



**HAMILTON COUNTY COMMISSION  
REGULAR MEETING  
DECEMBER 18, 2019**

0:31 Commissioner Boyd asked County Attorney Rheubin Taylor to offer the invocation. Commissioner Boyd led in the pledge to the flag.

**PRESENTATION – SIGNAL MOUNTAIN MIDDLE/HIGH SCHOOL**

2:09 Commissioner Baker invited Signal Mountain Middle/High School Assistant Principal and Athletic Director Bumper Reese to come forward for today's presentation. He presented a Certificate of Congratulations to the Signal Mountain Boy's Golf Team, the Signal Mountain Girl's Soccer Team, and the Signal Mountain Boy's and Girl's Cross Country Teams for winning state championships in their leagues. Mr. Reese introduced Signal Mountain Boy's Golf Coach Rodney Mitchell, Girl's Soccer Coach Richard Northcutt, and Girl's and Boy's Cross Country Coach Dustin Carpenter. Commissioner Baker thanked each team member for the dedication and sportsmanship. Each certificate was read into the record and filed in the Clerk's Office.

**APPROVAL OF MINUTES**

**ON MOTION** of Commissioner Smedley, seconded by Commissioner Sharpe, that the minutes of the Recessed Meeting of November 27, 2019, the Agenda Preparation Session of November 27, 2019, the Regular Meeting of December 4, 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

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Commission being present and voting as follows: 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". Commissioner Baker stepped away for the roll call. Total present – 8. Total absent – 1. Total "Aye" votes – 8. Total "Nay" votes – 0.

**ORDER OF DESIGNATION**

An order was recorded designating Todd Leamon to sit as the County Mayor's representative on the Planning Commission for the meeting of December 9, 2019.

16:59

**RESOLUTION NO. 1219-27 A RESOLUTION APPROVING AN ECONOMIC IMPACT PLAN FOR THE EAST CHATTANOOGA RISING TAX INCREMENT FINANCING DEVELOPMENT AREA AND AUTHORIZING THIS COUNTY LEGISLATIVE BODY TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT SAID PLAN.**

**ON MOTION** of Commissioner Geter, seconded by Commissioner Boyd, to adopt Resolution No. 1219-27. 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 Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Aye", and

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

Total "Nay" votes – 0.

18:01

**RESOLUTION NO. 1219-23 A RESOLUTION TO REZONE FROM A-1  
AGRICULTURAL DISTRICT AND R-2 RESIDENTIAL DISTRICT TO R-1 SINGLE  
FAMILY RESIDENTIAL DISTRICT, PART OF A PROPERTY LOCATED AT 2207  
OOLTEWAH RINGGOLD ROAD.**

**RESOLUTION NO. 1219-24A A RESOLUTION GRANTING A SPECIAL  
EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR  
THE PROPERTY LOCATED AT 2207 OOLTEWAH RINGGOLD ROAD.**

No action was taken on Resolution No. 1219-24A.

**RESOLUTION NO. 1219-24B A RESOLUTION GRANTING A SPECIAL  
EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR  
THE PROPERTY LOCATED AT 2207 OOLTEWAH RINGGOLD ROAD.**

**ON MOTION** of Commissioner Martin, seconded by Commissioner Mackey, to  
adopt Resolution No. 1219-23.

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**ON MOTION** of Commissioner Smedley, seconded by Commissioner Bankston, to defer Resolution No. 1219-23 to the February 12, 2020 Agenda Session in order to have the results from the pending traffic study.

21:00 Commissioner Smedley emphasized the importance of delaying this project until the results of the traffic study are back in order to determine if Ooltewah Ringgold Road is at capacity and if the Tennessee Department of Transportation (TDOT) would allow access on that road. She also noted the developer would not be able to meet with the Department of Education regarding pedestrian connectivity to the school until next week.

In response to Chairman Fairbanks' question, Stephen Meyer, Meyer Transportation Consultants, Inc., who has been hired to conduct the traffic impact study on behalf of the applicant, stated the traffic study would be completed by the end of January.

Administrator of Public Works and County Engineer Todd Leamon added the traffic study results are required before any permits are issued.

24:49 Commissioner Martin encouraged Commissioners to support growth. He referenced several prior adopted Resolutions that had similar conditions regarding the

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projects being subject to a traffic impact study. He noted by approving the development more money would be going to the county and the Department of Education.

29:57

In response to Commissioner Mackey's question, applicant Billy McCoy, NMM Developing Company, Inc. stated it has become increasingly more difficult to get rezoning requests approved. Commissioner Mackey spoke about the importance of allowing developers to continue to build and support growth in Hamilton County.

36:37

Commissioner Boyd referenced the Area 12 document he presented last week and stated the plan concluded the area roads could handle growth up to 1,500 homes. He noted to date 707 have been approved and 236 have been built. He encouraged Commissioners to move forward with the information available.

In response to Commissioner Baker's question, Administrator Leamon stated the state is in the process of designing improvements to East Brainerd Road and Ooltewah Ringgold Road. He added the applicant would have to make submittals to TDOT in order to make changes to state roads.

42:15

Kelli Richardson, LDA Engineering, reported if approved the developer would not start the design phase of the project until the traffic study is completed and approved by TDOT.

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In response to Commissioner Baker's question, Mr. McCoy stated the plans for the project begin in May/June. He reported during community meetings residents voiced concerns over traffic, which led to the offer to add a turning lane and pedestrian walkway to the school. Commissioner Baker emphasized the importance of being friendly to development.

47:05 Commissioner Smedley stated her concern is the large number of projects happening within a 2-mile radius on Ooltewah Ringgold Road. She encouraged Commissioners to wait for the results of the traffic impact study in order to have all the information on how the project will affect the community. She referenced an online petition she received that had over 1,400 signatures of residents opposed to this development. A copy of the petition was filed in the Clerk's Office.

In response to Chairman Fairbanks' question, Mr. McCoy stated he would not be investing any more money than necessary until the results of the traffic study are back. He reported he spent over \$20,000 on the traffic study without knowing if the rezoning request would be approved. Ms. Richardson added the property sellers are on a timeline.

57:16 Commissioner Sharpe provided some suggestions regarding how the increased traffic could be handled at schools by working with the Department of Education including staggered start times or additional pavement space. He voiced support for

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allowing development to continue. Commissioner Sharpe called for the question; Commissioner Mackey properly seconded the Motion.

Attorney Taylor stated the Commission's rules allow for a brief statement by the Commissioner who advanced the matter being considered.

Commissioner Smedley responded to Commissioner Sharpe's comments and stated school start times are already staggered.

The foregoing Motion by Commissioner Sharpe to Move the Previous Question failed on Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Nay", Commissioner Bankston, "Nay", Commissioner Boyd, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley, "Nay", and Chairman Fairbanks, "Nay". Total present – 9. Total absent – 0. Total "Aye" votes – 5. Total "Nay" votes – 4.

Commissioner Fairbanks reported the Motion to Call for the Question did not pass and asked if there was any further discussion. There was none. Chairman Fairbanks asked Clerk Knowles to call the roll on the Motion by Commissioner Smedley to defer Resolution No. 1219-23 to the February 12, 2020 Agenda Session. Commissioner Bankston seconded the Motion.



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The foregoing Motion to defer Resolution No. 1219-23 failed on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Nay", Commissioner Bankston, "Aye", Commissioner Boyd, "Nay", Commissioner Geter, "Nay", Commissioner Mackey, "Nay", Commissioner Martin, "Nay", Commissioner Sharpe, "Nay", Commissioner Smedley, "Aye", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 3. Total "Nay" votes – 6.

Chairman Fairbanks asked Clerk Knowles to call the roll on the Motion by Commissioner Martin to adopt Resolution No. 1219-23. Commissioner Mackey seconded the Motion.

The foregoing Motion to adopt Resolution No. 1219-23 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, "Nay", and Chairman Fairbanks, "Nay". Total present – 9. Total absent – 0. Total "Aye" votes – 7. Total "Nay" votes – 2.

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Chairman Fairbanks asked the caption for Resolution No. 1219-24B be read into the record again. It was noted no action was taken on Resolution No. 1219-24A.

**RESOLUTION NO. 1219-24B A RESOLUTION GRANTING A SPECIAL  
EXCEPTIONS PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT FOR  
THE PROPERTY LOCATED AT 2207 OOLTEWAH RINGGOLD ROAD.**

**ON MOTION** of Commissioner Sharpe, seconded by Commissioner Boyd to adopt Resolution No. 1219-24B.

1:10:14

At Commissioner Baker's request, Executive Director of the Regional Planning Agency John Bridger read the conditions associated with Resolution No. 1219-24B into the record, which included pedestrian connectivity between the proposed development and East Hamilton Middle/High School. Additional conditions included a traffic impact study being conducted, submitted, and approved by the Tennessee Department of Transportation (TDOT) and the Hamilton County Engineer prior to preliminary subdivision plat approval, and no access to Gibson Pond Road.

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The foregoing Motion to adopt Resolution No. 1219-24B 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, "Nay", and Chairman Fairbanks, "Nay". Total present – 9. Total absent – 0. Total "Aye" votes – 7. Total "Nay" votes – 2.

**RESOLUTION NO. 1219-17 A RESOLUTION TO APPROVE AND ACCEPT  
APPLICATIONS FOR NOTARY PUBLIC POSITIONS, THE BONDS AND OATHS OF  
NOTARIES PREVIOUSLY ELECTED, AND THE OATHS OF DEPUTY SHERIFFS.**

**ON MOTION** of Commissioner Geter, seconded by Commissioner Sharpe, to adopt Resolution No. 1219-17. 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 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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1:12:30 **RESOLUTION NO. 1219-18 A RESOLUTION TO APPOINT ONE MEMBER TO THE HAMILTON COUNTY HEALTH AND SAFETY HEARING BOARD BEGINNING DECEMBER 18, 2019 AND ENDING DECEMBER 18, 2023.**

This Resolution appoints Jermell Sanford.

**ON MOTION** of Commissioner Mackey, seconded by Commissioner Boyd, to adopt Resolution No. 1219-18. 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 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.

1:13:10 **RESOLUTION NO. 1219-19 A RESOLUTION MAKING AN APPROPRIATION TO SODDY DAISY FOOD BANK IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00) FROM GENERAL FUND TRAVEL DISCRETIONARY MONIES, AS ALLOTTED TO DISTRICT ONE.**

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**ON MOTION** of Commissioner Smedley, seconded by Commissioner Boyd, to adopt Resolution No. 1219-19. 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 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.

1:13:46

**RESOLUTION NO. 1219-20 A RESOLUTION AUTHORIZING THE COUNTY MAYOR TO SIGN AND EXECUTE AN INTERLOCAL AGREEMENT WITH THE HAMILTON COUNTY RAILROAD AUTHORITY TO ENABLE HAMILTON COUNTY TO ADVANCE FUNDS TO THE RAILROAD AUTHORITY IN CONJUNCTION WITH CERTAIN GRANT AGREEMENTS BETWEEN THE RAILROAD AUTHORITY AND THE TENNESSEE DEPARTMENT OF TRANSPORTATION.**

**ON MOTION** of Commissioner Baker, seconded by Commissioner Geter, to adopt Resolution No. 1219-20. 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 Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Aye", Commissioner Sharpe, "Aye", Commissioner Smedley,

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“Aye”, and Chairman Fairbanks, “Aye”. Total present – 9. Total absent – 0. Total “Aye” votes – 9. Total “Nay” votes – 0.

1:14:50

**RESOLUTION NO. 1219-21 A RESOLUTION TO CHANGE THE NAME OF THE HAMILTON COUNTY CORRECTIONS DEPARTMENT TO HAMILTON COUNTY ALTERNATIVE SENTENCING PROGRAMS DEPARTMENT.**

**ON MOTION** of Commissioner Baker, seconded by Commissioner Geter, to adopt Resolution No. 1219-21. 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 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.

1:15:21

**RESOLUTION NO. 1219-22 A RESOLUTION TO AUTHORIZE THE COUNTY MAYOR TO EXECUTE A CONTINUATION CONTRACT BETWEEN THE STATE OF TENNESSEE, DEPARTMENT OF HEALTH AND HAMILTON COUNTY, TENNESSEE, HEALTH SERVICES DIVISION, OPERATING AS THE CHATTANOOGA-HAMILTON COUNTY HEALTH DEPARTMENT FOR THE PROVISION OF HEALTH PROMOTION SERVICES USING FUNDS FROM THE STATE OF TENNESSEE, DEPARTMENT OF**

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**HEALTH IN THE AMOUNT NOT TO EXCEED \$256,200.00 FOR THE PERIOD  
BEGINNING JULY 1, 2020, ENDING JUNE 30, 2022.**

**ON MOTION** of Commissioner Smedley, seconded by Commissioner Geter, to adopt Resolution No. 1219-22. 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 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.

1:16:12

**LATE ITEM**

**RESOLUTION NO. 1219-28 A RESOLUTION AUTHORIZING THE COUNTY MAYOR  
TO EXECUTE A QUITCLAIM DEED WHEREIN HAMILTON COUNTY  
RELINQUISHES UNTO DAVID S. ADAMS A CERTAIN PORTION OF REAL  
PROPERTY IDENTIFIED AS TAX MAP NUMBER 167F-A-003 AS PREVIOUSLY  
INADVERTENTLY OMITTED FROM SAID COUNTY'S CONVEYANCE TO DAVID S.  
ADAMS.**

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**ON MOTION** of Commissioner Boyd, seconded by Commissioner Baker, to adopt Resolution No. 1219-28.

Attorney Taylor reported this a right-of-way was inadvertently omitted from a document conveying certain real property to David S. Adams after a property tax sale. He noted this item would correct that error.

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 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.

1:18:29 **LATE ITEM**

**RESOLUTION NO. 1219-29 A RESOLUTION RESCINDING RESOLUTION 417-21 DEALING WITH THE EXPENDITURE OF UP TO \$50,000 FROM DISCRETIONARY MONIES FOR THE CITY OF EAST RIDGE AND RETURNING SAME TO THE DISCRETIONARY FUNDS FROM WHICH THIS MONEY WAS ORIGINALLY ALLOTTED.**



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**ON MOTION** of Commissioner Mackey, seconded by Commissioner Sharpe, to adopt Resolution No. 1219-29.

Commissioner Smedley questioned why these funds would not go back into the general fund since discretionary funds were eliminated from the budget. Administrator of Finance Al Kiser stated the funds were appropriated before discretionary funds were taken out of the budget, so they would be returned to the account from which they originally came.

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, "Nay", and Chairman Fairbanks, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 8. Total "Nay" votes – 1.

Chairman Fairbanks asked that Resolution Nos. 1219-25 and 1219-26 be heard at this time.

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1:21:17 **RESOLUTION NO. 1219-25 A RESOLUTION TO REZONE FROM R-2A RURAL RESIDENTIAL DISTRICT TO C-2 LOCAL BUSINESS COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 9529 HIXSON PIKE.**

**RESOLUTION NO. 1219-26 A RESOLUTION GRANTING A SPECIAL PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT 9819 EAST BRAINERD ROAD.**

Commissioner Bankston, Chairman of the Zoning Committee, asked if there was any opposition to Resolution Nos. 1219-25 and 1219-26. There was none. He stated the Zoning Committee recommended approval of Resolution No. 1219-25 and recommended deferral of Resolution No. 1219-26 at the applicant's request.

**ON MOTION** of Commissioner Bankston, seconded by Commissioner Baker, to adopt Resolution No. 1219-25. 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 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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**ON MOTION** of Commissioner Bankston, seconded by Commissioner Smedley, to defer Resolution No. 1219-26 to the January 8, 2020 Recessed Meeting. The foregoing Motion to defer 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 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.

**ANNOUNCEMENTS**

Chairman Fairbanks asked for announcements from members of the Commission.

Members of the Commission, Mayor Coppinger, and Attorney Taylor wished everyone a Merry Christmas and a Happy New Year.

1:23:27

Commissioner Mackey voiced his support with the outcome of today's decision regarding the development on Ooltewah Ringgold Road. He commended Commissioner Smedley for representing the interests of her constituents.

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1:25:09            Commissioner Baker reported Commissioners received a strategic planning survey from Director of Parks and Recreation Tom Lamb and encouraged them to respond.

1:26:48            Chairman Fairbanks announced Alan Johnson, who worked in the Hamilton County Assessor's Office for 34 years, passed away on December 14<sup>th</sup>. He noted the family will receive friends on December 20<sup>th</sup> from 11:00 AM to 3:00 PM at the North Chapel of the Chattanooga Funeral Home and the funeral would follow at 3:00 PM. He sent his condolences to the family of Mr. Johnson.

**DELEGATIONS**

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

Chairman Fairbanks reminded members of the Commission they would not be meeting for the regularly scheduled meetings of December 26<sup>th</sup> and January 2<sup>nd</sup>. Attorney Taylor added he and a member of the Clerk's Office would be present on those dates in the event any business arises.

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There being no further business, Chairman Fairbanks declared the meeting in recess until Wednesday, December 26<sup>th</sup>, 2019 at 9:30 AM.

Respectfully submitted:



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William F. (Bill) Knowles, County Clerk

Approved:

01-15-20

W.F.K.

Date

Clerk's Initials