

MINUTES

CAPITOL COMMISSION MEETING

DECEMBER 15, 1998

1:30 P.M.

1. Welcome and Introductions

Senator Henry called the meeting to order at 1:35 p.m. Introductions were made with the following in attendance:

Capitol Commission Members

Senator Douglas Henry
Representative Ben West
Commissioner John Ferguson, Department of Finance and Administration
Comptroller William Snodgrass
Secretary of State Riley Darnell
Treasurer Steve Adams
Commissioner Larry Haynes, Department of General Services
Ward DeWitt, Jr.
Alice Algood
Michele Frazier
Paula McCord

Others present

Mike Fitts, State Architect
Georgia Martin, State Architect's office
Elsie Smith, Department of General Services
Lois Riggins-Ezell, State Museum
Jim Hoobler, State Museum
Bennett Tarleton, Arts Commission

2. Old Business

Representative Ben West made a motion, and Ward DeWitt seconded, to approve ratification of the policy on Non-Governmental Use of State Capitol. Treasurer Adams mentioned the annual Museum event saying that he assumed it would fall

under educational, cultural or civic function. He asked what would happen if the Symphony wanted to hold an event in the Capitol. He said that he would like to see it stop with the Museum. Jim Hoobler said that when the Capitol Commission adopted a policy for allowing the Tennessee Waltz, that was the only event held there; it is a one time a year event and an exclusive event. Senator Henry asked Elsie Smith if she could amend the proposal, and Elsie responded "yes". Comptroller Snodgrass asked if an exception would be made if the Governors Conference was held here. Senator Henry responded that it would require action by the Capitol Commission. He suggested they hold off on final vote until they consider the amendments. Treasurer Adams suggested it could remain adopted and in place until they choose to amend it. He said he gets concerned about other civic and cultural events. He said he didn't care if they decided that this event was to be the only non-governmental use. Alice Algood said that this is unique in that the State Museum is a State body even though it is a fund-raising event. It is for the purpose of an arm of the State of Tennessee. Commissioner Haynes agreed that the Waltz needs to continue, and that use by any other government agency needs to get the approval of the Commission. He said he thought that, outside of government, a line needed to be drawn. Senator Henry stated that the policy will remain in place while asking Elsie Smith to draw up an amendment and submit to the members by mail ballot.

3. Approval of the Minutes of the August 27, 1997 Meeting

The Minutes were approved as mailed.

4. 14th Amendment

Mike Fitts explained that the amendment to the Appropriations Bill was written with the concept of balancing the existing bas-relief sculpture on the north wall with this one on the opposite, or south, wall. He said the only other possible location is along the main corridor close to the Library, assuming the Legislature intended for it to be on the second floor. Bennett Tarleton stated that the Arts Commission was in the midst of selecting an artist to create the bas-relief. Senator Henry said he was concerned about the text. Mr. Tarleton explained that the text was not part of the competition. Senator Henry asked if the Arts Commission put up the plaque, would others be expected to prepare the text, subject to the Capitol Commission's approval. Mr. Tarleton explained that, in trying to help the artists, information was given to them about the 13th and 14th amendments with pictorial assistance with regard to the ideas behind those amendments. Senator Henry commented that the Legislature should have specified the 15th Amendment instead of the 14th. He asked Representative West if he should approach the sponsors in the event that the wrong number was given. Representative West said he would suggest action be deferred until Senator Harper was contacted. Mr. Tarleton stated that the bas-relief would speak to the 13th, 14th and 15th Amendments without mentioning any of the amendments. Senator Henry expressed concern over doing anything that was historically incorrect. After general discussion, it was agreed that the bas-relief would come back to the Commission for approval.

5. Capitol Security

Mike Fitts stated that Commissioners Greene and Haynes, Director Wallace and himself had been working to develop a plan that will ensure adequate security measures for the Legislative Plaza and the State Capitol. He mentioned that there is a greater need of security for all buildings. He stated that a card access for all outside doors and a gate down by the guard shack had been proposed and that the main people access for metal detectors will be at the tunnel. Mr. Fitts detailed the locations of other security enhancements stating that they would be as unobtrusive as possible without detracting from the ambiance of the Capitol. Treasurer Adams asked about the metal detector on the first floor and would it be better to have the process going on the East side. Mr. Fitts said it was debatable but that they could make that point as part of the Capitol Commission concerns. He added they would probably need to double the number of security personnel. Lois Riggins-Ezzell stated that the Museum recommended the East entrance although it might complicate the staffing pattern. Senator Henry asked what provision would be done with the school children and if the metal detectors would be at the main entrance. Representative West stated his concern was with his peers and their constituents and the fact that they expect to use the Capitol at will. He said, from a Legislator's standpoint, he thought a phase-in was in order. He said they don't want any restrictions put upon them or their constituents.

Alice Algood expressed concern about the lack of security for parking at TPAC. She said that it appears there is more danger in the evenings during the time of performances. Treasurer Adams commented that either you are going to do it or not. He said if someone wants to go up to the gallery, he didn't think would be asking too much to have them go through security. He said to say you have security, and you don't, is a waste of money. Mr. Fitts mentioned the inclusion of bollards at the mouth of the tunnel. Secretary of State Darnell commented that there is security only at certain hours and, if there is going to be security, it should be for 24 hours. Michelle Frazier expressed concern regarding leaving the screening of visitors to the discretion of the security personnel. Treasurer Adams mentioned the procedures used in Washington DC and reiterated that, if the State's only going to have half security, then perhaps it shouldn't be done. Senator Henry asked how the condition of the Capitol could best be preserved in such a way that it wouldn't intimidate people. Commissioner Haynes stated that his department has the responsibility for the security. He said other states were surveyed and that Florida has a system identical to the federal government; Texas has a combination of both for selective buildings; and North Carolina has no security. He said that it may not happen during their service, but someday, Tennessee will mirror the federal government.

Senator Henry asked Mike Fitts, Commissioner Haynes and Treasurer Adams to serve on a subcommittee and bring back a proposal before the next meeting.

6. Request for Usage of Capitol

- *Economic & Community Development*

Mike Fitts stated that he thought the booth set-ups were more pleasing in the Legislative Plaza due to the unsightliness of some of them. Senator Henry directed Mr. Fitts to contact Commissioner Baxter and ask him if he any reasonable objection to putting his booth in the Legislative Plaza.

- *Tennessee Association of Life Underwriters "Legislative Education Day"*

Approved.

- *Tennessee Federation of Republican Women*

Approved.

- *Tours of Capitol the Night Before Inauguration*

Approved.

- *Consideration of Resolution in Memory of Charles Warterfield*

Senator Henry asked Mike Fitts to prepare a resolution. Treasurer Adams suggested a plaque be placed somewhere in the Capitol. Mr. Fitts responded that, picking up on the Treasurer's idea, one of the most beautiful parts of the Capitol grounds is the reliquary, which was Charlie Warterfield's idea. Alice Algood made a motion, and Treasurer Adams seconded, that a plaque be placed on the reliquary at the discretion of State Architect Mike Fitts.

7. Request for Loan of Capitol Artifact to Cheekwood

Alice Algood suggested that Cheekwood be allowed to borrow the old Capitol columns and make it on a permanent loan until such time that the State has use of them. Lois Riggins-Ezzell stated that South Central Bell had requested them at one time and were turned down. Senator Henry asked what has been the practice of placing Museum property on loan and to whom the loans are made. Ms. Riggins-Ezzell responded that loans are made only to non-profits, unless to other museums or to offices in Washington, and that every application is evaluated. Alice Algood asked if there was any future use planned for these columns and the response was "yes". Mike Fitts stated that since they are artifacts of the State Museum, he thought the Capitol Commission would want to sign off on any loan. Senator Henry said there needed to be a policy and asked Elsie Smith to draw up an amendment setting out authorization to borrow fragments of the Capitol under procedures that have been developed by the State Museum. Comptroller Snodgrass asked if this should apply to anyone who already has artifacts in their possession. Ms. Riggins-Ezzell stated that the Museum could make it retroactive and send forms to them. Secretary of State Darnell expressed concern that

"everyone is going to want to load their truck if we start this as a policy." Senator Henry clarified that it should apply to a Section 501(c)(3) corporation or a public entity. Secretary of State Darnell suggested it should be decided which columns the State wants to keep. Treasurer Adams said he thought if they are on display for the general public, it is better than having them sit on a prison yard. However, he added, when the State wants them back, they should be returned. Mr. Fitts suggested it be for only civic, cultural or educational use and, if the situation becomes abused, then the procedure could be amended. The Commission then approved loan of old Capitol column pieces to Cheekwood, subject to procedures developed by the Museum.

8. Police Memorial

Representative West mentioned that the State has several wartime memorials and they now have an opportunity to send a message to law enforcement that they are appreciated for what they do. Senator Henry stated that the Capitol Commission was given charge of the Bicentennial Mall to prevent abuse of the design. Mr. Fitts said he would like to work with Desmond Carter to look at sizes and places and bring back a suggested location. Commissioner Ferguson said he would like more time to think about the issue. He said it seemed to him that they would be opening up more things that just war memorials. He said he was sure the firefighters and others will want the same consideration. Representative West said he agreed that a precedent could be set, but he also didn't want to send the wrong message. He suggested Mike Fitts' ability to handle the situation and agreed that a precedent would be set if the Commission approved it. However, he said, he would like to offer an alternative site if it's not done on the Mall. Treasurer Adams suggested they walk over the entire Mall and see where they might put these things. He said he thought they need to look broader than the Bicentennial Mall. Senator Henry asked Mr. Fitts to proceed with contacting the parties and looking into the situation.

9. Other Business

There being no further business, the meeting adjourned at 2:45 p.m.