

**HAMILTON COUNTY COMMISSION
REGULAR MEETING
AUGUST 21, 2019**

STATE OF TENNESSEE) Regular Meeting
COUNTY OF HAMILTON) August 21, 2019

BE IT REMEMBERED, that on this 21st day of August, 2019, 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:--

0:14

Present and presiding was the Honorable Sabrena Smedley, Chairman. 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 Fairbanks, Commissioner Geter, Commissioner Mackey, Commissioner Martin, Commissioner Sharpe, and Chairman Smedley. Total present – 9. Total absent –0.

Also in attendance were County Mayor Jim Coppinger, members of the Mayor’s administrative staff, Assistant County Attorney Neill Southerland, and County Auditor Jenneth Randall.

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.

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0:49

Commissioner Sharpe introduced Senior Minister Dr. Travis A. Sharpe, GraceBridge Church, who gave the invocation. Commissioner Sharpe led in the pledge to the flag.

4:44

PRESENTATION – HUMANE EDUCATIONAL SOCIETY

Dr. Tai Federico, Interim Executive Director of the Humane Educational Society (HES), provided an update regarding construction of the new HES facility. It was noted Commissioners authorized allocating \$10 million towards the project on November 21, 2018 (*Resolution No. 1118-33*). Dr. Federico stated plans for the new facility have been drawn up and the only remaining issue involves a small creek on the edge of the property. He reported groundbreaking is expected to take place next month.

6:19

In response to Commissioner Mackey's question, Dr. Federico stated Hamilton County taxpayers are not asked to pay for animals brought in from surrounding counties or states.

In response to Chairman Smedley's question, Dr. Federico explained the project was scaled down after the Red Bank and Lakesite opted out of their HES contracts. He noted Red Bank was one of the largest HES contracts but also provided the largest numbers of animals. Dr. Federico confirmed to his knowledge none of the private donors have pulled their initial pledges.

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11:18

In response to Commissioner Boyd's question, Dr. Federico reported Jeff Morgan with Morgan Construction was chosen as the contractor. He stated the total cost including contingencies is \$11.5 million. He confirmed he would email Commissioners additional details regarding the contract and project cost.

Chairman Smedley thanked Dr. Federico for this presentation.

13:40

APPROVAL OF MINUTES

ON MOTION of Commissioner Martin, seconded by Commissioner Baker, that the minutes of the Recessed Meeting of July 31, 2019, the Agenda Preparation Session of July 31, 2019, the Regular Meeting of August 7, 2019, 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 Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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TRUSTEE REPORTS

The Trustee's Monthly and Excess Fee Reports for July 2019 were submitted and made and a matter of record.

Chairman Smedley reported Resolution No. 819-45 was a late addition to the agenda. She stated it was a time sensitive item and asked that it be heard at this time.

14:24

LATE ITEM

RESOLUTION NO. 819-45 A RESOLUTION AUTHORIZING 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 \$1,125,000 TO ASSIST WITH CONSTRUCTION COSTS TO SUPPORT AN UNDISCLOSED COMPANY'S NEW HAMILTON COUNTY OPERATIONS.

ON MOTION of Commissioner Bankston, seconded by Commissioner Baker, to adopt Resolution No. 819-45.

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15:45

Charles Wood, Vice President of Economic Development for the Chattanooga Chamber of Commerce, provided details regarding Resolution No. 819-45. He explained the Tennessee Department of Economic and Community Development recently changed their procedure to require county approval of the grant application before the company name and project is announced. He noted no county contribution is required at this time.

In response to Commissioner Boyd's questions, Mr. Wood stated the undisclosed company plans to invest \$61 million on a new Hamilton County facility that would bring 150 new jobs. It was noted the facility would not be located at Enterprise South Industrial Park. He explained the announcement should happen within 30-60 days; construction would take approximately one year.

In response to Commissioner Sharpe's question, Mr. Wood reported the facility will offer a mix of specialty and entry level positions with an average salary of \$44,000.

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The foregoing Motion to adopt Resolution No. 819-45 was unanimously 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 Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

19:58

RESOLUTION NO. 819-17 A RESOLUTION TO APPROVE AND ACCEPT APPLICATIONS FOR NOTARY PUBLIC POSITIONS, THE BONDS AND OATHS OF NOTARIES PREVIOUSLY ELECTED, OATHS OF DEPUTY SHERIFFS, AND THE OATHS OF DEPUTY REGISTERS.

ON MOTION of Commissioner Martin, seconded by Commissioner Baker, to adopt Resolution No. 819-17. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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20:34

RESOLUTION NO. 819-18 A RESOLUTION TO APPOINT ONE MEMBER TO THE HAMILTON COUNTY HEALTH AND SAFETY HEARING BOARD BEGINNING AUGUST 21, 2019 AND ENDING AUGUST 21, 2020.

This Resolution appoints Margaret Chastain.

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Sharpe, to adopt Resolution No. 819-18. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

21:09

RESOLUTION NO. 819-19 A RESOLUTION TO APPOINT ONE (1) MEMBER AND REAPPOINT TWO (2) MEMBERS TO THE HAMILTON COUNTY EMPLOYEE APPEALS BOARD FOR A TWO (2) YEAR TERM BEGINNING AUGUST 21, 2019 AND ENDING AUGUST 21, 2021.

This Resolution appoints Emily O'Donnell, and reappoints Michael Baskette and John E. Shackelford.

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ON MOTION of Commissioner Sharpe, seconded by Commissioner Geter, to adopt Resolution No. 819-19. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 819-20 A RESOLUTION TO REAPPOINT TWO (2) MEMBERS AND APPOINT SEVEN (7) MEMBERS TO THE CITIZENS ADVISORY BOARD FOR RECREATION FOR A TWO (2) YEAR TERM BEGINNING AUGUST 21, 2019 AND ENDING AUGUST 21, 2021.

This Resolution appoints Tony Reavley, Sam Guin, Will Smith, Tara Viland, Shawn Whitfield, Jody Grant, Robert Hoff, and reappoints Ronnie Phillips and Gerald Perry.

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ON MOTION of Commissioner Mackey, seconded by Commissioner Sharpe, to adopt Resolution No. 819-20. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

22:33

RESOLUTION NO. 819-21 A RESOLUTION APPROVING THE EXPENDITURE OF MATCHING FUNDS COMMITTED FROM PRIVATE DONORS AND OTHER GRANT SOURCES BY DECEMBER 31, 2019, NOT-TO-EXCEED TWENTY THOUSAND DOLLARS (\$20,000.00) FROM GENERAL FUND TRAVEL DISCRETIONARY MONIES (AS ALLOTTED TO DISTRICT EIGHT) TO ASSIST IN WORKFORCE DEVELOPMENT TRAINING PROGRAM CONDUCTED BY THE NON-PROFIT SOUNDCORPS OF HAMILTON COUNTY.

ON MOTION of Commissioner Boyd, seconded by Commissioner Baker, to adopt Resolution No. 819-21.

Commissioner Boyd disclosed he would recuse himself from this vote as his daughter is an employee of Soundcorps.

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Commissioner Baker commended Soundcorps for the work they do in Hamilton County.

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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Abstain", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 8. Total "Nay" votes – 0. Total Abstentions – 1.

24:29

**RESOLUTION NO. 819-22 A RESOLUTION AMENDING THE OFFICIAL
PROCEEDINGS OF THE HAMILTON COUNTY BOARD OF COMMISSIONERS IN
ORDER TO ACCOMMODATE THE GENERAL PUBLIC ON MATTERS OF SPECIFIC
INTEREST AND CONCERN.**

ON MOTION of Commissioner Geter, seconded by Commissioner Baker, to adopt Resolution No. 819-22.

25:54

Commissioner Martin voiced multiple concerns over the logistics of holding evening meetings and asked that it be sent to committee for further research.

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ON MOTION of Commissioner Martin, seconded by Commissioner Mackey, to defer Resolution No. 819-22 to the Legal and Legislative Committee to be studied further.

27:16 In response to Chairman Smedley's question, Mayor Coppinger stated his staff is in overtime-exempt status. Chief Deputy County Clerk Brooke Weaver noted the Clerk's Office does have staff that would require overtime.

28:54 Commissioner Baker agreed with studying the matter further in committee and asked that all Commissioners be included. He voiced support for evening meetings.

Commissioner Martin stated the Legal and Legislative Committee meeting would be an open meeting. He questioned if accommodations could be made for overflow crowds to view the meeting livestream in a common area.

31:06 Mayor Coppinger reported efforts are being made to place screens in the hall outside of the Commission Room where the public could view the meetings.

Commissioner Boyd also voiced support for studying the matter in committee. He cautioned Commissioners about avoiding unintended consequences by not doing enough research.

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Commissioner Mackey emphasized that Hamilton County operates as an open government and makes significant effort to allow public input.

35:49

Commissioner Geter stated the intent of this Resolution is to maximize the accessibility of Commission Meetings for those who wish to have their voices heard. She agreed with studying the matter further in committee however she asked that a date certain be given.

After some discussion Commissioner Martin, who made the motion to amend, added that the Legal and Legislative Committee would make a recommendation to the full Commission by November 30, 2019. Commissioner Mackey, who seconded the motion, agreed.

40:16

Commissioner Fairbanks stated he would be reaching out to constituents in his district for feedback.

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The foregoing Motion to defer Resolution No. 819-22 to the Legal and Legislative Committee with a recommendation to be made by November 30, 2019 was unanimously 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 Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

43:38

RESOLUTION NO. 819-23 A RESOLUTION ACCEPTING A MACLELLAN FOUNDATION GRANT FOR A LAW ENFORCEMENT CHAPLAIN PILOT PROGRAM WITH AN EXPECTED TERM ENDING JULY 31, 2020 AND AMENDING THE SHERIFF'S OFFICE OPERATING BUDGET BY ADDING \$30,000 TO REVENUES & EXPENDITURES.

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Sharpe, to adopt Resolution No. 819-23. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner

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Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

44:21

RESOLUTION NO. 819-24 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO AWARD FIVE (5) DAYS OF PAID LEAVE FOR THE PURPOSE OF ENCOURAGING ALL HAMILTON COUNTY EMPLOYEES TO PARTICIPATE IN THE UNITED WAY CAMPAIGN THROUGH PAYROLL DEDUCTION, SUBJECT TO APPROVAL BY THE SUPERVISOR.

ON MOTION of Commissioner Baker, seconded by Commissioner Bankston, to adopt Resolution No. 819-24. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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44:56

RESOLUTION NO. 819-25 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO AWARD THREE (3) SEPARATE THREE (3) DAY CAMPING PASSES FOR THE PURPOSE OF ENCOURAGING ALL HAMILTON COUNTY EMPLOYEES TO PARTICIPATE IN THE UNITED WAY CAMPAIGN THROUGH PAYROLL DEDUCTION.

ON MOTION of Commissioner Baker, seconded by Commissioner Sharpe, to adopt Resolution No. 819-25. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

RESOLUTION NO. 819-26 WAS PULLED

RESOLUTION NO. 819-27 A RESOLUTION APPROVING REIMBURSEMENT TO THE HAMILTON COUNTY 911 EMERGENCY COMMUNICATIONS DISTRICT FOR 50% OF THE COST OF ROOF REPLACEMENT AT THE COUNTY'S WHITE OAK FACILITY.

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ON MOTION of Commissioner Baker, seconded by Commissioner Martin, to adopt Resolution No. 819-27. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

46:21

RESOLUTION NO. 819-43 A RESOLUTION TO APPOINT THREE (3) MEMBERS TO THE HAMILTON COUNTY INDUSTRIAL DEVELOPMENT BOARD TO SERVE A SIX (6) YEAR TERM BEGINNING AUGUST 21, 2019 AND ENDING AUGUST 21, 2025.

This Resolution appoints Doug Martin, Sylvester Harris, and Bill McCord.

ON MOTION of Commissioner Geter, seconded by Commissioner Boyd, to adopt Resolution No. 819-43.

Commissioner Martin disclosed that Doug Martin is his brother and will not be compensated for this appointment.

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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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

**RESOLUTION NO. 819-44 A RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN
A CONTRACT FOR PROFESSIONAL SERVICES WITH WILL DENAMI TO
REPRESENT THE INTERESTS OF HAMILTON COUNTY BEFORE THE
TENNESSEE GENERAL ASSEMBLY AND OTHER GOVERNMENTAL ENTITIES.**

ON MOTION of Commissioner Bankston, seconded by Commissioner Sharpe, to adopt Resolution No. 819-44. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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LATE ITEM

47:51

**RESOLUTION NO. 819-46 A RESOLUTION COMMEMORATING THE 100TH
ANNIVERSARY OF THE PASSAGE OF THE NINETEENTH AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES.**

ON MOTION of Commissioner Martin, seconded by Commissioner Baker, to
adopt Resolution No. 819-46.

Commissioner Mackey provided details regarding this item, which
commemorates the 100th anniversary of the passage of the 19th amendment to the
Constitution, which gave women the right to vote. He spoke about courage and
education in Hamilton County.

Commissioner Martin provided additional information regarding the passage of
the 19th amendment.

Commissioner Sharpe spoke about the importance of having proper
representation and increasing diversity on local boards.

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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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

55:36

Chairman Smedley asked that Resolution Nos. 819-28 through 819-36 be heard at this time.

RESOLUTION NO. 819-28 A RESOLUTION APPROVING THE PURCHASE OF AN ANNUAL MAINTENANCE AND SUPPORT CONTRACT AMOUNTING TO \$36,173.81 FROM DATAWORKS PLUS, LLC FOR ONE (1) YEAR BEGINNING AUGUST 1, 2019 THROUGH JULY 31, 2020, FOR THE SHERIFF'S OFFICE AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

RESOLUTION NO. 819-29 A RESOLUTION APPROVING THE PURCHASE OF ONE (1) VEHICLE AMOUNTING TO \$29,372.00 FROM CDJR OF COLUMBIA FROM THE STATE CONTRACT SWC-209 FOR THE HAMILTON COUNTY SHERIFF'S OFFICE,

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**AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS
NECESSARY TO IMPLEMENT THIS RESOLUTION.**

**RESOLUTION NO. 819-30 A RESOLUTION APPROVING THE PURCHASE OF AN
ANNUAL MAINTENANCE CONTRACT FOR MOBILE LAW VEHICLE
WORKSTATION SOFTWARE AND FBR WORKSTATION SOFTWARE AMOUNTING
TO \$74,421.72 FROM CENTRAL SQUARE TECHNOLOGIES DBA TRITECH
SOFTWARE SYSTEMS FOR ONE (1) YEAR BEGINNING AUGUST 7, 2019
THROUGH AUGUST 6, 2020, FOR THE SHERIFF'S OFFICE AND AUTHORIZING
THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT
THIS RESOLUTION.**

**RESOLUTION NO. 819-31 A RESOLUTION TO AUTHORIZING THE COUNTY
MAYOR ON BEHALF OF HAMILTON COUNTY TENNESSEE, THE HEALTH
SERVICES DIVISION, OPERATING AS THE CHATTANOOGA-HAMILTON COUNTY
HEALTH DEPARTMENT TO ACCEPT FUNDS IN THE AMOUNT OF \$19,522.00
FROM THE EMERGENCY FOOD AND SHELTER PROGRAM TO PROVIDE
FINANCIAL ASSISTANCE TO FAMILIES AND INDIVIDUALS OF HAMILTON
COUNTY TO PREVENT THOSE FAMILIES FROM BECOMING HOMELESS FOR A
TIME PERIOD BETWEEN OCTOBER 1, 2018 AND MARCH 31, 2020 OR LONGER
AS DETERMINED BY THE EMERGENCY FOOD AND SHELTER PROGRAM
NATIONAL BOARD.**

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RESOLUTION NO. 819-32 A RESOLUTION TO RELINQUISH HAMILTON COUNTY'S INTEREST IN A 1996 INTERNATIONAL 470 SERIES AMBULANCE, 1993 GMC SUBURBAN, AND 1999 CHEVROLET BLAZER CO-TITLED WITH HAMILTON COUNTY & MARINE RESCUE SQUAD.

RESOLUTION NO. 819-33 A RESOLUTION APPROVING THE PURCHASE OF TWO (2) WIRELESS MULTI-GAS MONITORS FROM ALL SAFE INDUSTRIES, INC., FROM THE GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT GS-07F-5501R FOR THE OFFICE OF EMERGENCY MANAGEMENT AND AUTHORIZING THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

RESOLUTION NO. 819-34 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO ENTER INTO AND EXECUTE AN AGREEMENT WITH BEGINNING POINT SURVEYS, INC. FOR SURVEY SERVICES FOR THE ENTERPRISE SOUTH NATURE PARK CYCLING TRAIL FOR AN AMOUNT NOT TO EXCEED \$28,250.00.

RESOLUTION NO. 819-35 A RESOLUTION ACCEPTING THE PROPOSAL OF BIOWASTE LLC TO PROVIDE MEDICAL AND PHARMACEUTICAL WASTE DISPOSAL SERVICES FOR VARIOUS HAMILTON COUNTY DEPARTMENTS, BEGINNING SEPTEMBER 1, 2019, THROUGH AUGUST 31, 2022 WITH THE OPTION FOR ONE (1) ADDITIONAL TWO-YEAR RENEWAL AND AUTHORIZING

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THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

RESOLUTION NO. 819-36 A RESOLUTION RATIFYING THE PURCHASE OF GASOLINE AND DIESEL FUEL FOR THE PERIOD OF JULY 1, 2019, THROUGH JULY 31, 2019, AND TO AUTHORIZE THE COUNTY MAYOR TO SIGN ANY CONTRACTS NECESSARY TO IMPLEMENT THIS RESOLUTION.

Commissioner Fairbanks, Chairman of the Finance Committee, provided details regarding Resolution Nos. 819-28 through 819-36 and stated the Finance Committee reviewed and recommended approval.

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Sharpe, to adopt Resolution No. 819-28. 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 Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Commissioner Baker and Commissioner Mackey were not present for the roll call. Total present – 7. Total absent – 2. Total "Aye" votes – 7. Total "Nay" votes – 0.

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ON MOTION of Commissioner Baker, seconded by Commissioner Sharpe, to adopt Resolution No. 819-29. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Baker, to adopt Resolution No. 819-30. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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ON MOTION of Commissioner Fairbanks, seconded by Commissioner Baker, to adopt Resolution No. 819-31. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Baker, to adopt Resolution No. 819-32. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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ON MOTION of Commissioner Fairbanks, seconded by Commissioner Baker, to adopt Resolution No. 819-33. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Baker, to adopt Resolution No. 819-34. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

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ON MOTION of Commissioner Fairbanks, seconded by Commissioner Baker, to adopt Resolution No. 819-35. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Mackey, to adopt Resolution No. 819-36. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

1:05:44 Chairman Smedley asked that Resolution Nos. 819-37A, 819-37B, 819-37C, and 819-38 through 819-42 be heard at this time.

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**RESOLUTION NO. 819-37A A RESOLUTION TO REZONE FROM A-1
AGRICULTURAL DISTRICT TO R-3 APARTMENT-TOWNHOUSE DISTRICT, FOR
PROPERTIES LOCATED IN THE 8000 BLOCK OF BORK MEMORIAL DRIVE.**

**RESOLUTION NO. 819-37B A RESOLUTION TO REZONE FROM A-1
AGRICULTURAL DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND
R-3 APARTMENT-TOWNHOUSE DISTRICT, FOR PROPERTIES LOCATED IN THE
8000 BLOCK OF BORK MEMORIAL DRIVE.**

**RESOLUTION NO. 819-37C A RESOLUTION TO REZONE FROM A-1
AGRICULTURAL DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND
R-3 APARTMENT-TOWNHOUSE DISTRICT, FOR PROPERTIES LOCATED IN THE
8000 BLOCK OF BORK MEMORIAL DRIVE.**

**RESOLUTION NO. 819-38 A RESOLUTION LIFTING CONDITION #4: THE
MAXIMUM HEIGHT OF EACH BUILDING IN THIS DEVELOPMENT IS THREE
STORES EXCEPT BUILDINGS 3, 4, 5 AND 6 MAY BE $\frac{3}{4}$ SPLIT CONFIGURATION
OF RESOLUTION NUMBER 110957B OF PREVIOUS CASE NUMBER 2009-0147
FOR PROPERTY LOCATED AT 4830 BLUE BELL AVENUE.**

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RESOLUTION NO. 819-39 A RESOLUTION GRANTING A SPECIAL PERMIT FOR AN EVENT FACILITY: WEDDING VENUE/BARN FOR PROPERTY LOCATED AT 5904 BEECHTREE TRAIL.

RESOLUTION NO. 819-40 A RESOLUTION TO REZONE FROM A-1 AGRICULTURAL DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT, THE PROPERTY LOCATED AT 4815 GREEN SHANTY ROAD.

RESOLUTION NO. 819-41 A RESOLUTION TO REZONE FROM R-2A RURAL RESIDENTIAL DISTRICT TO A-1 AGRICULTURAL DISTRICT FOR PROPERTY LOCATED AT 106 AND 112 MANNING COLE ROAD.

RESOLUTION NO. 819-42 A RESOLUTION TO REZONE FROM A-1 AGRICULTURAL DISTRICT TO O-1 OFFICE DISTRICT THE PROPERTIES LOCATED AT 6100 AND 6104 OOLTEWAH GEORGETOWN ROAD.

Commissioner Bankston, Chairman of the Zoning Committee, asked if any opposition was present. There was none. He provided details regarding Resolution Nos. 819-37A, 819-37B, 819-37C, and 819-38 and stated the Zoning Committee reviewed and recommended approval of Resolution Nos. 819-37C and 819-38, which include certain conditions as recommended by the Regional Planning Commission. No action was taken on Resolution No. 819-37A and 819-37B.

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ON MOTION of Commissioner Bankston, seconded by Commissioner Sharpe, to adopt Resolution Nos. 819-37C and 819-38.

1:09:10

In response to Commissioner Mackey's question regarding Resolution No. 819-38, Mike Price, MAP Engineers, stated lifting condition #4 would allow them to go back before the variance board.

1:09:52

Commissioner Geter thanked Mr. Price for working with the community on this project. She noted one of the conditions states that an emergency ingress/egress driveway will be provided on Bork Memorial Drive.

At Chairman Smedley's question, Executive Director of the Regional Planning Agency John Bridger read the list of conditions into the record. A copy of the conditions was filed in the Clerk's Office.

In response to Commissioner Boyd's question, Mr. Price clarified the meaning of a $\frac{3}{4}$ split configuration.

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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner

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Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

Commissioner Bankston, Chairman of the Zoning Committee, provided details regarding Resolution No. 819-39, and stated the Zoning Committee reviewed and recommended deferring to the September 25, 2019 Recessed Meeting due to a death in the family.

ON MOTION of Commissioner Bankston, seconded by Commissioner Fairbanks, to defer Resolution No. 819-39 to the September 25, 2019 Recessed Meeting. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

Commissioner Bankston, Chairman of the Zoning Committee, provided details regarding Resolution Nos. 819-40 through 819-42, and stated the Zoning Committee reviewed and recommended approval.

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ON MOTION of Commissioner Bankston, seconded by Commissioner Baker, to adopt Resolution No. 819-40. 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 Baker, “Aye”, Commissioner Bankston, “Aye”, Commissioner Boyd, “Aye”, Commissioner Fairbanks, “Aye”, Commissioner Geter, “Aye”, Commissioner Mackey, “Aye”, Commissioner Martin, “Aye”, Commissioner Sharpe, “Aye”, and Chairman Smedley, “Aye”. Total present – 9. Total absent – 0. Total “Aye” votes – 9. Total “Nay” votes – 0.

ON MOTION of Commissioner Bankston, seconded by Commissioner Geter, to adopt Resolution No. 819-42. 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 Baker, “Aye”, Commissioner Bankston, “Aye”, Commissioner Boyd, “Aye”, Commissioner Fairbanks, “Aye”, Commissioner Geter, “Aye”, Commissioner Mackey, “Aye”, Commissioner Martin, “Aye”, Commissioner Sharpe, “Aye”, and Chairman Smedley, “Aye”. Total present – 9. Total absent – 0. Total “Aye” votes – 9. Total “Nay” votes – 0.

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ON MOTION of Commissioner Bankston, seconded by Commissioner Baker, to adopt Resolution No. 819-41. 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 Baker, "Aye", Commissioner Bankston, "Aye", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 9. Total "Nay" votes – 0.

1:15:39 After obtaining recognition from the Chairman, Commissioner Fairbanks made a motion to reconsider Resolution No. 819-15A, adopted on August 7, 2019. It was noted according to the Commission's Rules of Order a motion to reconsider (*Resolution No. 1018-42*) must come from a member voting on the prevailing side of an issue. A motion to reconsider requires a second and a majority vote.

At the request of Commissioners, the caption for Resolution No. 819-15A was read into the record.

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**RESOLUTION NO. 819-15A A RESOLUTION APPROVING AN AGREEMENT
AMONG THE CITY OF CHATTANOOGA AND HAMILTON COUNTY, TENNESSEE
(ON BEHALF OF THE HAMILTON COUNTY TRUSTEE) ON BEHALF OF THE
BOARD OF THE CHATTANOOGA DOWNTOWN CENTRAL BUSINESS
IMPROVEMENT DISTRICT RELATIVE TO BILLING AND COLLECTION OF THE
LEVY OF SPECIAL ASSESSMENTS FROM APPLICABLE OWNERS OF PROPERTY
WITHIN THE CHATTANOOGA DOWNTOWN CENTRAL BUSINESS IMPROVEMENT
DISTRICT PURSUANT TO T.C.A. § 7-84-521 ET SEQ.**

ON MOTION of Commissioner Fairbanks, seconded by Commissioner Baker, to reconsider Resolution No. 819-15A.

1:19:32 Commissioner Baker voiced his disagreement with the entire process and referenced a lawsuit filed against the City of Chattanooga days after the Chattanooga City Council approved the Business Improvement District (BID). He invited a business owner within the BID to come forward and address Commissioners.

1:20:21 Keeli Crew, Owner of Area 61 Gallery, spoke about the way the fee would impact her business and strongly disagreed with the way the BID process was handled.

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In response to Chairman Smedley's question, Attorney Southerland stated the fee is not being referred to as a tax, but would be recorded as a priority lien if an applicable property owner refuses to pay.

Commissioner Sharpe asked that Ms. Crew submit a copy of her comments to Commissioners. He spoke about the benefits of the BID and asked for comment from River City President Kim White.

1:33:32 Ms. White reminded Commissioners this Resolution was only to allow the Hamilton County Trustee to bill and collect the fee for one year.

Commissioner Baker voiced concern over being involved in a lawsuit. He emphasized the process should stay with the City Council and River City.

Chairman Smedley asked that the roll be called on the Motion to Reconsider.

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The foregoing Motion to Reconsider Resolution No. 819-15A 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 Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Nay", Commissioner Sharpe, "Nay", and Chairman Smedley, "Aye". Commissioner Bankston was absent. Total present – 8. Total absent – 1. Total "Aye" votes – 6. Total "Nay" votes – 2.

ON MOTION of Commissioner Boyd, seconded by Commissioner Baker, to deny Resolution No. 819-15A.

1:38:09 In response to Commissioner Martin's question, County Trustee Bill Hullander stated his office had already chosen a printer and sent the bills to the printer. However, he later noted there was still time to omit the BID assessments from the county tax bill.

In response to Commissioner Martin's question, Attorney Southerland stated the county is not currently named in the pending lawsuit.

At this time, additional discussion took place between Commissioners, Attorney Southerland, Trustee Hullander, and Ms. White. Topics included enforcement of the BID fees, liability for the county, and collection of the fee.

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The foregoing Motion to deny Resolution No. 819-15A 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 Boyd, "Aye", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Nay", Commissioner Martin, "Nay", Commissioner Sharpe, "Nay", and Chairman Smedley, "Aye". Commissioner Bankston was absent. Total present – 8. Total absent – 1. Total "Aye" votes – 5. Total "Nay" votes – 3.

ANNOUNCEMENTS

Chairman Smedley asked for announcements from members of the Commission.

1:52:31 Commissioner Baker encouraged everyone to visit the World War II era USS Landing ship Tank (LST) 325 docked at Ross's Landing and open for tours through Tuesday, August 27th. The ship was part of the D-Day invasion at Normandy on June 6, 1944.

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DELEGATIONS

Chairman Smedley asked for delegations on matters other than zoning.

There being no further business, Chairman Smedley declared the meeting in recess until Wednesday, August 28th, 2019 at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

09-04-19
Date

WJK
Clerk's Initials