

***KNOX COUNTY BOARD OF COMMISSIONERS***

The Knox County Board of Commissioners met in Regular Session on Monday, January 23, 2012 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. Tim Burchett, Knox County Mayor, Mr. John Troyer, Senior Director for Knox County Finance, Mr. Ewing “Buz” Johnson, Deputy Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Hammond, Chairman, presided.

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

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***IN RE: CALL TO ORDER - (1:45 P.M.):***

Mrs. Sandra Sexton, Minutes Clerk Librarian to the Knox County Clerk, called the roll.

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***IN RE: PUBLIC FORUM:***

1. Mr. Matt Morelock, concerned citizen, was present and spoke concerning Hotel/Motel Tax.

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***IN RE: ROLL CALL – (2:00 P.M.):***

Mrs. Sandra Sexton, Minutes Clerk Librarian to the Knox County Clerk, called the roll.

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***IN RE: DEVOTIONAL:***

Commissioner Wright gave the devotional.

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***IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:***

Commissioner Smith led the Pledge of Allegiance to the Flag.

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***IN RE: AMENDMENTS TO THE AGENDA:***

1. Without objection, Commissioner Hammond amended the agenda to swear in newly appointed Judicial Magistrate Christopher Rowe at this time.

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***IN RE: SWEARING IN OF NEWLY APPOINTED JUDICIAL MAGISTRATE CHRISTOPHER ROWE:***

Swearing in of newly appointed Judicial Magistrate Christopher Rowe was before the Board of Commissioners.

Judicial Magistrate Christopher Rowe was sworn in by General Sessions Judge Tony Stansberry.

Judicial Magistrate Rowe's parents, Dr. Buford and Mrs. Pamela Rowe, were present for the swearing in ceremony.

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

Consideration of approval of minutes from the previous meeting held on December 19, 2011 (Regular Session) was before the Board of Commissioners.

Commissioner Anders moved to approve the minutes from the previous meeting held on December 19, 2011 (Regular Session). 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: AMENDMENTS TO THE AGENDA – (CONTINUED):**

2. Commissioner Hammond amended the agenda to add the following items: Discussion regarding the Knoxville Tourism and Sports Corporation; and Discussion regarding the Knox County Commission.

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3. At this time, there was discussion regarding deferral of the following item: Ordinance O-12-1-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 2 and Article 3 of the Knox County Zoning Ordinance regarding the regulation of signs, billboards, electronic message centers and other advertising structures in Knox County (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended.)

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

No action was taken.

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4. At this time, Mr. Joe Jarret, Knox County Law Director, made a disclosure statement regarding Resolution R-12-1-501 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement with the Young Women's Christian Association (YWCA) Knoxville to provide \$96,000.00 in Community Development Block Grant (CDBG) program funds for the replacement of the YWCA Transitional Housing Facility roof.

Mr. Jarret disclosed that Ms. Mary Gail Mullen, Director for the YWCA, is married to Mr. Thomas Mullen, Knox County Deputy Law Director for the Knox County Law Director's Office.

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5. Commissioner Hammond amended the agenda to remove the following item from the Education Consent Calendar: Resolution R-12-1-201 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$15,511,500.00 with Rouse Construction for the construction of the new Southwest Sector Elementary School.

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6. Commissioner Brown moved to amend the agenda to add the following items: Resolution R-12-1-302 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Flav-O-Rich Dairies, LLC for milk for Knox County Government; and Resolution R-12-1-802 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$124,500.15 with Sandy Stipes for property located at 7601 Water Tower Road (next to South-Doyle High School). Commissioner Wright 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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7. Commissioner Brown moved to amend the agenda to defer the following items to the February 2012 Board of Commissioners meeting: Resolution R-12-1-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property located at 700 Womens Basketball Hall of Fame Drive to be through a competitive request for proposals (RFP) process; and Resolution R-12-1-902 - Consideration of a resolution of the Commission of Knox County, Tennessee, creating the Knox County Citizens' Academy. Commissioner Wright 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 request 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 all request for Line Item Transfers. 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: NOTARY PUBLIC APPLICATIONS:**

171 Notary Public Applications received.

Commissioner Anders moved to approve the 171 Notary Public Applications. 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: AMENDMENTS TO THE AGENDA – (CONTINUED):**

8. Commissioner Hammond amended the agenda to hear the following item at this time: Resolution R-12-1-201 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$15,511,500.00 with Rouse Construction for the construction of the new Southwest Sector Elementary School.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$15,511,500.00 WITH ROUSE CONSTRUCTION FOR THE CONSTRUCTION OF THE NEW SOUTHWEST SECTOR ELEMENTARY SCHOOL – R-12-1-201:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$15,511,500.00 with Rouse Construction for the construction of the new Southwest Sector Elementary School was before the Board of Commissioners.

Dr. Jim McIntyre, Superintendent for Knox County Schools, Mr. Doug Dillingham, Supervisor of Facilities and Construction for Knox County Schools, and Mr. Joe Jarret, Knox County Law Director, were present and spoke on the matter.

Commissioner Ownby moved to approve Resolution R-12-1-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$15,511,500.00 with Rouse Construction for the construction of the new Southwest Sector Elementary School. 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: CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE 2012 APPALACHIA**

**HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) OVERTIME REIMBURSEMENT AGREEMENT – R-12-1-301:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2012 Appalachia High Intensity Drug Trafficking Area (HIDTA) Overtime Reimbursement Agreement was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-301 - Resolution of the Commission of Knox County, Tennessee, approving the 2012 Appalachia High Intensity Drug Trafficking Area (HIDTA) Overtime Reimbursement Agreement. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH FLAV-O-RICH DAIRIES, LLC FOR MILK FOR KNOX COUNTY GOVERNMENT – R-12-1-302:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Flav-O-Rich Dairies, LLC for milk for Knox County Government was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-302 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Flav-O-Rich Dairies, LLC for milk for Knox County Government. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CONTRACTS WITH SHELTON GENERAL CONTRACTORS AND SOUTHERN CONSTRUCTORS, INC. FOR CONCRETE WORK RELATED TO ROAD AND BRIDGE MAINTENANCE – R-12-1-401:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving contracts with Shelton General Contractors and Southern Constructors, Inc. for concrete work related to road and bridge maintenance was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-401 - Resolution of the Commission of Knox County, Tennessee, approving contracts with Shelton General Contractors and Southern Constructors, Inc. for concrete

work related to road and bridge maintenance. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING BUDGET SUPPLEMENT AGREEMENT NUMBER 1 IN THE AMOUNT OF \$13,268.38 WITH CANNON AND CANNON, INC. FOR PROFESSIONAL SURVEY AND ENGINEERING DESIGN SERVICES RELATED TO INTERSECTION IMPROVEMENTS AT BOB GRAY ROAD AND BOB KIRBY ROAD – R-12-1-402:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Budget Supplement Agreement Number 1 in the amount of \$13,268.38 with Cannon and Cannon, Inc. for Professional Survey and Engineering Design Services related to intersection improvements at Bob Gray Road and Bob Kirby Road was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-402 - Resolution of the Commission of Knox County, Tennessee, approving Budget Supplement Agreement Number 1 in the amount of \$13,268.38 with Cannon and Cannon, Inc. for Professional Survey and Engineering Design Services related to intersection improvements at Bob Gray Road and Bob Kirby Road. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING BUDGET SUPPLEMENT AGREEMENT NUMBER 1 IN THE AMOUNT OF \$13,883.83 WITH CANNON AND CANNON, INC. FOR PROFESSIONAL SURVEY AND ENGINEERING DESIGN SERVICES RELATED TO INTERSECTION IMPROVEMENTS AT BOB GRAY ROAD AND MABRY HOOD ROAD – R-12-1-403:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Budget Supplement Agreement Number 1 in the amount of \$13,883.83 with Cannon and Cannon, Inc. for Professional Survey and Engineering Design Services related to intersection improvements at Bob Gray Road and Mabry Hood Road was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-403 - Resolution of the Commission of Knox County, Tennessee, approving Budget

Supplement Agreement Number 1 in the amount of \$13,883.83 with Cannon and Cannon, Inc. for Professional Survey and Engineering Design Services related to intersection improvements at Bob Gray Road and Mabry Hood Road.

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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION (YWCA) KNOXVILLE TO PROVIDE \$96,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS FOR THE REPLACEMENT OF THE YWCA TRANSITIONAL HOUSING FACILITY ROOF – R-12-1-501:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement with the Young Women's Christian Association (YWCA) Knoxville to provide \$96,000.00 in Community Development Block Grant (CDBG) program funds for the replacement of the YWCA Transitional Housing Facility roof was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-501 - Resolution of the Commission of Knox County, Tennessee, approving an agreement with the Young Women's Christian Association (YWCA) Knoxville to provide \$96,000.00 in Community Development Block Grant (CDBG) program funds for the replacement of the YWCA Transitional Housing Facility roof. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A TENNESSEE AGRICULTURAL ENHANCEMENT PROGRAM GRANT IN THE AMOUNT OF \$1,000.00 (NO LOCAL MATCH REQUIRED) TO PROMOTE THE FARMERS MARKET AT NEW HARVEST PARK – R-12-1-701:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Tennessee Agricultural Enhancement Program Grant in the amount of \$1,000.00 (no local match required) to promote the Farmers Market at New Harvest Park was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-701 - Resolution of the Commission of Knox County, Tennessee, approving a Tennessee Agricultural Enhancement Program Grant in the amount of \$1,000.00 (no local

match required) to promote the Farmers Market at New Harvest Park. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT FOR THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENTS ON PROPERTY KNOWN AS CONCORD PARK (CLT MAP 153, PARCEL 040) TO THE FIRST UTILITY DISTRICT (FUD) OF KNOX COUNTY, TENNESSEE – R-12-1-702:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement for the conveyance of a permanent utility easement and temporary construction easements on property known as Concord Park (CLT Map 153, parcel 040) to the First Utility District (FUD) of Knox County, Tennessee was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-702 - Resolution of the Commission of Knox County, Tennessee, approving an agreement for the conveyance of a permanent utility easement and temporary construction easements on property known as Concord Park (CLT Map 153, parcel 040) to the First Utility District (FUD) of Knox County, Tennessee. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT OF SALE IN THE AMOUNT OF \$124,500.15 WITH SANDY STIPES FOR PROPERTY LOCATED AT 7601 WATER TOWER ROAD (NEXT TO SOUTH-DOYLE HIGH SCHOOL) – R-12-1-802:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$124,500.15 with Sandy Stipes for property located at 7601 Water Tower Road (next to South-Doyle High School) was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-802 - Resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$124,500.15 with Sandy Stipes for property located at 7601 Water Tower Road (next to South-Doyle High School). 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE KNOX COUNTY COMMISSION'S 2012 MEETING SCHEDULE, AS AMENDED – R-12-1-901:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Knox County Commission's 2012 meeting schedule, as amended was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-1-901 - Resolution of the Commission of Knox County, Tennessee, approving the Knox County Commission's 2012 meeting schedule, as amended. 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: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING APPOINTMENTS TO THE KNOX COUNTY CHARTER REVIEW COMMITTEE – R-12-1-110:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving appointments to the Knox County Charter Review Committee was before the Board of Commissioners.

Mr. Joe Jarret, Knox County Law Director, and Mr. Tim Burchett, Knox County Mayor, were present and spoke on the matter.

Each nomination/appointment was voted on individually as follows:

Commissioner McKenzie nominated Mr. Keith Lindsey for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 1.

Commissioner McKenzie moved that Mr. Keith Lindsey be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 1. 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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Commissioner Broyles nominated Ms. Renee Hoyos for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 2.

Commissioner Broyles moved that Ms. Renee Hoyos be appointed to the Knox County Charter Review Committee as the citizen member appointment

from the Knox County Commission for Commission District 2. 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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Commissioner Norman nominated Ms. Connie Hughes for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 3.

Commissioner Norman moved that Ms. Connie Hughes be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 3. 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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Commissioner Ownby nominated Ms. Elaine Davis for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 4.

This nomination was deferred to later at the day's meeting. (See Page \_\_\_\_\_)

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Commissioner Briggs nominated Mr. Craig Leuthold for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 5.

Commissioner Briggs moved that Mr. Craig Leuthold be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 5. 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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Commissioner Anders nominated Dr. David Page for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 6.

Commissioner Anders moved that Dr. David Page be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 6. 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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Commissioner Smith nominated Mr. Bob Rountree for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 7.

Commissioner Smith moved that Mr. Rountree be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 7. 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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Commissioner Wright nominated Ms. Ann Acuff for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 8.

Commissioner Wright moved that Ms. Ann Acuff be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 8. 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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Commissioner Brown nominated Mr. Ed Frahme for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 9.

Commissioner Brown moved that Mr. Ed Frahme be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 9. 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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Commissioner Ownby withdrew the nomination of Ms. Elaine Davis and nominated Ms. Barbara Pelot for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Commission for Commission District 4.

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

Commissioner Ownby moved that Ms. Barbara Pelot be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Commission for Commission District 4. 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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Mr. Tim Burchett, Knox County Mayor, nominated Mr. Ian Hennessey for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 1.

This nomination was deferred to later at the day's meeting. (See Page \_\_\_\_\_)

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Mr. Tim Burchett, Knox County Mayor, nominated Mr. John Schmid for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 2.

Commissioner Anders moved that Mr. John Schmid be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 2. 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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Mr. Tim Burchett, Knox County Mayor, nominated Ms. Margot Kline for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 3.

Commissioner Norman moved that Ms. Margot Kline be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 3. 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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Mr. Tim Burchett, Knox County Mayor, nominated Mr. Billy Stokes for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 4.

Commissioner Anders moved that Mr. Billy Stokes be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 4. Commissioner Norman 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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Mr. Tim Burchett, Knox County Mayor, nominated Ms. Diane Jablonski for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 5.

Commissioner Anders moved that Ms. Diane Jablonski be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 5. 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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Mr. Tim Burchett, Knox County Mayor, nominated Mr. Tony Parker for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 6.

Commissioner Anders moved that Mr. Tony Parker be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 6. Commissioner Norman 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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Mr. Tim Burchett, Knox County Mayor, nominated Ms. Beth Wade for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 7.

Commissioner Smith moved that Ms. Beth Wade be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 7. 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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Mr. Tim Burchett, Knox County Mayor, nominated Ms. Lisa Starbuck for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 8.

Commissioner Wright moved that Ms. Lisa Starbuck be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 8. 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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Mr. Tim Burchett, Knox County Mayor, nominated Mr. Brad Suneson for the citizen member appointment to the Knox County Charter Review Committee from the Knox County Mayor for Commission District 9.

Commissioner Ownby moved that Mr. Brad Suneson be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 9. 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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At this time, Commissioner Anders moved that the following Knox County Commissioners from the following Commission Districts be appointed to the Knox County Charter Review Committee: Commissioner Sam McKenzie – District 1; Commissioner Amy Broyles – District 2; Commissioner Tony Norman – District 3; Commissioner Ed Shouse – District 4; Commissioner Richard Briggs – District 5; Commissioner Brad Anders – District 6; Commissioner R. Larry Smith – District 7; Commissioner Dave Wright – District 8; and Commissioner Mike Brown – District 9. Commissioner Wright 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.

Note: Commissioners Ownby and Hammond declined to serve on the Knox County Charter Review Committee.

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Commissioner Ownby moved that Mr. Ian Hennessey be appointed to the Knox County Charter Review Committee as the citizen member appointment from the Knox County Mayor for Commission District 1. Commissioner Anders seconded the motion and upon roll call vote Commissioners Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners McKenzie and Broyles voted no. The motion carried 9-2-0-0.

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Commissioner Wright moved to approve Resolution R-12-1-110 - Resolution of the Commission of Knox County, Tennessee, approving appointments to the Knox County Charter Review Committee and that the following twenty-seven (27) individuals be appointed: Knox County Commissioners - Commissioner Sam McKenzie – District 1; Commissioner Amy Broyles – District 2; Commissioner Tony Norman – District 3; Commissioner Ed Shouse – District 4; Commissioner Richard Briggs – District 5; Commissioner Brad Anders – District 6; Commissioner R. Larry Smith – District 7; Commissioner Dave Wright – District 8; Commissioner Mike Brown – District 9;

Citizen members nominated by the Knox County Commission – Mr. Keith Lindsey District 1, Ms. Renee Hoyos – District 2; Ms. Connie Hughes – District 3; Ms. Barbara Pelot – District 4; Mr. Craig Leuthold – District 5; Dr. David Page – District 6; Mr. Bob Rountree – District 7; Ms. Ann Acuff – District 8; Mr. Ed Frahme – District 9; Citizen members nominated by the Knox County Mayor – Mr. Ian Hennessey – District 1; Mr. John Schmid – District 2; Ms. Margot Kline – District 3; Mr. Billy Stokes – District 4; Ms. Diane Jablonski – District 5; Mr. Tony Parker – District 6; Ms. Beth Wade – District 7; Ms. Lisa Starbuck – District 8; and Mr. Brad Suneson – District 9. 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, DETERMINING THE METHOD OF DISPOSAL OF PROPERTY LOCATED AT 700 WOMENS BASKETBALL HALL OF FAME DRIVE TO BE THROUGH A COMPETITIVE REQUEST FOR PROPOSALS (RFP) PROCESS – R-12-1-801:**

This item was deferred to the February 2012 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CREATING THE KNOX COUNTY CITIZENS' ACADEMY – R-12-1-902:**

This item was deferred to the February 2012 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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**IN RE: OTHER BUSINESS**

**IN RE: PRESENTATION BY THE FOOD POLICY COUNCIL:**

Presentation by the Food Policy Council was before the Board of Commissioners.

Ms. Stephanie Welch, Knox County Health Department, and Mr. John Dickl, Executive Director of Food and Nutrition for Knox County Schools, were present and gave the presentation.

No action was taken.

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**IN RE: DISCUSSION REGARDING KNOX COUNTY CERTIFICATION PROCESSES AND BONUS POLICIES:**

Discussion regarding Knox County certification processes and bonus policies was before the Board of Commissioners.

The following individuals were present and spoke on the matter: Mr. Mike Garland, CTAS Executive Director, Mr. Bob Schettler, CTAS Manager of Training Services, Mr. Gary Hayes, CTAS County Government Consultant, Mr. Joe Jarret, Knox County Law Director, Mr. Tim Burchett, Knox County Mayor, Mr. John Troyer, Senior Director for Knox County Finance, and Mr. Sherry Witt, Knox County Register of Deeds.

No action was taken.

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**IN RE: SWEARING IN OF NEWLY APPOINTED JUDICIAL MAGISTRATE CHRISTOPHER ROWE:**

This item was heard earlier at the day’s meeting. (See Page \_\_\_\_\_)

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**IN RE: DISCUSSION REGARDING THE KNOXVILLE TOURISM AND SPORTS CORPORATION:**

Discussion regarding the Knoxville Tourism and Sports Corporation was before the Board of Commissioners.

Ms. Gloria Ray, CEO for the Knoxville Tourism and Sports Corporation, and Mr. David Duncan, Chairman of the Board of the Knoxville Tourism and Sports Corporation, were present and spoke on the matter.

No action was taken.

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**IN RE: DISCUSSION REGARDING THE KNOX COUNTY COMMISSION:**

Discussion regarding the Knox County Commission was before the Board of Commissioners.

Commissioner Hammond gave updates regarding the following items: (1) The Board of Education and County Commissioners’ Retreat; (2) Suggestions for the Commission Budget; and (3) Evaluations for the Commission Staff.

No action was taken.

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**IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):**

9. At this time, there was additional discussion regarding Knox County certification processes and bonus policies.

No action was taken.

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**IN RE: ROLL CALL – (6:00 P.M.):**

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

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**IN RE: AMENDMENTS TO THE AGENDA – (CONTINUED):**

10. At this time, Commissioner Briggs moved to defer the following item to the March 2012 Board of Commissioners meeting: Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 2 and Article 3 of the Knox County Zoning Ordinance regarding the regulation of signs, billboards, electronic message centers and other advertising structures in Knox County (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended). Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Briggs, Anders, Wright, Brown, Hammond and Shouse. Commissioners Ownby and Smith voted no. The motion carried 9-2-0-0.

Mr. Ewing “Buz” Johnson, Deputy Director for Metropolitan Planning Commission, and Mr. Joe Jarret, Knox County Law Director, were present and spoke on the matter.

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11. Commissioner Hammond amended the agenda to hear the following item at this time: Consideration of the request of Scott Williams for rezoning from PR Planned Residential and RB General Residential Zone to A Agricultural Zone. Property located south side of Old Clinton Pike, northeast side of Meredith Road. (6<sup>th</sup> Commission District)

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**IN RE: ZONING REQUESTS:**

1. Consideration of the request of Scott Williams for rezoning from PR Planned Residential and RB General Residential Zone to A Agricultural Zone was before the Board of Commissioners. Property located south side of Old Clinton Pike, northeast side of Meredith Road. (6<sup>th</sup> Commission District)

Commissioner Hammond asked if there was any opposition to the request. There was no response.

Commissioner Anders moved to approve zoning request RZ-12-1-102 Request of Scott Williams for rezoning from PR Planned Residential and RB General Residential Zone to A Agricultural Zone as per MPC’s recommendation. 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. Property located south side of Old Clinton Pike, northeast side of Meredith Road. (6<sup>th</sup> Commission District) MCP's file number: 12-C-11-RZ.

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2. Consideration of the request of the Knox County Commission and Knoxville City Council to review the Hillside and Ridgetop Protection Plan dated November 2011 was before the Board of Commissioners.

Mr. Joe Jarret, Knox County Law Director, Mr. Robert Hill, concerned citizen and representative for the Sierra Club, Mr. Ewing "Buz" Johnson, Deputy Director for Metropolitan Planning Commission, and Mr. Mike Carberry, Comprehensive Planning Manager for Metropolitan Planning Commission, were present and spoke on the matter.

Commissioner Briggs moved to approve zoning request RZ-12-1-101 Request of the Knox County Commission and Knoxville City Council to review the Hillside and Ridgetop Protection Plan dated November 2011 with the following amendment: amend the section entitled Nature of Plan and Legal Effect to read as follows: "This plan and the principles, objectives, policies and guidelines included herein are advisory in nature and constitute non-binding recommendations for consideration in connection with development of steeply sloped areas. While this plan is being adopted as an amendment to the Knox County General Plan 2033, it is intended to provide background and supplemental information of an advisory nature and to serve as a guide to future MPC staff recommendations, but it is not intended to form an official part of the General Plan which would be binding on future land use decisions by County Commission, MPC, the County Board of Zoning Appeals pursuant to T.C.A § 13-3-304. Any comparable provisions of the Knox County General Plan 2033 or any Sector Plan which relate to hillside and ridgetop protection shall also be considered advisory consistent with this plan." Commissioner Ownby seconded the motion.

Commissioner Norman moved as a substitute motion to approve the request of the Knox County Commission and Knoxville City Council to review the Hillside and Ridgetop Protection Plan dated November 2011 without amendments. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles and Norman. Commissioners Ownby, Briggs, Anders, Smith, Brown, Hammond and Shouse voted no. Commissioner Wright abstained from voting. The substitute motion failed 3-7-1-0.

Commissioner Brown moved as a substitute motion to approve the request of the Knox County Commission and Knoxville City Council to review the Hillside and Ridgetop Protection Plan dated November 2011 as approved with the following amendment: Add the following alternative statement provided by MPC staff: "Land use plans are intended to provide a general guide for land use

activities over an extended period of time. This Plan is advisory in nature. Its principles, objectives, policies and guidelines provide a basis for the consideration of local government staff and the Metropolitan Planning Commission in making land use and zoning recommendations and, in turn, for the use of the legislative bodies in making decisions on those same cases. It is recognized that this plan is a guide for decision-making and is not regulatory. All appeal processes regarding zoning, use-on-review, and subdivision cases remain unchanged. As is the practice with the adoption of all county-wide plans, the provisions of this plan supersede relevant policies of the General Plan and sector plans.” Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman and Brown voted aye. Commissioners Ownby, Briggs, Anders, Smith, Hammond and Shouse voted no. Commissioner Wright abstained from voting. The substitute motion failed 4-6-1-0.

Upon roll call vote of the original motion to approve zoning request RZ-12-1-101 - Request of the Knox County Commission and Knoxville City Council to review the Hillside and Ridgetop Protection Plan dated November 2011 with the following amendment: amend the section of the resolution entitled Nature of Plan and Legal Effect to read as follows: “This plan and the principles, objectives, policies and guidelines included herein are advisory in nature and constitute non-binding recommendations for consideration in connection with development of steeply sloped areas. While this plan is being adopted as an amendment to the Knox County General Plan 2033, it is intended to provide background and supplemental information of an advisory nature and to serve as a guide to future MPC staff recommendations, but it is not intended to form an official part of the General Plan which would be binding on future land use decisions by County Commission, MPC, the County Board of Zoning Appeals pursuant to T.C.A § 13-3-304. Any comparable provisions of the Knox County General Plan 2033 or any Sector Plan which relate to hillside and ridgetop protection shall also be considered advisory consistent with this plan.”, Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioners Broyles and Norman voted no. Commissioner Brown abstained from voting. The motion carried 8-2-1-0. MPC’s file number: 12-A-11-SAP.

The caption was revised to read as follows: A resolution of the Commission of Knox County, Tennessee, approving the Hillside and Ridgetop Protection Plan dated November 2011 as an amendment to the Knoxville-Knox County General Plan 2033.

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3. Consideration of the request of Scott Williams for rezoning from PR Planned Residential and RB General Residential Zone to A Agricultural Zone.

Property located south side of Old Clinton Pike, northeast side of Meredith Road.  
(6<sup>th</sup> Commission District)

This item was heard earlier at the day's meeting. (See Page \_\_\_\_\_)

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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  
AND ARTICLE 3 OF THE KNOX COUNTY ZONING ORDINANCE  
REGARDING THE REGULATION OF SIGNS, BILLBOARDS,  
ELECTRONIC MESSAGE CENTERS AND OTHER ADVERTISING  
STRUCTURES IN KNOX COUNTY (AMENDING ORDINANCE O-90-9-130,  
ADOPTED SEPTEMBER 10, 1990, AS AMENDED) – O-12-1-101 – (FIRST  
READING):**

This item was deferred to the March 2012 Board of Commissioners  
meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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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.

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***KNOX COUNTY BOARD OF COMMISSIONERS***

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***MIKE HAMMOND, CHAIRMAN***