

MINUTES
STATE CAPITOL COMMISSION
November 10, 2015

1. Introductions / Roll Call

Chairman Larry Martin called the meeting to order at 3:18 p.m. and thanked the members for giving their time and energy to serve on the Capitol Commission. He introduced the three new members: Representative Curtis Johnson, Speaker Pro Tempore; Tammy White, Head of Leadership Knoxville; and King Rogers, attorney in Memphis. State Architect Peter Heimbach called the roll and a quorum was established with the following members in attendance:

- Commissioner Larry Martin
- Secretary of State Tre Hargett
- Treasurer David Lillard
- Comptroller Justin Wilson
- Commissioner Bob Martineau
- Reen Baskin on behalf of Commissioner Bob Oglesby
- Senator Jack Johnson
- Representative Curtis Johnson
- Howard Gentry
- Tammy White
- King Rogers
- Dr. Reavis Mitchell

2. Approval of Minutes from the July, 17 2015 Meeting

Secretary Hargett asked that the dissenting votes on page 2 be listed by name and added to the minutes. Subject to that amendment, the Minutes were approved as presented.

3. Old Business

A. Consideration of the policy recommendations of the Artifacts Subcommittee

Chairman Martin stated that the policy recommendations of the Subcommittee had been distributed to the Commission and had also been posted on the Subcommittee's website and in the public domain for some time. He then called upon the Chair of the Subcommittee, Commissioner Martineau, to present the recommendations.

Commissioner Martineau thanked each of the members for their work over the course of the summer based on a resolution for them to take a look at the policies with respect to artifacts, monuments and figures in the Capitol or in areas under the purview of this Commission. He said one of the charges of the Subcommittee was to see what best practices other commissions of similar nature and control have over State Capitols or grounds. He thanked Peter Heimbach for reaching out to various states to obtain information that would help to form some of the policies, and to each of the members and Thad Watkins who provided advice. He said the members took this effort seriously, having working sessions that took those best practices and policies from around the country, along with our current policies, and melding them into a draft document for a line-by-line review. He said there was also an opportunity for public comment. One of the things the resolution spoke about was the process for addition of a monument. He said since the Office of the State Architect has a process already lined-out

and previously approved by the State Building Commission, procedural aspects were not discussed since they already exist. He then made a motion that the recommendation of the Subcommittee be adopted as policy of the full Commission. The motion was properly seconded, and passed without objection. Commissioner Martin thanked Commissioner Martineau and staff and each of the members of the Subcommittee for their added work and good thought they put into the matter.

B. Recommendation and discussion of policy revisions

Peter Heimbach presented recommended policy revisions that stand as a guideline document of what is currently done with the requests that come in. He said the question that staff had for the Commission is: are the guides directive sufficient, or does the Commission wish to return with a formal policy. Commissioner Martin said use policies speak to the seriousness of the Capitol Commission. He said the Capitol is a public house, but there are appropriate uses of it and there need to be guides. Commissioner Martineau stated it was his recommendation that the policy revisions be used as a guideline document for staff. As requests come in, they are fit into one of the categories listed. He said he felt it was more of a directive to staff on how to evaluate requests as opposed to a formal policy.

Treasurer Lillard said he would like to get some clarification. He referenced a statute on the books regarding TISL, and thought there was a need to look to see if there are others that fall into categories. Treasurer Lillard also raised issues about language in the policy that would allow non-governmental uses to be bumped in favor of official uses of the Capitol. Discussion ensued involving scenarios where events are bumped. Commissioner Martin called upon Chloe Shafer, Compliance Director with the Office of the State Architect, to offer a legal opinion on the matter. Commissioner Martineau said he thought that if it was the function of government, the daily work of the government should take precedence. Ms. Shafer stated that if the guidelines were a directive as opposed to a policy, then the Commission could make specific decisions regarding uses rather than relying on staff's enforcement of the guidelines as written. If the directives are converted to a policy, then the Commission could provide guidance at this meeting about revisions the Commission wanted made to the draft language.

Commissioner Martin made a motion to adopt the policy revisions as guidelines with the specific request of staff to review the points made by the Treasurer and come back to the Capitol Commission with any adjustments to the language. Peter Heimbach commented that if they are guidelines, they don't require adoption. Commissioner Martin stated that nothing would happen until the Commission met again and after the concerns of the Treasurer were addressed.

4. New Business

A. YMCA Civic Engagement Benefit Dinner

David Carpenter, Facility Administrator, reported that the 2015 YMCA Benefit Dinner went splendidly. He said that having it on a Saturday eased the stress on the building, the tenants and the group. Commissioner Martineau asked if the State charges a fee for extra State troopers and maintenance, and was told they do. Treasurer Lillard made a motion to approve the request by the YMCA to hold its 2016 Benefit Dinner at the Capitol, which was properly seconded, and passed without objection.

5. Other Business

There being no other business, the meeting adjourned at 3:55 p.m.

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