayor to execute a deed and other necessary closing documents conveying said property to the purchaser listed herein below upon payment of the sale price by the purchaser. He noted the property is 56.63 acres and will be purchased for \$45,000 per acre. Mayor Coppinger explained the property was discounted due to the challenges in developing the land.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-27

Mayor Coppinger spoke regarding this item, which transfers the fiscal year 2021 general fund revenue and expenditures budgets for the Mental Health Court, Mental Health VOCA grant, Drug Recovery Court, and Drug Recovery Court – Sessions from the Constitutional Officers Division to the General Services Division.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-28

This Resolution authorizes the issuance of interest-bearing general obligation improvement and refunding bonds, series 2020A, of Hamilton County, Tennessee in an amount not to exceed \$80 million and provides for the repayment of the bonds.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-30

This Resolution authorizes the County Mayor to terminate a prior lease and subsequently execute a ten-year succeeding lease agreement, between Hamilton County and the United States of America for office space in the J. Merle Crawly Agriculture Service Center with said succeeding lease commencing September 1, 2020 and terminating August 31, 2030.

In response to Commissioner Smedley's question, Administrator of Public Works and County Engineer stated the lease agreement is standard.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-31

This Resolution approves the purchase and delivery of one (1) 4x4 forklift from Mid-South Equipment Company from the Sourcewell Purchasing Cooperative amounting to \$75, 255.91 for the Highway Department.

In response to Commissioner Boyd's question, Mr. Leamon reported the forklift would be an addition to the fleet for outdoor use.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-32

This Resolution approves the purchase and delivery of one (1) 15-ton equipment trailer from Bobcat of Chattanooga from the Sourcewell Purchasing Cooperative amounting to \$30,359.72 for the Highway Department.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-40

Chairman Fairbanks spoke regarding this item, which amends the “Master List of Roads and Speed Limits” so as to change the roadway name for a section of the following district road: a portion of Smith Cemetery Road to Ward Cemetery Circle.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-33

This Resolution approves the purchase of nineteen (19) Stalker Patrol 2 Antenna Packages amounting to \$27,892.00 from Applied Concepts, Inc. from the Tennessee State Contract SWC-349 for the Hamilton County Sheriff’s Office.

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There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-34

This Resolution approves the purchase of twenty-five (25) vehicles amounting to \$825,723.80 from Lonnie Cobb Ford and Wilson County Motor Company from the Tennessee State Contract SWC-209 for the Hamilton County Sheriff's Office.

In response to Commissioner Baker's question, Mayor Coppinger reported low-bid purchasing procedures were followed for this purchase.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-35

This Resolution approves the purchase of Microsoft Office licenses from Insight Public Sector from the NASPO ValuePoint Purchasing Cooperative amounting to \$43,814.40 for the Hamilton County Sheriff's Office.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-36

This Resolution approves the purchase and delivery of 40 Panasonic Toughbook computers and accessories from Insight Public Sector from the Omnia Partners Public Sector Purchasing Cooperative amounting to \$82,701.20 for the Hamilton County Sheriff's Office.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-37

This Resolution approves the purchase of an annual maintenance and support contract amounting to \$43,611.94 from DataWorks Plus, LLC beginning August 1, 2020 through September 30, 2021 for the Sheriff's Office.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-38

This Resolution relinquishes Hamilton County's interest in a 1992 AM General M-0998 (known as HMMV) co-titled with Hamilton County Special Tactics and Rescue Services (STARS).

In response to Commissioner Baker's question, Mayor Coppinger stated the vehicle was used however; emergency vehicles are usually used within a small response area and typically have lower mileage.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-39

This Resolution authorizes the County Mayor on behalf of Hamilton County to sign a continuation contract with the State of Tennessee Department of Human Services in the amount of \$42,800.00 to conduct child care agency immunization audits beginning October 1, 2020 through September 30, 2021.

There were no questions from Commissioners.

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COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-41

Bryan Shults, Director of Development Services for the Regional Planning Agency, spoke regarding this item, which grants the abandonment of an unopened right-of-way in the 2400 block of Suck Creek Road. It was noted there was no one wishing to speak in opposition of this item.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-42

Bryan Shults, Director of Development Services for the Regional Planning Agency, spoke regarding this item, which rezones from A-1 Agricultural District to C-2 Local Business Commercial District for property located at 11156 East Brainerd Road. He provided details regarding the rezoning request and stated the proposed use is for construction of a Dollar General Store in the Apison community. He explained the Planning Commission is responsible for evaluating the impact of the zoning change and not the proposed use or project. Mr. Shults reported both staff and Planning Commission made a recommendation to deny the rezoning request due to the potential impacts on the adjacent residential property owners. A copy of the presentation was filed in the Clerk's Office.

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It was noted both the applicant and opposition were on the line to speak. Chairman Fairbanks stated they would each have 10 minutes to make their presentations.

The applicant, Ben Berry with Berry Engineers, spoke regarding the construction of the proposed Dollar General in the Apison community. He stated the project meets a need in the community and is supported by locals, which he stated is demonstrated by a petition with over 100 signatures of support from people living in the Apison zip code. He explained the nearest stores are approximately five miles away on Ooltewah Ringgold Road. Mr. Berry reported the project is estimated to generate about \$65,000 per year in tax revenue. He listed multiple proposed conditions including enhanced building architecture, limited delivery times, limited permitted uses, etc. He played several videos from neighboring residents speaking in support of the Dollar General project. A copy of Mr. Berry's presentation was filed in the Clerk's Office.

In response to Commissioner Boyd's question regarding potential water runoff into a nearby pond, Mr. Berry explained the drainage from the site does not go to the pond.

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Commissioner Smedley stated she has heard from significant opposition regarding this proposed project. She also expressed concern over the validity of some of the signatures of support of the project.

Commissioner Martin's referenced Mr. Berry's presentation in which he stated the proposed location is about a block from the old downtown Apison, which once had four stores; two of which have been torn down and two have been converted for other uses. In response to Commissioner Martin's question, Mr. Shults stated he is unsure if that area was zoned for commercial use.

Commissioner Mackey thanked Commissioner Smedley for her comments.

In response to Commissioner Sharpe's question, Mr. Shults reported the nearest store is located about five miles away on Ooltewah Ringgold Road. Commissioner Sharpe questioned if the addition of this store would reduce traffic at the Ooltewah Ringgold Road and East Brainerd Road intersection. He expressed concern for the aging population and limited access to resources.

Commissioner Smedley reminded Commissioners their decision is for the rezoning and not the specific project.

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In response to Commissioner Baker's question, Mr. Shults explained the staff's recommendation to deny.

At this time, Chairman Fairbanks asked if there was any opposition wishing to speak. It was noted Terri Noll and Jason Price would be speaking on behalf of the opposition. Chairman Fairbanks stated based on the applicant's time they would have 13 minutes for their presentation. Mr. Price played several videos for Commissioners showing the area, which he noted is heavily residential. Mr. Price explained an area meeting was held on June 25, 2020 with approximately 75 people in attendance. He reported approximately 68 of those attendees were not in support of the new store. Ms. Noll added a petition was circulated and signed by over 750 people in opposition to the Apison Dollar General. She explained many of the reasons included the desire to keep Apison rural and many referenced the close proximity of other grocery stores in the area. Mr. Price concluded by stating the proposed zoning does not keep the rural character of the Apison community. A copy of Mr. Price and Ms. Noll's presentation was filed in the Clerk's Office.

In response to Commissioner Baker's question, Mr. Price stated he would not be opposed to a village center in the area if the infrastructure existed to support it.

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In response to Commissioner Sharpe's question, Mr. Price explained his primary concern is that the proposed project involves a big box retailer in the middle of a residential area.

Commissioner Smedley spoke at length regarding the proposed project. She stated the development is not compatible with the Area 12 Plan and expressed concern with putting a commercial development in such close proximity to residential homes. She also expressed concern about sewer capacity in the area.

Commissioner Martin thanked all those who spoke today regarding this project.

**COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-43A AND RESOLUTION
NO. 820-43B**

Bryan Shults, Director of Development Services for the Regional Planning Agency, spoke regarding this item, which rezones from A-1 Agricultural District to R-1 Single Family Residential District for the properties located at 10908 and 10912 East Brainerd Road. He reported staff and Planning Commission recommended approval. It was noted the applicant, Mike Price, was on the line to answer any questions. Mr. Shults noted the Commission would be voting on Resolution No. 820-43B, which includes certain conditions as recommended by the Planning Commission.

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There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 820-44

Bryan Shults, Director of Development Services for the Regional Planning Agency, spoke regarding this item, which grants a special exceptions permit for a residential planned unit development for the properties located at 10908 and 10912 East Brainerd Road. He noted staff and Planning Commission recommended approval.

There were no questions from Commissioners.

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.

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Commissioner Baker asked for an update on the sewer report from the Water and Wastewater Treatment Authority.

In response to Commissioner Baker's question, Chairman Fairbanks stated Governor Lee's Executive Order (No. 51) allowing for electronic meetings expires on August 29, 2020. He stated in the event it is not renewed procedures to meet safely in person are in place including social distancing and extra cleaning.

Commissioner Mackey thanked Commissioners for their reconsideration of Resolution No. 220-35.

Commissioner Mackey spoke about a conversation that took place during last night's City Council meeting regarding disciplinary action taken towards a 911 Center employee because of her hair color. He asked that the four-minute video clip be played where a City Councilman addressed the action. Commissioner Mackey questioned what authority Hamilton County Human Resources has over the matter. He noted social media has responded to the action that racism exists in Hamilton County government.

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Hamilton County Human Resources Director Sandra Ellis explained the 911 Center employees are under their own board of directors and Hamilton County HR has no authority over disciplinary action at that facility. She added different county offices are allowed to set their own policies regarding workplace appearance.

Mayor Coppinger stated that racism does not exist and would not be tolerated in Hamilton County government. He added Hamilton County's Equal Employment Opportunity Officer Ken Jordan could only get involved if asked to do so by the 911 Board.

Commissioner Martin and Commissioner Sharpe wished everyone success as the new school year begins.

Commissioner Sharpe announced a Security and Corrections Committee meeting would take place on August 26, 2020 immediately following the Commission Meeting. He stated Chief Magistrate Lorrie Miller would be presenting her quarterly report.

Commissioner Sharpe asked that Sheriff Hammond give an update regarding COVID-19 in the jail. Sheriff Hammond reported there have been 60 total cases in the

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jail with no deaths. He explained the isolation procedures that occur upon intake and quarantine procedures when someone shows symptoms or tests positive.

In response to Commissioner Sharpe's question, Sheriff Hammond stated adequate facilities exist to isolate those who have tested positive.

In response to Commissioner Baker's question, Sheriff Hammond stated he would give an update soon regarding the transition of management of Silverdale from CoreCivic to the Sheriff's Office.

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DELEGATIONS

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

Being no further business, Chairman Fairbanks declared the meeting adjourned until Wednesday, August 19, 2020 at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

09-02-20



Date

Clerk's Initials