

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, December 19, 2011 at 1:45 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. Joe Jarret, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. John Troyer, Knox County Finance Director, Mr. Chris Caldwell, Accounting and Budgeting Director, Knox County Finance, Mr. Tim Burchett, Knox County Mayor, Mr. Dean Rice, Chief of Staff, Knox County Mayor's Office and news media.

The following proceedings were had and entered of record to-wit:

Commissioner Hammond, Chairman, presided.

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IN RE: CALL TO ORDER: 1:45 P.M.

Commissioner Mike Hammond, Chairman, called the meeting to order.

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IN RE: PUBLIC FORUM:

Mr. John Kinnerly, concerned citizen, was present and spoke regarding Rural Metro and items missing from his home.

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Mr. Steve Glockner, concerned citizen, was present and spoke regarding substitute motions from the Board of Commissioners meetings and Roberts Rules of Order.

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IN RE: HONORARY RESOLUTIONS:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING THE
VOLUNTEER MINISTRY CENTER (VMC) IN THEIR EFFORTS TO
RELIEVE CHRONIC HOMELESSNESS ON THE ONE YEAR
ANNIVERSARY OF THE OPENING OF MINVILLA MANOR:**

R-11-12-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Volunteer Ministry Center (VMC) in their efforts to relieve chronic homelessness on the one year anniversary of the opening of Minvilla Manor was before the Board of Commissioners.

Ms. Genny Weatherstone, Executive Director, Volunteer Ministry Center, was present and spoke on the matter.

Commissioner Anders moved to approve R-11-12-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Volunteer Ministry Center (VMC) in their efforts to relieve chronic homelessness on the one year anniversary of the opening of Minvilla Manor. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING
CHARLES MICHAEL "MIKE" BANKS FOR HIS YEARS OF
DISTINGUISHED SERVICE AT THE WEST KNOX UTILITY
DISTRICT: R-11-12-102:**

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Charles Michael “Mike” Banks for his years of distinguished service at the West Knox Utility District was before the Board of Commissioners.

Mr. Mike Banks was present and thanked the Commission for the Honorary Resolution.

Commissioner Anders moved to approve R-11-12-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Charles Michael “Mike” Banks for his years of distinguished service at the West Knox Utility District. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING JOHN
LEE FOR HIS FORTY-ONE (41) YEARS OF SERVICE WITH THE
BOYS AND GIRLS CLUBS OF THE TENNESSEE VALLEY:
R-11-12-103:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring John Lee for his forty-one (41) years of service with the Boys and Girls Clubs of the Tennessee Valley was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-12-103 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring John Lee for his forty-one (41) years of service with the Boys and Girls Clubs of the Tennessee Valley. Commissioner Shouse seconded the motion

and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING THE
POWELL HIGH SCHOOL FOOTBALL TEAM FOR AN
OUTSTANDING SEASON AND THEIR APPEARANCE IN THE
STATE CHAMPIONSHIP GAME:R-11-12-104:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Powell High School Football Team for an outstanding season and their appearance in the State Championship Game was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-12-104 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Powell High School Football Team for an outstanding season and their appearance in the State Championship Game. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE HONORING THE
CHRISTIAN ACADEMY OF KNOXVILLE (CAK) FOOTBALL TEAM
FOR WINNING THE CLASS 3A STATE CHAMPIONSHIP:
R-11-12-105:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Christian Academy of Knoxville (CAK) Football Team for winning the Class 3A State Championship was before the Board of Commissioners.

Commissioner Norman moved to approve R-11-12-105 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Christian Academy of Knoxville (CAK) Football Team for winning the Class 3A State Championship. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CALL TO ORDER/ROLL CALL (2:00 P.M.)

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk, called the roll.

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IN RE: DEVOTIONAL:

Commissioner Tony Norman gave the Devotional.

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IN RE: PLEDGE TO THE FLAG:

Commissioner Broyles led the Pledge to the Flag.

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IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner McKenzie moved to approve the minutes from November 10, 2011 (Special Session), November 14, 2011 (Public Hearing) and November 21, 2011 (Regular Session). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA:

Commissioner Brown moved to amend the agenda as follows:

Add Board of Commissioners meeting calendar for 2012.

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Add R-11-12-104 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Powell High School Football Team for an outstanding season and their appearance in the State Championship Game.

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Add R-11-12-105 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Christian Academy of Knoxville (CAK) Football Team for winning the Class 3A State Championship.

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Defer to the January 2012 Board of Commissioners meeting R-11-12-903 – Consideration of a Resolution of the Commission of Knox County, Tennessee creating the Knox County Citizens’ Academy.

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Add R-11-12-904 – Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative

Delegation requesting that they oppose any changes to Tennessee's Open Meetings Act as applied to political subdivisions of the State of Tennessee. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: DRIVES AND ROADS:

No drives and roads received.

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IN RE: LINE ITEM TRANSFERS:

Consideration of Line Item Transfers was before the Board of Commissioners.

Commissioner Anders moved to approve the Line Item Transfers. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: NOTARY APPLICATIONS:

Consideration of notary applications was before the Board of Commissioners.

Commissioner Anders moved to approve 125 notary applications. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Hammond heard R-11-12-110 next on the agenda.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENT OF _____ AS JUDICIAL MAGISTRATE FOR KNOX COUNTY: R-11-12-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of _____ as Judicial Magistrate for Knox County was before the Board of Commissioners.

Mr. Joe Jarret, Knox County Law Director, was present and spoke on the matter.

Upon roll call vote for nominations for Judicial Magistrate Commissioner McKenzie passed, Commissioner Broyles nominated Ms. Charity Miles, Commissioner Norman nominated Mr. Christopher Rowe, Commissioner Ownby passed, Commissioner Briggs nominated Mr. Joseph Lodato, Commissioner Anders passed, Commissioner Smith passed, Commissioner Wright passed, Commissioner Brown passed, Commissioner Hammond passed, Commissioner Shouse passed.

Upon roll call vote Commissioners McKenzie and Broyles voted for Ms. Charity Miles. Commissioners Norman, Ownby, Anders, Smith, Wright, Brown, Hammond and Shouse voted for Mr. Christopher Rowe. Commissioner Briggs voted for Mr. Joseph Lodato.

Ms. Charity Miles received 2 votes.

Mr. Christopher Rowe received 8 votes.

Mr. Joseph Lodato received 1 vote.

Mr. Christopher Rowe was appointed Judicial Magistrate.

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IN RE: CONSENT CALENDAR:

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING
CINDY PIONKE, AN OFFICIAL OR EMPLOYEE OF KNOX COUNTY
AND NOMINATED BY THE KNOX COUNTY MAYOR, TO THE KNOX
COUNTY AIR POLLUTION CONTROL BOARD: R-11-12-111:**

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Cindy Pionke, an official or employee of Knox County and nominated by the Knox County Mayor, to the Knox County Air Pollution Control Board was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Cindy Pionke, an official or employee of Knox County and nominated by the Knox County Mayor, to the Knox County Air Pollution Control Board. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
CONTRACT IN THE AMOUNT OF \$20,400.00 PER YEAR FOR FIVE**

(5) YEARS WITH LIFE SAFETY INSPECTIONS, LLC. FOR KITCHEN HOOD INSPECTIONS: R-11-12-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$20,400.00 per year for five (5) years with Life Safety Inspections, LLC. for kitchen hood inspections was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$20,400.00 per year for five (5) years with Life Safety Inspections, LLC. for kitchen hood inspections. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH DODSON PEST CONTROL TO PROVIDE PEST CONTROL SERVICE: R-11-12-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Dodson Pest Control to provide pest control service was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Dodson Pest Control to provide pest control service. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs,

Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT IN THE AMOUNT OF \$800.00 FOR THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT, TEMPORARY CONSTRUCTION EASEMENTS, AND A TEMPORARY INGRESS/EGRESS EASEMENT LOCATED AT 500 GRESHAM ROAD (GRESHAM MIDDLE SCHOOL) TO THE KNOXVILLE UTILITIES BOARD (KUB) FOR A SEWER LINE UPGRADE:R-11-12-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$800.00 for the conveyance of a permanent utility easement, temporary construction easements, and a temporary ingress/egress easement located at 500 Gresham Road (Gresham Middle School) to the Knoxville Utilities Board (KUB) for a sewer line upgrade was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$800.00 for the conveyance of a permanent utility easement, temporary construction easements, and a temporary ingress/egress easement located at 500 Gresham Road (Gresham Middle School) to the Knoxville Utilities Board (KUB) for a sewer line upgrade. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE
DONATION OF THREE (3) OLDER, HIGH MILEAGE MARKED
VEHICLES TO WALTERS STATE COMMUNITY COLLEGE TO BE
USED FOR DRIVING TRAINING BY THE KNOX COUNTY
SHERIFF'S OFFICE:R-11-12-301:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the donation of three (3) older, high mileage marked vehicles to Walters State Community College to be used for driving training by the Knox County Sheriff's Office was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the donation of three (3) older, high mileage marked vehicles to Walters State Community College to be used for driving training by the Knox County Sheriff's Office. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE
ACCEPTANCE OF SIX (6) HUMVEES FROM THE DEPARTMENT
OF DEFENSE MILITARY SURPLUS PROGRAM FOR THE BENEFIT
OF THE KNOX COUNTY SHERIFF'S OFFICE: R-11-12-302:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the acceptance of six (6) Humvees from the Department of Defense Military Surplus Program for the benefit of the Knox County Sheriff's Office was before the Board of Commissioners.

Commissioner McKenize moved to approve R-11-12-302 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the acceptance of six (6) Humvees from the Department of Defense Military Surplus Program for the benefit of the Knox County Sheriff's Office. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN
AGREEMENT OF SALE IN THE AMOUNT OF \$1,200.00 WITH
JEFFERY AND CRISTY LOCKWOOD FOR A PERMANENT
DRAINAGE EASEMENT, SLOPE EASEMENT AND TEMPORARY
CONSTRUCTION EASEMENT ON PROPERTY LOCATED AT 7817
PELLEAUX ROAD FOR THE PURPOSE OF DRAINAGE CHANNEL
IMPROVEMENTS ON PELLEAUX ROAD: R-11-12-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$1,200.00 with Jeffery and Cristy Lockwood for a permanent drainage easement, slope easement and temporary construction easement on property located at 7817 Pelleaux Road for the purpose of drainage channel improvements on Pelleaux Road was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$1,200.00 with Jeffery and Cristy Lockwood for a permanent drainage easement, slope easement and temporary construction easement on property located at 7817 Pelleaux Road for the purpose of drainage channel improvements on Pelleaux Road. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING
MODIFICATION NUMBER 1 TO KNOX COUNTY CONTRACT NO.
10-370 WITH THE UNIVERSITY OF TENNESSEE FOR SERVICES
PROVIDED BY THE UNIVERSITY OF TENNESSEE’S WATER
RESOURCES RESEARCH CENTER RELATIVE TO THE
IMPLEMENTATION OF THE KNOX COUNTY ADOPT-A-
WATERSHED PROGRAM FOR THE PURPOSE OF 1) PROVIDING
ADDITIONAL FUNDING IN THE AMOUNT OF \$48,500.00 AND 2)
EXTENDING THE TERM OF THE CONTRACT BY ONE (1) YEAR,
THROUGH NOVEMBER 30, 2012: R-11-12-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Modification Number 1 to Knox County Contract No. 10-370 with the University of Tennessee for services provided by the University of Tennessee’s Water Resources Research Center relative to the implementation of the Knox County Adopt-A-Watershed Program for the

purpose of 1) providing additional funding in the amount of \$48,500.00 and 2) extending the term of the contract by one (1) year, through November 30, 2012 was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Modification Number 1 to Knox County Contract No. 10-370 with the University of Tennessee for services provided by the University of Tennessee's Water Resources Research Center relative to the implementation of the Knox County Adopt-A-Watershed Program for the purpose of 1) providing additional funding in the amount of \$48,500.00 and 2) extending the term of the contract by one (1) year, through November 30, 2012. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING
COVENANTS FOR PERMANENT MAINTENANCE OF
STORMWATER FACILITIES AND BEST MANAGEMENT
PRACTICES WITH D & H, LLC FOR PROPERTY LOCATED AT 8606
KILDARE DRIVE:R-11-12-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with D & H, LLC for property located at 8606 Kildare Drive was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-403 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving Covenants for Permanent Maintenance of Stormwater
Facilities and Best Management Practices with D & H, LLC for property
located at 8606 Kildare Drive. Commissioner Broyles seconded the motion
and upon roll call vote Commissioners McKenzie, Broyles, Norman,
Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse
voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING
COVENANTS FOR PERMANENT MAINTENANCE OF
STORMWATER FACILITIES AND BEST MANAGEMENT
PRACTICES WITH THE TRUSTEES OF CORRYTON BAPTIST
CHURCH FOR PROPERTY LOCATED AT 7609 FOSTER ROAD:
R-11-12-404:

Consideration of a Resolution of the Commission of Knox County,
Tennessee approving Covenants for Permanent Maintenance of Stormwater
Facilities and Best Management Practices with the Trustees of Corryton
Baptist Church for property located at 7609 Foster Road was before the
Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-404 -
Consideration of a Resolution of the Commission of Knox County,
Tennessee approving Covenants for Permanent Maintenance of Stormwater
Facilities and Best Management Practices with the Trustees of Corryton
Baptist Church for property located at 7609 Foster Road. Commissioner
Broyles seconded the motion and upon roll call vote Commissioners

McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH RICHARD L. HOLLOW, SUCCESSOR TRUSTEE, AND MICHAEL E. SCHAAD, SUCCESSOR TRUSTEE, FOR PROPERTY LOCATED AT 0 KINGSTON PIKE:R-11-12-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Richard L. Hollow, Successor Trustee, and Michael E. Schaad, Successor Trustee, for property located at 0 Kingston Pike was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Richard L. Hollow, Successor Trustee, and Michael E. Schaad, Successor Trustee, for property located at 0 Kingston Pike. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING

**COVENANTS FOR PERMANENT MAINTENANCE OF
STORMWATER FACILITIES AND BEST MANAGEMENT
PRACTICES WITH DON C. MADDOX, TRUSTEE OF THE DON C.
MADDOX REVOCABLE LIVING TRUST, AND DOLORES MADDOX,
TRUSTEE OF THE DOLORES MADDOX REVOCABLE LIVING
TRUST, FOR PROPERTY LOCATED AT 136 CANTON HOLLOW
ROAD:R-11-12-406:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Don C. Maddox, Trustee of the Don C. Maddox Revocable Living Trust, and Dolores Maddox, Trustee of the Dolores Maddox Revocable Living Trust, for property located at 136 Canton Hollow Road was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-406 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Don C. Maddox, Trustee of the Don C. Maddox Revocable Living Trust, and Dolores Maddox, Trustee of the Dolores Maddox Revocable Living Trust, for property located at 136 Canton Hollow Road. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT CONTRACT IN THE AMOUNT OF \$60,450.00 (NO LOCAL**

MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR A PILOT PROJECT FOR NON-INVASIVE HEMOGLOBIN TESTING IN WOMEN PARTICIPATING IN THE KNOX COUNTY WOMEN, INFANTS, AND CHILDREN (WIC) PROJECT: R-11-12-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$60,450.00 (no local match required) with the Tennessee Department of Health for a Pilot Project for Non-Invasive Hemoglobin Testing in Women Participating in the Knox County Women, Infants, and Children (WIC) Project was before the Board of Commissioners.

Commissioner McKenize moved to approve R-11-12-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$60,450.00 (no local match required) with the Tennessee Department of Health for a Pilot Project for Non-Invasive Hemoglobin Testing in Women Participating in the Knox County Women, Infants, and Children (WIC) Project. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$351,700.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR PLANNING, DEVELOPMENT, AND

PROGRAMMATIC OVERSIGHT FOR HIV/AIDS PREVENTION AND SEXUALLY TRANSMITTED DISEASE (STD) PROGRAM SERVICES:

R-11-12-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$351,700.00 (no local match required) with the Tennessee Department of Health for planning, development, and programmatic oversight for HIV/AIDS Prevention and Sexually Transmitted Disease (STD) Program Services was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$351,700.00 (no local match required) with the Tennessee Department of Health for planning, development, and programmatic oversight for HIV/AIDS Prevention and Sexually Transmitted Disease (STD) Program Services. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ADOPTING THE DEBT MANAGEMENT POLICY FOR KNOX COUNTY GOVERNMENT AS PROMULGATED BY THE KNOX COUNTY DEPARTMENT OF FINANCE: R-11-12-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee adopting the Debt Management Policy for Knox County

Government as promulgated by the Knox County Department of Finance was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee adopting the Debt Management Policy for Knox County Government as promulgated by the Knox County Department of Finance. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A
GRANT AGREEMENT IN THE AMOUNT OF \$67,100.00 (NO LOCAL
MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF
HEALTH FOR URINE-BASED SCREENING SERVICES FOR
GONORRHEA AND CHLAMYDIA FOR JUVENILES BOOKED AT
THE RICHARD L. BEAN JUVENILE SERVICE CENTER:
R-11-12-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$67,100.00 (no local match required) with the Tennessee Department of Health for urine-based screening services for gonorrhea and chlamydia for juveniles booked at the Richard L. Bean Juvenile Service Center was before the Board of Commissioners.

Commissioner McKenzie moved to approve R-11-12-901 - Consideration of a Resolution of the Commission of Knox County,

Tennessee approving a grant agreement in the amount of \$67,100.00 (no local match required) with the Tennessee Department of Health for urine-based screening services for gonorrhea and chlamydia for juveniles booked at the Richard L. Bean Juvenile Service Center. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: AMENDMENT TO THE AGENDA:

Commissioner Smith amended the agenda to remove
R-11-12-802 – Consideration of a Resolution of the Commission of Knox County, Tennessee constituting the Knox County Charter Review Committee and providing for an effective date for appointments thereto; and
R-11-12-902 – Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that the Delegation petition the Governor to delay the closure of the Knox County based Lakeshore Mental Health Institute from the consent agenda and add to the regular agenda. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE CONSTITUTING
THE KNOX COUNTY CHARTER REVIEW COMMITTEE AND

PROVIDING FOR AN EFFECTIVE DATE FOR APPOINTMENTS

THERETO:R-11-12-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee constituting the Knox County Charter Review Committee and providing for an effective date for appointments thereto was before the Board of Commissioners.

Mr. Joe Jarret, Knox County Law Director, was present and spoke on the matter.

Mr. Dean Rice, Chief of Staff, Knox County Mayor's Office, was present and spoke on the matter.

Mr. Tim Burchett, Knox County Mayor, was present and spoke on the matter.

At this time, Commissioners Hammond and Ownby removed their names for a total of nine (9) Commissioners serving.

Commissioner Wright moved to approve R-11-12-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee constituting the Knox County Charter Review Committee and providing for an effective date for appointments thereto. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING
THAT THE CHAIRMAN OF THE KNOX COUNTY COMMISSION
FORWARD A LETTER TO THE KNOX COUNTY LEGISLATIVE
DELEGATION REQUESTING THAT THE DELEGATION PETITION

THE GOVERNOR TO DELAY THE CLOSURE OF THE KNOX

COUNTY BASED LAKESHORE MENTAL HEALTH INSTITUTE:

R-11-12-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that the delegation petition the Governor to delay the closure of the Knox County based Lakeshore Mental Health Institute was before the Board of Commissioners.

Mr. Joe Jarret, Knox County Law Director, was present and spoke on the matter.

Mr. Tim Burchett, Knox County Mayor, was present and spoke on the matter.

Commissioner Wright moved to approve R-11-12-902 – Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that the delegation petition the Governor to delay the closure of the Knox County based Lakeshore Mental Health Institute with the following amendment: Delete the following: The Chairman of the Knox County Commission will hold a meeting in the next 30 days with Commissioner Doug Varney, Tennessee Department of Mental Health. Commissioner Smith seconded the motion and upon voice vote the motion carried 10-0-1-0. Commissioner Ownby abstained from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING

THAT THE CHAIRMAN OF THE KNOX COUNTY COMMISSION
FORWARD A LETTER TO THE KNOX COUNTY LEGISLATIVE
DELEGATION REQUESTING THAT THEY OPPOSE ANY CHANGES
TO TENNESSEE'S OPEN MEETINGS ACT AS APPLIED TO
POLITICAL SUBDIVISIONS OF THE STATE OF TENNESSEE:

R-11-12-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that they oppose any changes to Tennessee's Open Meetings Act as applied to political subdivisions of the State of Tennessee was before the Board of Commissioners.

Mr. Joe Jarret, Knox County Law Director, was present and spoke on the matter.

Commissioner Anders moved to approve R-11-12-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that they oppose any changes to Tennessee's Open Meetings Act as applied to political subdivisions of the State of Tennessee. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: ORDINANCES ON FIRST READING:

No Ordinances received.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING
CHAPTER 4 OF COUNTY CODE ENTITLED “ALCOHOLIC
BEVERAGES” TO 1) REQUIRE IN SECTION 4-4 THAT THE
COUNTY CODE ADMINISTRATION DEPARTMENT, IN ADDITION
TO THE COUNTY FIRE MARSHAL AND COUNTY HEALTH
DEPARTMENT, ALSO INSPECT AND APPROVE THE LOCATION
WHERE BEER IS TO BE SOLD WITHIN 15 DAYS OF THE BEER
PERMIT APPLICATION AND 2) TO REMOVE THE COUNTY BEER
INSPECTOR FROM THE REQUIREMENTS OF SECTIONS 4-4 AND
4-36 (ORDINANCE O-00-11-101, ADOPTED 12-18-00 AND
ORDINANCE O-09-3-107, ADOPTED 4-27-09):O-11-11-101:SECOND
READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 4 of County Code entitled “Alcoholic Beverages” to 1) require in Section 4-4 that the County Code Administration Department, in addition to the County Fire Marshal and County Health Department, also inspect and approve the location where beer is to be sold within 15 days of the beer permit application and 2) to remove the County Beer Inspector from the requirements of Sections 4-4 and 4-36 (Ordinance O-00-11-101, adopted 12-18-00 and Ordinance O-09-3-107, adopted 4-27-09) was before the Board of Commissioners on second reading.

Commissioner Anders moved to approve O-11-11-101 -
Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 4 of County Code entitled “Alcoholic Beverages” to 1) require in Section 4-4 that the County Code Administration Department, in addition to the County Fire Marshal and County Health

Department, also inspect and approve the location where beer is to be sold within 15 days of the beer permit application and 2) to remove the County Beer Inspector from the requirements of Sections 4-4 and 4-36 (Ordinance O-00-11-101, adopted 12-18-00 and Ordinance O-09-3-107, adopted 4-27-09) on second reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: Discussion regarding the Board of Commissioners calendar for 2012 was before the Board of Commissioners.

Commissioner Anders moved to approve discussion regarding the Board of Commissioners calendar for 2012. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: **CALL TO ORDER: REZONING: (6:00 P.M.)**

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk, called the roll. Those responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

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IN RE: Request of Erin A. Presley for rezoning from A (Agricultural) to RA (Low Density Residential) 10-F-11-RZ was before the Board of Commissioners. Property located southeast side Stamps Lane, southwest of Camberley. Commission District 6.

Mr. Buzz Johnson, Metropolitan Planning Commission, was present and spoke on the matter.

Ms. Erin Presley, owner, applicant, was present and spoke on behalf of the request.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Joe Jarret, Knox County Law Director, was present and spoke on the matter.

Commissioner Hammond asked if there was any opposition to the request.

Mr. Gene Scrivner, area resident, was present and spoke in opposition to the request.

Mr. Dan Johnson, area resident, was present and spoke in opposition to the request.

Ms. Diane Johnson, area resident, was present and spoke on the matter.

Commissioner Anders moved to approve 10-F-11-RZ the request of Erin A. Presley for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: The Knox County Commission approve RA (Low Density Residential). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. The motion carried 10-1-0-0. Commissioner Brown voted no.

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE 2, SECTION 2.20 SPECIFIC TERMS, ARTICLE 5, SECTION 5.40 OFFICE PARK ZONE AND SECTION 5.41 OFFICE, MEDICAL AND RELATED SERVICES ZONE, AND ADDING A NEW SECTION 4.82 TO ARTICLE 4 REGARDING REQUIREMENTS FOR THE LOCATION AND OPERATION OF PAIN MANAGEMENT CLINICS AND USES PERMITTED ON REVIEW (ORD. NO. O-90-9-130, ADOPTED 9-10-90, AS AMENDED): 0-11-11-102: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 2, Section 2.20 Specific Terms, Article 5, Section 5.40 Office Park Zone and Section 5.41 Office, Medical and Related Services Zone, and adding a new Section 4.82 to Article 4 regarding requirements for the location and operation of pain management clinics and uses permitted on review (Ord. No. O-90-9-130, adopted 9-10-90, as amended) was before the Board of Commissioners on second reading.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Joe Jarret, Knox County Law Director, was present and spoke on the matter.

Mr. Eric Vicent, concerned citizen, was present and spoke on the matter.

Commissioner Briggs moved to approve O-11-11-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 2, Section 2.20 Specific Terms, Article 5, Section 5.40 Office Park Zone and Section 5.41 Office, Medical and Related Services Zone, and

adding a new Section 4.82 to Article 4 regarding requirements for the location and operation of pain management clinics and uses permitted on review (Ord. No. O-90-9-130, adopted 9-10-90, as amended) on second reading with the following amendment: Add language “Except that the Planning Commission may reduce this distance upon finding that such reduction of the distance is not detrimental to the health, safety and welfare of the citizens of the area. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: ADJOURNMENT:

There being no further business to come before the Knox County Board of Commissioners, Commissioner Hammond declared the meeting adjourned.

MIKE HAMMOND, CHAIRMAN