



**RECESSED MEETING  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
MARCH 27, 2019**

5:52       **RESOLUTION NO. 319-27 A RESOLUTION AUTHORIZING DISCUSSIONS  
BETWEEN MEMBERS OF THIS COUNTY LEGISLATIVE BODY AND MEMBERS OF  
THE CHATTANOOGA CITY COUNCIL CONCERNING THE CONSOLIDATION OF  
WASTEWATER TREATMENT WITHIN THE HAMILTON COUNTY REGION.**

7:20               **ON MOTION** of Commissioner Bankston, seconded by Commissioner Mackey,  
to adopt Resolution No. 319-27.

Commissioner Bankston stated this Resolution would allow the county to join with the city in a cost/benefit analysis of combining the City of Chattanooga Moccasin Bend sewage operation with the Hamilton County Water and Wastewater Treatment Authority (WWTA). He asked Dean Moorhouse, who has been leading the community search committee to identify potential treatment plant locations, to come forward to present the committee's full recommendation.

Mr. Moorhouse reported the committee evaluated 17 total sites using WWTA search criteria and later narrowed that to five sites. He explained after studying impacts on property value, and environmental and health concerns the committee determined continuing to utilize the Moccasin Bend facility would be as much as \$6.3 million a year cheaper than building a new sewage treatment plant. He added the committee also found that building storage tanks and installing sewer lines to connect to the Moccasin Bend plant are practical alternatives to finding a site for a new plant. He also presented

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a breakdown of all potential costs and savings. A copy of the presentation was filed in the Clerk's office.

19:10            In response to Commissioner Martin's question, Commissioner Bankston confirmed the purpose of this item is to open a channel for discussion with the city about the cost/benefit of consolidation. Commissioner Martin encouraged Commissioners to stay in their lane and voiced concerns of not having adequate time to review the Resolution.

21:00            **ON MOTION** of Commissioner Martin, seconded by Commissioner Boyd, to defer Resolution No. 319-27 to the April 3<sup>rd</sup> Regular Meeting.

21:57            Commissioner Baker stated he felt as though he was given adequate time to review this item.

23:28            In response to Commissioner Boyd's question, Mayor Coppinger confirmed although he made the suggestion he was not part of forming the community search committee.

24:22            Commissioner Boyd voiced strong disapproval of this Resolution and any efforts that would result in consolidation with the city sewer system and noted having the city in control of economic growth in the county was concerning. He criticized the search

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33:34 committee for the lack of transparency, taking issue with many of the details and statistics presented using slang to characterize the report given by Mr. Moorhouse. He also emphatically disagreed with an option identified by the search committee to reopen a decommissioned sewage treatment plant in East Ridge behind the hospital on Spring Creek Road. He read a letter into the record from East Ridge City Mayor Brian Williams and Assistant City Manager Kenny Custer that outlined several reasons why East Ridge would not be a viable location to rebuild or rehabilitate a sewage plant. A copy of the letter was filed in the Clerk's office.

36:38 Chairman Smedley stated she would continue to request that every option be vetted and explored in order to maximize efficiency.

38:17 Commissioner Baker thanked Mr. Moorhouse for his report and reminded Commissioners this Resolution is only approving discussions in order to vet every possible option.

39:48 Several Commissioners apologized to Mr. Moorhouse for some of the language used during today's meeting in response to his presentation and report.

Commissioner Geter commended the search committee for presenting a detailed report with new information as she had requested in past meetings.

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In response to Clerk Knowles' question, Commissioner Martin clarified his motion was to defer until next week's Regular meeting.

45:59

The foregoing Motion to defer Resolution No. 319-27 was rejected on a 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 Fairbanks, "Nay", Commissioner Geter, "Nay", Commissioner Martin, "Aye", Commissioner Sharpe, "Nay", and Chairman Smedley, "Nay". Commissioner Mackey was not present for the vote. Total present – 8. Total absent – 1. Total "Aye" votes – 2. Total "Nay" votes – 6.

The Motion to adopt Resolution No. 319-27 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, "Nay", Commissioner Fairbanks, "Aye", Commissioner Geter, "Aye", Commissioner Mackey, "Aye", Commissioner Martin, "Nay", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 7. Total "Nay" votes – 2.

46:57

**RESOLUTION NO. 319-26 A RESOLUTION EXPRESSING HAMILTON COUNTY'S  
DISAPPROVAL OF LEGISLATION PROPOSED BY GOVERNOR BILL LEE  
RELATIVE TO EDUCATION SAVINGS ACCOUNTS ("VOUCHERS") BEING**

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**ALLOWED IN SUPPORT OF NON-PUBLIC EDUCATION IN THE STATE OF  
TENNESSEE.**

**ON MOTION** of Commissioner Sharpe, seconded by Commissioner Mackey, to adopt Resolution No. 319-26.

48:55

Commissioner Sharpe reported this item condemns the state voucher bill, which provides vouchers for use by families to send their children to non-public schools if they are not satisfied with the public school system. He cautioned that allowing such vouchers could harm public education and lead to a potential abuse of education funds. He encouraged Commissioners to take immediate action, as the legislation on education savings accounts is moving through the Legislature quickly. It was noted the School Board earlier voted 7-1 to oppose the legislation. Commissioner Sharpe asked that the Resolution be amended to replace 'Governor Bill Lee' with 'House Bill 939'.

**ON MOTION** of Commissioner Martin, seconded by Commissioner Boyd, to defer Resolution No. 319-26.

The foregoing Motion to defer Resolution No. 319-26 was rejected on a Roll Call vote, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Aye", Commissioner Bankston, "Nay", Commissioner Boyd, "Aye", Commissioner Fairbanks, "Nay", Commissioner Geter, "Nay",

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Commissioner Mackey, “Nay”, Commissioner Martin, “Aye”, Commissioner Sharpe, “Nay”, and Chairman Smedley, “Nay”. Total present – 9. Total absent – 0. Total “Aye” votes – 3. Total “Nay” votes – 6.

Commissioner Martin expressed frustration in not having adequate time to review all relevant material and requested a copy of House Bill 939 to review before making a decision. Chairman asked that a copy of the bill be distributed to Commissioners. A copy of the bill was filed in the Clerk’s Office.

54:45

Commissioner Baker stated he would prefer to have more time to review all supporting documents as well as hear from Superintendent of Schools Dr. Bryan Johnson before a decision is made. He questioned what the cost to Hamilton County taxpayers would be and how it would affect local schools.

Chairman Smedley echoed Commissioner Baker’s comments and stated she had additional questions as well.

1:02:25

Commissioner Mackey reminded Commissioners the House Education Committee was considering the bill today.

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Commissioner Sharpe clarified some highlights of the bill and provided information regarding documented abuse of this type of voucher nationally, lack of proven success of the vouchers, and several other negative impacts.

1:05:25            While allowing time for Commissioners to review House Bill 939, Chairman Smedley recognized several elected officials in the audience at today's meeting.

1:10:17            After the recognitions Commissioner Mackey called for the question, seconded by Commissioner Fairbanks.

The foregoing Motion by Commissioner Mackey to Move the Previous Question 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, "Pass", Commissioner Sharpe, "Aye", and Chairman Smedley, "Aye". Total present – 9. Total absent – 0. Total "Aye" votes – 8. Total "Nay" votes – 0. Total "Pass" votes – 1.

Per the Commission's Rules of Order, any member having announced "Pass" on the first call of the vote should subsequently be called on by the Clerk to vote a second time.



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1:11:34

Clerk Knowles called the roll of member having previously announced "Pass". Commissioner Martin announced "Pass" on the second call of the vote. It was noted that any member having announced "Pass" on the second call of the vote should have their vote recorded as a "Nay". Total present – 9. Total absent – 0. Total "Aye" votes – 8. Total "Nay" votes – 1.

1:11:56

The foregoing Motion to adopt Resolution No. 319-26 on a Roll Call vote resulted in no action being taken, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Abstain", Commissioner Bankston, "Aye", Commissioner Boyd, "Abstain", Commissioner Fairbanks, "Abstain", Commissioner Geter, "Aye", Commissioner Mackey "Aye", Commissioner Martin, "Abstain", Commissioner Sharpe, "Aye", and Chairman Smedley, "Abstain". Total present – 9. Total absent – 0. Total "Aye" votes – 4. Total "Nay" votes – 0. Total Abstentions – 5.

1:13:13

Chairman Smedley asked Clerk Knowles to call the roll a second time.

1:13:19

The foregoing Motion to adopt Resolution No. 319-26 on a Roll Call vote resulted in no action being taken, with the following members of the County Commission being present and voting as follows: Commissioner Baker, "Abstain", Commissioner Bankston, "Aye", Commissioner Boyd, "Abstain", Commissioner Fairbanks, "Abstain", Commissioner Geter, "Aye", Commissioner Mackey "Aye", Commissioner Martin,

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“Abstain”, Commissioner Sharpe, “Aye”, and Chairman Smedley, “Abstain”. Total present – 9. Total absent – 0. Total “Aye” votes – 4. Total “Nay” votes – 0. Total Abstentions – 5.

1:13:59     **RESOLUTION NO. 319-25 A RESOLUTION APPOINTING \_\_\_\_\_  
AS JUDGE OF THE HAMILTON COUNTY GENERAL SESSIONS COURT, TO FILL  
THE VACANCY CREATED BY THE RETIREMENT OF THE HONORABLE  
CLARENCE SHATTUCK, WITH A TERM BEGINNING ON MONDAY, APRIL 1, 2019,  
AND ENDING WITH THE ELECTION AND CERTIFICATION OF A SUCCESSOR  
FOLLOWING THE AUGUST, 2020 HAMILTON COUNTY GENERAL ELECTION.**

1:14:32             Chairman Smedley read into the record an outline of the procedure the  
Commission would follow to fill the vacancy created by the retirement of the Honorable  
Clarence Shattuck. She reported the individual appointed would serve a term beginning  
Monday, April 1, 2019 and ending with the election and certification of a successor  
following the August 2020 Hamilton County General Election.

1:15:59             In response to Chairman Smedley’s question, Clerk Knowles confirmed proper  
public notice advertising the vacancy and appointment was given.

Chairman Smedley noted 17 of the 19 individuals that applied for the position  
were interviewed last Wednesday, March 20, 2019, following the Board of

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Commissioners Regular Meeting. She advised that any registered voter in Hamilton County in attendance today would be given the opportunity to nominate eligible individuals for the Commission to consider. She reminded everyone of the criteria needed to qualify for the Judgeship.

1:18:31            In response to Commissioner Martin's question, Attorney Taylor stated that once nominations are closed, only those individuals would be considered going forward unless the Chairman chooses to open the floor for additional nominations.

1:19:15            Chairman Smedley asked if any registered voter in Hamilton County in attendance at today's meeting wished to make a nomination. There were no nominations from the audience.

At this time, Chairman Smedley opened the floor for nominations by members of the Commission. She noted a second to a nomination was not required.

1:20:00            Commissioner Mackey nominated Gerald Webb to serve as General Sessions Court Division III Judge.

Commissioner Boyd nominated J. Cris Helton to serve as General Sessions Court Division III Judge.

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There were no further nominations. Chairman Smedley declared nominations closed at this time.

1:21:01

Commissioner Baker thanked all the applicants and specifically mentioned Boyd M. Patterson, Assistant Public Defender, who volunteered to fill the position on an interim bases if needed without the intent of running for election.

Chairman Smedley instructed the County Clerk to call the roll on the nominations of Gerald Webb and J. Cris Helton to serve as General Sessions Court Judge Division III.

County Clerk Bill Knowles called the roll on the nominations and Commissioners voted as follows Commissioner Baker, "Gerald Webb", Commissioner Bankston, "Gerald Webb", Commissioner Boyd, "J. Cris Helton", Commissioner Fairbanks, "Gerald Webb", Commissioner Geter, "Gerald Webb", Commissioner Mackey, "Gerald Webb", Commissioner Martin, "Gerald Webb", Commissioner Sharpe, "Gerald Webb", and Chairman Smedley, "Gerald Webb". Total present – 9. Total absent – 0. Total votes for Gerald Webb – 8. Total votes for J. Cris Helton – 1.

Clerk Knowles announced Gerald Webb had received the necessary five votes to be appointed General Sessions Court Judge Division III.

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At this time, Chairman Smedley asked the Resolution be read into the record with the name Gerald Webb inserted in the blank.

**RESOLUTION NO. 319-25 A RESOLUTION APPOINTING GERALD WEBB AS JUDGE OF THE HAMILTON COUNTY GENERAL SESSIONS COURT, TO FILL THE VACANCY CREATED BY THE RETIREMENT OF THE HONORABLE CLARENCE SHATTUCK, WITH A TERM BEGINNING ON MONDAY, APRIL 1, 2019, AND ENDING WITH THE ELECTION AND CERTIFICATION OF A SUCCESSOR FOLLOWING THE AUGUST, 2020 HAMILTON COUNTY GENERAL ELECTION.**

1:23:41

**ON MOTION** of Commissioner Baker, seconded by Commissioner Martin to adopt Resolution No. 319-25 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.

1:25:02

At this time, a round of applause and standing ovation was given. Mr. Webb came forward and thanked Commissioners for the appointment. He also thanked his

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wife, friends, family, and those who have supported him throughout the years. He stated how proud he is to be a member of this community and thanked everyone for the opportunity. He specifically mentioned Judge Shattuck and gave several examples of the values he obtained working with him.

Commissioner Smedley congratulated Mr. Webb and thanked the other applicants for their interest in the position.

Being no further business Chairman Smedley declared the Recessed Meeting adjourned.

Respectfully submitted:



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William F. (Bill) Knowles, County Clerk

Approved

04-17-19  
Date

W.F.K.  
Clerk's Initials