

HAMILTON COUNTY COMMISSION AGENDA PREPARATION SESSION FEBRUARY 14, 2018

COMMITTEE ASSIGNMENTS

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

- Fee Office reports for the quarter ending December 31, 2017 would be submitted for the record.
- A Three Star Compliance report would be submitted and made a matter of record.
- The Criminal Court Clerk's reports for October, November, and December 2017 would be submitted for the record.
- An Order of Designation to the Planning Commission would be submitted as a matter of record.
- Resolution No. 218-9 was the usual County Clerk item regarding notaries, etc. This required no committee assignment.
- Resolution Nos. 218-16 through 218-20 and 218-28 through 218-30 were assigned to the Zoning Committee, chaired by Commissioner Bankston.
- Resolution Nos. 218-21 through 218-27 were assigned to the Finance Committee, chaired by Commissioner Smedley.
- Resolution Nos. 218-10 through 218-15 and 218-31 were heard by a Committee of the Whole.

0:50

COMMITTEE OF THE WHOLE – RESOLUTION NO. 218-10

This Resolution confirms the appointment by the County Mayor of James F. Sattler to the Chattanooga-Hamilton County Hospital Authority Board of Trustees for a four year term beginning February 21, 2018 and ending November 19, 2021.

There were no questions from Commissioners.

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1:11

COMMITTEE OF THE WHOLE – RESOLUTION NO. 218-11

Commissioner Beck spoke regarding this item, which appropriates \$5,500.00 to Mary Walker Historical and Educational Foundation, Inc. from general fund discretionary monies, as allotted to district five. It was noted the funds will assist with their Black History Month traveling exhibit.

There were no questions from Commissioners.

2:00

COMMITTEE OF THE WHOLE – RESOLUTION NO. 218-12

County Trustee Bill Hullander spoke regarding this item, which amends the fiscal year 2018 general fund budget to cover the cost of the Property Tax Relief Program. He stated there has been a lot of positive feedback from the public in response to the approval of the program and reported there were 3,347 applicants by the end of last year. He added currently there have been 371 new applicants and 217 of those have been approved by the state; 121 of the new applicants are veterans. He explained last year's 3,347 total applicants combined with 371 new ones, brings the current total to 3,718. He reported 535 of the 3,718 are veterans and the remaining 3,183 are elderly with the average relief payment at approximately \$136.00. He requested the 2018 budget be increased by \$500,000 to cover the expense of the program.

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4:27

In response to Commissioner Graham's question, Trustee Hullander confirmed this budget amendment covers the cost of the previously approved Property Tax Relief Program (*Resolution No. 917-16*) and matches half of what the state contributes. He agreed with Commissioner Graham that the program has been very successful and well received so far.

5:57

Commissioner Beck and Chairman Fairbanks reported they have received positive feedback from the community regarding this program.

7:12

COMMITTEE OF THE WHOLE – RESOLUTION NO. 218-14

Administrator of Finance Al Kiser spoke regarding this item, which authorizes the County Mayor to enter into a contract with Woolpert, Inc. to provide Hamilton County with Geographic Information System (GIS) color and color infrared digital orthophotography for Hamilton County at a cost of \$173,500. It also amends the Hamilton County GIS Partnership budget by adding \$115,500 to revenues and \$173,500 to expenditures. He explained this project will increase digital resolution for better imaging and is done every two years.

There were no questions from Commissioners.

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8:44 **COMMITTEE OF THE WHOLE – RESOLUTION NO. 218-15**

Administrator of Finance Al Kiser spoke regarding this item, which authorizes the issuance of interest bearing general obligation bonds, Series 2018A of Hamilton County, Tennessee in an amount not to exceed \$195,000,000, interest bearing general obligation refunding bonds, Series 2018B of Hamilton County, Tennessee in an amount not to exceed \$4,395,000, and provides for the payment of those bonds. He reported the County published the initial Resolution giving the public 21 days to petition against it and did not receive any responses. He explained \$55,000,000 is for a line of credit, \$110,000,000 for school projects, \$20,000,000 for improvements to the Silverdale facility, and the remainder would be for closing costs and other small projects. He added depending on rate amounts, the \$4,395,000 would give the County an opportunity to save about \$300,000 on refunding bonds. He also mentioned the WWTA (Water and Wastewater Treatment Authority) project is not included due to time constraints in purchasing the land and construction.

In response to Chairman Fairbanks' question, Mr. Kiser reported it could be three to five years before moving forward on the bonds for the WWTA project.

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11:50

In response to Commissioner Boyd's question, Mr. Kiser clarified the \$55,000,000 is what remains from a line of credit which, because of increased rates, will not be renewed and will go toward paying off that debt.

13:12

LATE ITEM – COMMITTEE OF THE WHOLE – RESOLUTION NO. 218-31

This Resolution accepts and agrees to the recommendation of architects for five (5) Hamilton County School projects.

13:34

14:05

In response to Commissioner Boyd's question, Mayor Coppinger gave a breakdown of which architect was recommended for each project. Franklin Architects has been recommended for the new Harrison Elementary School project, TWH Architects has been recommended for the new East Hamilton Middle School project, Barge Design Solutions has been recommended for the new stadium and track at Howard High School. In addition, Neuhoff Taylor Architects has been recommended for the addition at Snow Hill Elementary, and Derthick, Henley & Wilkerson Architects, PLLC, has been recommended for the addition to Tyner Middle and High School and the renovation to CSLA School.

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16:07

COMMITTEE OF THE WHOLE – RESOLUTION NO. 218-13

Commissioner Boyd spoke regarding this item, which makes certain amendments to the Hamilton County Judicial Commissioners Program as previously adopted and operated. He reported as Chairman of the Securities and Corrections Committee they are recommending judicial magistrates, who now make \$65,000 per year; receive a pay increase after being informed they can no longer practice civil law. He explained in the past, magistrates were advised as attorneys they could not take on criminal cases, but were free to practice on civil matters. Commissioner Boyd added since the state statute deemed judges are not able to practice law outside of being a magistrate, their compensation is no longer comparable to some of their counterparts. He mentioned some of their duties, which includes being on call 24/7, and stated adjusting the magistrates pay to \$80,000 with graduated increases of \$4,000 per year up to \$92,000 is reasonable and justifiable to keep qualified judges. He estimated an added cost of around \$70,000 per fiscal year.

24:00

In response to Chairman Fairbanks' question, Attorney Taylor confirmed the magistrates were advised they are considered judges in the State of Tennessee, and therefore are unable to engage in the practice of law. It was noted this does not apply to part-time judges within municipalities. He also stated to comply with these laws; each magistrate's contract was updated at the time of their annual reappointment.

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27:00 Commissioner Beck requested the magistrates be included when the county jail is moved.

In response to Commissioner Beck's questions, Chairman Fairbanks advised this will not have an impact on their benefits. Attorney Taylor explained the contracts are for one year and it would be up to the Commission to decide to change to a two-year contract. He also clarified if approved this Resolution would be effective starting May 1st.

28:49 In response to Commissioner Fields' question, Chairman Fairbanks, Commissioner Boyd, and Attorney Taylor revealed they are not aware of any magistrates planning to resign over pay. Commissioner Fields suggested if the job as advertised is still drawing a number of candidates there may not be a need to make changes.

31:00 Commissioner Graham stated he agreed with Commissioner Fields that candidates are aware of all the required duties and conditions as well as the rate of pay being offered. He added the magistrates get pay increases when other county employees do and giving a significant increase to one group of employees is unfair to others.

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In response to Commissioner Graham's question, Mr. Kiser reported benefits are about 40% of the compensation. Commissioner Graham also suggested if the Commission is looking at restructuring they may want to reevaluate the magistrate program as a whole and possibly consider having a single full-time chief magistrate who would utilize private attorneys to fill in when he or she is unavailable.

37:40

In response to Chairman Fairbanks' question, Director of Human Resources Alecia Poe confirmed the rate of pay for each position in the County is based on research in the market and working with consultants.

39:11

In response to Commissioner Smedley's question, Ms. Poe explained she would have to conduct detailed comparisons to determine if there are any discrepancies in compensation and would need a couple of weeks to complete it.

40:17

Commissioner Fields stated pay rates should not be based on other counties and he reiterated if the job advertised is still drawing a number of candidates and that number is not significantly decreasing, there is no need to make changes. He mentioned the goal is not to attract candidates from other counties.

41:40

In response to Chairman Fairbanks' question, Ms. Poe confirmed the comparisons done to surrounding markets include looking at the entire benefits package

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as part of the salary and she agreed with Commissioner Fields that if the number of applicants is not declining, the rates are still competitive and there is no need to reevaluate.

42:48

Commissioner Boyd suggested consideration of restructuring the magistrate program should be addressed separately from this Resolution. He maintained the duties and responsibilities the magistrates have are not equal to their compensation and should be increased to attract and keep qualified judges. He also clarified salary comparisons were not made to the market in other counties rather than that of other Hamilton County employees.

45:51

Commissioner Smedley asked that Ms. Poe conduct research as mentioned earlier and report back to the Commission if there appeared to be any discrepancies in compensation.

46:55

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

In response to Chairman Fairbanks' question, Commissioner Martin confirmed the applicant for 218-19A and 218-19B is requesting to withdraw those items. Director

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of the Regional Planning Agency John Bridger clarified this will still require action from the Commission to have them pulled. Attorney Taylor advised Chairman Fairbanks voting is not required in order to pull the items. Chairman Fairbanks stated that if there was no opposition Resolution Nos. 218-19A and 218-19B would be pulled from the agenda. There was no opposition.

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

ANNOUNCEMENTS

49:13

Commissioner Mackey announced he received letters from UTC Chancellor Dr. Steven Angle and Office of the President at UT Knoxville Dr. Joe DiPietro regarding the influx of extremist groups targeting these campuses and some of the negativity being spread. He read aloud letters that outline how hate groups target some universities based on their principles of inclusion and commitment to free speech making them vulnerable to vandalism and other acts of hate and racism. Commissioner Mackey stated he was advised by Mayor Coppinger that it is not clear if Hamilton County has a policy in place to address hate and racism. He also mentioned these types of groups could foster an environment that would deter tourists and cause some disruption to the tourism industry. Commissioner Mackey reported he plans to present a Resolution that

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will speak against racism and hate in Hamilton County and asked for the support of the Commissioners. Copies of the letters were filed in the Clerk's office.

54:00

Mayor Coppinger explained Hamilton County does not tolerate acts of racism and hate on County property and there are clear guidelines in place to address discrimination among employees. He added he applauds those who condemn these types of extremist groups and even during divisive times people know right from wrong. He clarified anyone committing these wrongful acts on Hamilton County property will be properly punished.

Commissioner Mackey pointed out many of the students on these campuses are appalled by these hateful acts and stated everyone should be more vocal against any type of discrimination. Again he stated his plan to present a Resolution to address some of these issues.

59:07

Commissioner Graham wished his wife a Happy Valentine's Day.

Commissioner Graham gave his condolences to Commissioner Boyd and his family for the recent passing of his brother.

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Commissioner Graham and Commissioner Smedley recognized a young lady attending today's meeting who sang the national anthem at yesterday's Business Expo at the Chattanooga Convention Center. They encouraged her to keep using her talent.

1:00:54

Commissioner Boyd thanked everyone for their thoughts and prayers during the recent passing of his brother.

1:01:34

Commissioner Beck announced he commends Commissioner Mackey on bringing attention to topic of racism.

Commissioner Beck stated he agrees judicial magistrates work in less than favorable conditions and are subject to degrading and disrespectful individuals and he plans to support the Resolution to increase their compensation.

Attorney Taylor wished everyone a Happy Valentine's Day.

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DELEGATIONS

Chairman Fairbanks asked for delegations on matters other than zoning.

1:05:11

Helen Burns Sharp, residing at 129 Walnut Street, addressed the Commission on behalf of Accountability for Taxpayer Money (ATM), a public interest advocacy group in Hamilton County, and distributed a handout that outlines their views on PILOT programs to the Commission. A copy was also filed in the Clerk's office. She explained the group focuses on tax breaks and government transparency and she spoke on a panel regarding ad valorem payments in lieu of property taxes at the August 30, 2017 Tennessee Advisory Commission on Intergovernmental Relations Commission Meeting representing ATM. She reported the meeting was for the state to explore the possibility of getting more involved with overseeing PILOT programs as they do with Tax Increment Financing (TIF) programs. Ms. Sharp clarified they do not believe tax breaks are inherently bad, but should be reserved for projects with significant public benefit. She also mentioned they believe companies must be held accountable for commitments made like providing a certain number of jobs and making investments as claimed. She also expressed PILOT agreements in Hamilton County should include clawback provisions to protect taxpayers, as well as clear policies and procedures creating more equality, fairness, and social justice across the board.

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Ms. Sharp reported in 2017 Hamilton County had approximately \$24,000,000 in uncollected property tax revenue, which made it the highest amount of property taxes abated in the state, a majority of which comes from Volkswagen. She added about 30% of parcels in the County are not paying full property tax amounts due to some form of tax exempt status. She then cited reasons local officials rarely deny PILOT requests may include wanting to be perceived as pro-business or jobs, or feeling a need to continue to make Chattanooga a desirable place for relocation and speculating companies would take their business elsewhere if not approved.

Ms. Sharp revealed between three PILOT spreadsheets available from the state, City of Chattanooga, and Hamilton County, the County's spreadsheet prepared by the Finance Department is the most complete and accurate.

1:15:11 In response to Commissioner Mackey's question, Ms. Sharp confirmed the PILOT projects providing community benefits to low income housing recipients or those passing the "but for" test referenced earlier would be more in line with what they believe PILOT's should be used for. She then suggested more consideration be given to using revised TIF's that provide more transparency into costs. She offered additional details on TIFs in relation to the proposed extension of MLK Boulevard and outlined some of the benefits this project could bring. Ms. Sharp stated there are improvements that

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could be made to the PILOT program and agreed the Association of Realtors and Homebuilders Association should also be consulted.

1:16:57

Commissioner Graham thanked Ms. Sharp for her presentation and the information brought forth. He also clarified the TIF she mentioned for the MLK Boulevard extension has not yet been presented to the Commission.

Being no further business, Chairman Fairbanks declared the meeting adjourned. The next regularly scheduled meeting will be Wednesday, February 21st at 9:30 AM.

Respectfully submitted:



William F. (Bill) Knowles, County Clerk

Approved:

03-07-18
Date

W.F.K.
Clerk's Initials