

HAMILTON COUNTY COMMISSION AGENDA PREPARATION SESSION JANUARY 9, 2019

COMMITTEE ASSIGNMENTS

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

- The Trustee's Monthly and Excess Fee Reports for November 2018 would be submitted for the record.
- Resolution No. 119-1 was the usual County Clerk item regarding notaries, etc. This required no committee assignment.
- Resolutions Nos. 119-17 through 119-24 were assigned to the Finance Committee, chaired by Commissioner Fairbanks.
- Resolution Nos. 119-25 and 119-26 were assigned to the Zoning Committee, chaired by Commissioner Bankston.
- Resolution Nos. 119-2 through 119-16, and 119-27 were heard by a Committee of the Whole.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-2

0:50

Mayor Coppinger spoke regarding this item, which appoints Sabrina Novak as Director of Administrative Services for the Health Department. He stated Ms. Novak and her family were present at today's meeting.

There were no questions from Commissioners.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-3

1:44

This Resolution reappoints James C. Hudson, III to the Carter Street Corporation Board of Directors for a term ending January 5, 2023.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-4

2:04

Hamilton County Mental Health Court Director Anna Protano-Biggs spoke regarding this item, which accepts the proposals of the Center for Mindful Living and Helen Ross McNabb Center for Mental Health Court Treatment Program Services. She explained the services are fully funded by the Victims of Crime Act of 1984 (VOCA) grant, which was awarded to the Mental Health Court on June 20, 2018 and required a 20% county match (*Resolution No. 618-26*).

There were no questions from Commissioners.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-5

3:30

Justin Witt, Director of Maintenance and Operations for the Department of Education, spoke regarding this item, which approves the proposal from GEOServices, LLC for geotechnical and environmental services to provide special inspections and construction testing services for the East Hamilton Middle School site for the Hamilton County Board of Education.

In response to Commissioner Boyd's question about a call he received regarding a possible endangered species living in one of the pre-existing creeks on the property, Mr. Witt stated the Department of Education is working with the Tennessee Department of Environmental and Conservation (TDEC) to solve the issue and minimize delays.

5:53

In response to Commissioner Baker's question, Mr. Witt confirmed the current East Hamilton Middle/High School will become East Hamilton High School once the new school building is complete.

Chairman Smedley thanked Mr. Witt for multiple community meetings and his work on the East Hamilton Middle School project.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

6:27

Mayor Coppinger asked for comment on the outcome of soil testing completed at the new Harrison Elementary School site. Mr. Witt stated the soil testing showed that it would not support Geothermal Energy Technology. He added a more efficient central boiler and chiller system will be used. He noted this would not affect the project cost.

Chairman Smedley stated it was not necessary for Mr. Witt to return next week.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-6

8:00

Director of Support Services for the Sheriff's Department Geno Bennett spoke regarding this item, which accepts a U.S. Department of Justice grant and amends the Sheriff's operating budget by increasing revenues and expenditures by \$13,205.00. He explained the Sheriff's Office annually applies for grant funds under the State Criminal Alien Assistance Program (SCAAP), which provides assistance to states and local governments that are incurring costs due to the incarceration of undocumented criminal aliens. He noted there is no county match.

In response to Commissioner Boyd's question, Director Bennett stated the grant does not cover the entire cost of incarcerating criminal aliens incurred by the Sheriff's Office. Hamilton County Sheriff Jim Hammond confirmed his response.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

10:21

In response to Commissioner Martin's question, Director Bennett reported the number of incarcerated criminal aliens in Hamilton County has decreased over the last several years. He stated he would email the exact figure to Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-7

11:30

Director of Support Services for the Sheriff's Department Geno Bennett spoke regarding this item, which authorizes the entering into a contract with Bowen & Bowen, LLC for fundraising and communications support for the frequent user initiative (FUSE) for an amount not to exceed \$1,500.00 per month for an estimated 12-month period, but not to exceed 24 months. He stated the Sheriff's Office has worked extensively with the Purchasing Department to follow Hamilton County Procurement Rules.

It was noted Bowen & Bowen's services will be fully funded through grants and private donations to the Sheriff's Office Justice and Mental Health Fund.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-8

13:19

Director of Support Services for the Sheriff's Department Geno Bennett spoke regarding this item, which accepts a \$10,000.00 grant from UNUM, a \$20,000.00 grant from the Community Foundation of Greater Chattanooga, a \$25,000.00 grant from the

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

Weldon F. Osbourne Foundation, a \$25,000.00 grant from CHI Memorial, and a \$40,000.00 grant from the Robert L. and Kathrina H. Maclellan Foundation. The grant funds are for the Hamilton County Sheriff's Office frequent user pilot project to reduce the number of people with mental illness in the county jail and Silverdale Correctional Facility.

14:38 Bob Scheri, Vice President of Mission Integration at CHI Memorial, addressed Commissioners regarding the initiative, which targets homeless individuals suffering from mental illness that are frequently incarcerated. He stated the project will provide housing and stabilization for those individuals while eliminating the cost of keeping them in jail.

Commissioner Sharpe expressed his support for the project.

18:21 Robin Posey, Director of Programs for the Community Foundation, echoed Mr. Scheri's statements. She emphasized the importance of providing housing and support services to the individuals involved in the program to help them achieve stability.

Commissioner Fairbanks thanked Mr. Scheri and Ms. Posey for their work on the program.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

It was noted this project requires no county match.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-9

19:31

Administrator of Public Works and County Engineer Todd Leamon spoke regarding this item, which establishes the minimum bid amount for certain parcels of property acquired by Hamilton County through previous delinquent tax sales. Additionally, it authorizes the offer of said parcels for sale at that minimum bid amount, and authorizes certain parcels to be sold for an amount less than the total amount of taxes, penalty, cost and interest accumulated against the property. He noted Real Property Manager Paul Parker was present to answer any questions.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-10

21:21

Administrator of Public Works and County Engineer Todd Leamon spoke regarding this item, which rescinds the 2015 Edition of the International Energy Conservation Code and reinstates the 2009 International Energy Code as the official energy code for Hamilton County. He noted on December 12, 2018 (*Resolution No. 1218-13*) the Commission adopted the 2015 Edition of the code and the state has since

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

tabled that code until July 1, 2019 or later. He added until the state makes a decision on that code, it should be deleted in its entirety and replaced with the 2009 Edition, which was originally adopted on June 19, 2013 (*Resolution No. 613-42*).

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-11

21:39 Director of General Services Lee Norris spoke regarding this Resolution, which accepts the bid of GreenPlay, LLC for professional services to develop a Hamilton County Parks and Recreation Master Plan amounting to \$129,999.00 for the Parks and Recreation Department. He stated Greenplay, LLC will identify resources within the county and study recreational trends in order to develop a 20-year master plan. He asked Director of Parks and Recreation Tom Lamb to come forward to answer any questions.

In response to Commissioner Baker's question, Mr. Lamb reported Greenplay, LLC is leader in developing and implementing best practices for parks and recreation.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

23:57

In response to Commissioner Boyd's question, Mr. Lamb explained the master plan will be implemented in 5-year increments over 20 years to allow for better management and grant applications.

In response to Commissioner Fairbanks' question, Mr. Lamb noted the Purchasing Department has been involved in the process. He added Greenplay, LLC will consider significant public input while developing the plan.

27:52

In response to Commissioner Geter's question regarding public input, Mr. Lamb stated surveys, focus groups, community meetings, etc. will take place to obtain input across the county.

In response to Commissioner Sharpe's question, Mr. Lamb explained the investment should yield significant savings for the county.

31:15

Commissioner Martin questioned if the Commission's Recreation Committee would be involved in the process. Mr. Lamb confirmed the committee would be a main focus group.

In response to Commissioner Boyd's question, Mr. Lamb stated the plan typically takes 12-14 months to develop.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-12

34:19 Director of General Services Lee Norris spoke regarding this Resolution, which waives the Hamilton County Procurement Rules in order to transfer two surplus vehicles to Hamilton County Special Tactics and Rescue Service (STARS).

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-13

35:08 Director of General Services Lee Norris spoke regarding this Resolution, which waives the Hamilton County Procurement Rules in order to transfer two surplus vehicles to Sale Creek Volunteer Fire & Rescue.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-14

35:29 Director of General Services Lee Norris spoke regarding this Resolution, which waives the Hamilton County Procurement Rules in order to transfer one surplus vehicle to Hamilton County Emergency Communications District.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-15

36:05

Director of the Emergency Management Department Chris Adams spoke regarding this item, which authorizes the County Mayor to enter into contract between the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA), and Hamilton County in the amount of \$150,500.00.

There were no questions from Commissioners.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-16

37:37

Mark Smith, Attorney with Miller & Martin, spoke regarding this item, which makes certain findings relating to Patten Affordable Partners, L.P. and delegates certain authority to the Health, Educational, and Housing Facility Board of the City of Chattanooga. Additionally, it authorizes the County Mayor, County Assessor, and County Trustee to enter into and execute an agreement for payments in lieu of ad valorem taxes. Attorney Smith introduced John Shepard, Vice President of Multifamily Acquisitions at Elmington Capital Group, to present details of the project. A copy of Mr. Shepard's presentation was filed in the Clerk's Office.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

Mr. Shepard stated Elmington Capital and Belveron Partners have joined to form Patten Affordable Partners, L.P. and are requesting a PILOT agreement in order to renovate Patten Towers, which was originally constructed in 1908 and last renovated 40 years ago. He reported Patten Towers consists of 221 units, which are reserved for elderly and disabled low-income residents. The proposed renovation would include refurbishing, accessibility and security upgrades, and updates to all mechanical systems. It was noted no residents would be displaced during renovations. Mr. Shepard reported the company also plans to reopen Bingos Market located on the first floor of Patten Towers to give residents easy access to fresh food.

Mr. Shepard stated the company is requesting a 25-year PILOT agreement in which payments would be made based on the total city and county ad valorem property taxes levied in the base year of 2018, and continue through 2044. The company would pay 100% of the school portion of property taxes throughout the length of the agreement. After completion of the project, 100% of the units would be set aside for occupancy by residents whose income is not greater than 60% of the area median income. It was noted the City of Chattanooga has approved the PILOT. Mr. Shepard added the project would take approximately 24 months to complete.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

52:26

In response to Commissioner Fairbanks' question, Mr. Shepard confirmed the county would continue to receive its portion of the current assessed value in addition to 100% of the school portion throughout the duration of the agreement.

In response to Chairman Smedley's question, Mr. Shepard reported the building maintains an approximate 90% occupancy rate. He explained that currently residents pay 30% of their income or a minimum of \$50 monthly in rent while the U.S. Department of Housing and Urban Development (HUD) pays the remainder. It was noted HUD has agreed to pay fair market rent on the units, which totals \$920 per month on studio units and \$1,125 per month on one-bedroom units. Mr. Shepard explained the project would not be possible without a PILOT agreement because of federal housing tax credits.

59:49

In response to Commissioner Sharpe's question, Mr. Shepard stated Bingo's Market is currently closed, but Patten Affordable Partners, L.P. and several local non-profit organizations have reached an agreement to reopen and expand the space.

In response to Commissioner Martin's question, Mr. Shepard explained the last renovation took place 40 years ago and he was unaware if that project was subject to a PILOT agreement. He added Patten Affordable Partners, L.P. has been managing the property since August and inherited significant pest and safety issues.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

In response to Commissioner Fairbanks' question, Mr. Shepard confirmed the amount of rent tenants currently pay would not change.

Commissioner Boyd strongly disagreed with the numbers that were presented and stated that he will not be supporting this project. He emphasized that this project could be completed by working with investors since the building is located in an opportunity zone rather than requiring a PILOT. He expressed his stance that residential developers should be paying their fair share of property taxes.

1:36:31 In response to Commissioner Geter's question, Mr. Shepard stated without the PILOT agreement the renovations cannot take place and without renovations the building will continue to decline. He added the company would research providing additional space for necessary services for residents.

In response to Commissioner Mackey's question, Mr. Shepard reiterated his previous comments that the project will not take place without the PILOT agreement.

Commissioner Boyd questioned why Patten Affordable Partners, L.P. would purchase the building for over \$14 million and not maintain the building if the PILOT does not go through.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

Commissioner Fairbanks stated Patten Affordable Partners, L.P. is a for profit company.

Chairman Smedley recommended that Mr. Shepard return for next week's meeting.

COMMITTEE OF THE WHOLE – RESOLUTION NO. 119-27

1:48:58 Register of Deeds Marc Gravitt spoke regarding this item, which expressed to the Tennessee State Legislative Delegation the County Commission's support for legislation repealing the provision that reduces the commission retained by the County Register of Deeds. He reported in 2006 T.C.A. 67-4-409 was amended by Public Chapter 989 to provide that 52% of the register's commission be retained by the state and credited to the state general fund. He explained because the State of Tennessee's rainy day fund balance is now over \$800 million and the Tennessee State Pension fund is ranked second in the nation, he along with the Tennessee Register's Association is asking the Commission to endorse any legislation reinstating retained commission to the prior amount of 5%. He noted this would be approximately \$750,000 in additional funds for Hamilton County.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

In response to Chairman Smedley's question, Register Gravitt stated the local delegation was non-committed on the issue. He added every register in the state is asking their local commission to endorse the legislation.

Commissioner Fairbanks, Chairman of the Finance Committee, stated the Finance Committee will meet in the Commission Room immediately following today's Agenda Session.

Commissioner Bankston, Chairman of the Zoning Committee, stated the Zoning Committee will meet in the Commission Conference Room immediately following today's Agenda Session.

ANNOUNCEMENTS

Chairman Smedley asked for announcements from members of the Commission.

2:00:17

Commissioner Mackey requested public conversation regarding a new sewage treatment plant. He stated the county is facing a huge fine from the Environmental Protection Agency (EPA) if the issue is not dealt with and growth will be significantly impacted. He asked where the vacant land for the plant is or who the companies are

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

that have discussed buying out the Waste and Wastewater Treatment Authority (WWTA).

Commissioner Geter agreed with Commissioner Mackey's comments about having a public conversation regarding the sewage treatment plant. She asked that all options be vetted and thoroughly investigated.

Commissioner Baker announced a joint meeting with School Board members on Monday to discuss their strategic plan.

Attorney Taylor called for a brief legal meeting to discuss pending litigation immediately following today's Agenda Session.

Mayor Coppinger announced next week's Legislative Breakfast has been cancelled and will be rescheduled to a later date.

Mayor Coppinger acknowledged the passing of Bob McKamey and extended his thoughts and prayers to his family.

2:08:56

Chairman Smedley stated that all options regarding a new sewage treatment plant should be explored before making a decision. She stated she has spoken to two

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

companies that have expressed interested in purchasing WWTA, which would free up sewage capacity sooner rather than later.

In response to Commissioner Martin's question, Attorney Taylor asked that the legal meeting take place prior to today's Committee Meetings.

Commissioner Mackey asked for time to be set aside in the near future for a public conversation regarding the sewage treatment plant.

**HAMILTON COUNTY COMMISSION
AGENDA PREPARATION SESSION
JANUARY 9, 2019**

DELEGATIONS

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

Being no further business, Chairman Smedley declared the meeting adjourned. The next regularly scheduled meeting will be Wednesday, January 16th at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

02-06-19
Date

W.F.K.
Clerk's Initials