

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, November 19, 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, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Commissioner Norman was absent from the meeting. Also present were Mr. Richard Armstrong, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. David Buuck, Knox County Chief Deputy Law Director, Mr. Chris Caldwell, Knox County Finance Director, Mr. Michael Grider, Communications Manager for the Knox County Mayor, Mr. Dean Rice, Chief of Staff for the Knox County Mayor, Mr. Tim Burchett, Knox County Mayor, Mr. Ewing "Buz" Johnson, Deputy Director for Metropolitan Planning Commission, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Daniel Sanders, Knox County Deputy Law Director, and members of the news media.

Commissioner Smith, Vice-Chairman, presided.

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

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IN RE: ROLL CALL – (1: 45 P.M.):

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll.

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IN RE: PUBLIC FORUM:

1. Mr. Danny Amanns was not present to speak.

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2. Mr. Russell Amanns was not present to speak.

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3. Ms. Gail Wood did not speak at this time. Commissioner Smith indicated Ms. Wood would speak at the 5:00 p.m. zoning session meeting.

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4. Mr. George Hamilton was not present to speak.

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IN RE: HONORARY RESOLUTIONS:

No Honorary Resolutions received.

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IN RE: ROLL CALL:

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll.

Commissioner Smith expressed condolences from the Commission to Commissioner Norman for the passing of his mother-in-law.

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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 Hammond led the Pledge of Allegiance to the Flag.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes from the previous meeting held on October 22, 2012 (Regular Session) was before the Board of Commissioners.

Commissioner McKenzie moved to approve the minutes from the previous meeting held on October 22, 2012 (Regular Session). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: AMENDMENTS TO THE AGENDA:

1. At this time, there was discussion regarding overcrowding in Knox County jails, which was heard earlier at the Chairman's luncheon.

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2. Commissioner Smith amended the agenda to remove the following item from the Consent Calendar: Resolution R-12-11-903 - Consideration of a resolution of the Commission of Knox County, Tennessee, 1) directing the Knox County Finance Director to, subject to Knoxville City Council's action of same, put a hold on implementing the City-County Building Garage monthly parking rate increase effective January 1, 2013 to \$60.00 for Knox County employees paying the full rate and \$30.00 for those employees paying the 50% rate; and 2) requesting the City-County PBA Parking Committee to reconvene, subject to Knoxville City Council's action of same, as recommended in the City-County PBA Parking Committee Report dated May 18, 2010, to review the parking rate and structure and other matters affecting parking policies and submit its findings and recommendations to the County Commission, City Council, Board of Education and PBA Board of Directors for their consideration and approval.

Mr. Richard Armstrong, Knox County Law Director, was present and spoke on the matter.

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3. Commissioner Smith amended the agenda to remove the following item from the Consent Calendar: Resolution R-12-11-802 - Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property located at 7215 Middlebrook Pike to be by public auction and providing for said property to be subdivided and rezoned according to its highest and best use prior to its sale by public auction.

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4. Commissioner Anders moved to amend the agenda to add the following items: Resolution R-12-11-602 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$20,000.00 (requires a local match of \$4,861.00) with the Tennessee Department of Health for “Eat Well, Play More, Tennessee” State Plan Implementation Services; Resolution R-12-11-904 - Consideration of a resolution of the Commission of Knox County, Tennessee, extending the billboard moratorium for an additional thirty (30) days expiring December 29, 2012; and Spread of Record of the Knox County’s Mayor Order appointing Todd Cook to the Hallsdale-Powell Utility District Board of Commissioners. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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5. At this time, Commissioner Smith acknowledged the presence of the following students from Lincoln Memorial University, Harrogate, Tennessee, who were present to observe the meeting: Ms. Jessica Watson, Ms. Christie Goode and Ms. Chelsey Rivers, along with Dr. Martin Sellers, Dean of Arts and Humanities.

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IN RE: DRIVES AND ROADS – (TO BE CLOSED):

IN RE: CONSIDERATION OF THE CLOSURE OF A PORTION OF WOODS CREEK ROAD. CLOSURE IS APPROXIMATELY 420 FEET IN LENGTH, BEGINNING AT THE INTERSECTION OF DARBY ROAD AND TERMINATING AT THE DEAD END. TODD CLAIBORNE, PROPERTY OWNER – (FIRST READING):

Consideration of the closure of a portion of Woods Creek Road was before the Board of Commissioners on first reading. Closure is approximately 420 feet in length, beginning at the intersection of Darby Road and terminating at the dead end. Todd Claiborne, property owner.

Mr. Jim Snowden, Knox County Engineering and Public Works, was present and spoke on the matter.

Commissioner Wright moved to approve the closure of a portion of Woods Creek Road on first reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Anders abstained from voting. Commissioner Norman was absent from the meeting. The motion carried 9-0-1-1. Closure is approximately 420 feet in length, beginning at the intersection of Darby Road and terminating at the dead end. Todd Claiborne, property owner.

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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, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: NOTARY PUBLIC APPLICATIONS:

128 Notary Public Applications received.

Commissioner Anders moved to approve the 128 Notary Public Applications. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, 1) CREATING AN AD HOC COMMITTEE CONSISTING OF COMMISSIONER RICHARD BRIGGS, COMMISSIONER AMY BROYLES, ROBERT THOMPSON AND KEN GROSS TO STUDY AND EVALUATE THE COMPOSITION, STRUCTURE AND TERMS OF MEMBERS OF THE KNOX COUNTY ETHICS COMMITTEE AND REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE KNOX COUNTY COMMISSION AT A FUTURE COMMISSION

MEETING; AND 2) PROVIDING FOR THE KNOX COUNTY INTERNAL AUDITOR'S EVALUATION OF KNOX COUNTY'S ETHICS POLICY – R-12-11-110:

Consideration of a resolution of the Commission of Knox County, Tennessee, 1) creating an ad hoc committee consisting of Commissioner Richard Briggs, Commissioner Amy Broyles, Robert Thompson and Ken Gross to study and evaluate the composition, structure and terms of members of the Knox County Ethics Committee and report its findings and recommendations to the Knox County Commission at a future Commission meeting; and 2) providing for the Knox County Internal Auditor's Evaluation of Knox County's Ethics Policy was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-110 - Resolution of the Commission of Knox County, Tennessee, 1) creating an ad hoc committee consisting of Commissioner Richard Briggs, Commissioner Amy Broyles, Robert Thompson and Ken Gross to study and evaluate the composition, structure and terms of members of the Knox County Ethics Committee and report its findings and recommendations to the Knox County Commission at a future Commission meeting; and 2) providing for the Knox County Internal Auditor's Evaluation of Knox County's Ethics Policy. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING COMMISSIONER AMY BROYLES TO THE KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE (CAC) BOARD – R-12-11-111:

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Commissioner Amy Broyles to the Knoxville-Knox County Community Action Committee (CAC) Board was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-111 - Resolution of the Commission of Knox County, Tennessee, appointing Commissioner Amy Broyles to the Knoxville-Knox County Community Action Committee (CAC) Board. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONFIRMING THE KNOX COUNTY MAYOR'S APPOINTMENTS OF DAVID BUTLER AND BART CAREY, A MEMBER OF THE METROPOLITAN PLANNING COMMISSION, TO THE KNOX COUNTY HISTORIC ZONING COMMISSION – R-12-11-112:

Consideration of a resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointments of David Butler and Bart Carey, a member of the Metropolitan Planning Commission, to the Knox County Historic Zoning Commission was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-112 - Resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointments of David Butler and Bart Carey, a member of the Metropolitan Planning Commission, to the Knox County Historic Zoning Commission. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE PACT AGREEMENT WITH TRANE U.S. INC. FOR PHASE III-B OF THE ENERGY CONSERVATION AND INFRASTRUCTURE IMPROVEMENT PROGRAM FOR KNOX COUNTY SCHOOLS – R-12-11-201:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the PACT Agreement with Trane U.S. Inc. for Phase III-B of the Energy Conservation and Infrastructure Improvement Program for Knox County Schools was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-201 - Resolution of the Commission of Knox County, Tennessee, approving the PACT Agreement with Trane U.S. Inc. for Phase III-B of the Energy Conservation and Infrastructure Improvement Program for Knox County Schools. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE PURCHASE OF 285 TASERS FROM TASER INTERNATIONAL, INC. IN THE AMOUNT OF \$298,907.00 – R-12-11-301:

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the purchase of 285 tasers from Taser International, Inc. in the amount of \$298,907.00 was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-301 - Resolution of the Commission of Knox County, Tennessee, authorizing the purchase of 285 tasers from Taser International, Inc. in the amount of \$298,907.00. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT FOUR TO A THREE-YEAR GRANT AGREEMENT WITH THE STATE OF TENNESSEE FOR THE KNOX COUNTY SHERIFF'S OFFICE COMMUNITY ALTERNATIVES TO PRISON PROGRAM (CAPP), WHICH AMENDMENT INCREASES THE MAXIMUM LIABILITY OF THE STATE UNDER THE GRANT BY \$11,695.02 FOR THE THIRD YEAR OF THE GRANT FOR THE PURPOSE OF PROVIDING A 2.5% SALARY INCREASE FOR CAPP EMPLOYEES – R-12-11-302:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment Four to a three-year grant agreement with the State of Tennessee for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP), which amendment increases the maximum liability of the state under the grant by \$11,695.02 for the third year of the grant for the purpose of providing a 2.5% salary increase for CAPP employees was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-302 - Resolution of the Commission of Knox County, Tennessee, approving Amendment Four to a three-year grant agreement with the State of Tennessee for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP), which amendment increases the maximum liability of the state under the grant by \$11,695.02 for the third year of the grant for the purpose of providing a 2.5% salary increase for CAPP employees. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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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 FLAGSHIP KNOXVILLE ASSOCIATES, LLC FOR PROPERTY LOCATED AT 1001 CORRIDOR PARK BOULEVARD – R-12-11-401:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Flagship Knoxville Associates, LLC for property located at 1001 Corridor Park Boulevard was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-401 - Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Flagship Knoxville Associates, LLC for property located at 1001 Corridor Park Boulevard. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH VOLUNTEER EROSION CONTROL, LLC FOR LANDSCAPING SERVICES R-12-11-402:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Volunteer Erosion Control, LLC for landscaping services was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-402 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Volunteer Erosion Control, LLC for landscaping services. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE NECESSARY RIGHT-OF-WAY ACQUISITIONS (25 TRACTS) FOR THE PARKSIDE DRIVE IMPROVEMENT PROJECT – R-12-11-403:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the necessary right-of-way acquisitions (25 tracts) for the Parkside Drive Improvement Project was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-403 - Resolution of the Commission of Knox County, Tennessee, approving the necessary right-of-way acquisitions (25 tracts) for the Parkside Drive Improvement Project. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A BUDGET SUPPLEMENT AGREEMENT NUMBER 2 IN THE AMOUNT OF \$18,873.03 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-12-11-404:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Budget Supplement Agreement Number 2 in the amount of \$18,873.03 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 Wright moved to approve Resolution R-12-11-404 - Resolution of the Commission of Knox County, Tennessee, approving a Budget Supplement Agreement Number 2 in the amount of \$18,873.03 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 Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING BUDGET SUPPLEMENT AGREEMENT NUMBER 2 IN THE AMOUNT OF \$18,873.03 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-12-11-405:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Budget Supplement Agreement Number 2 in the amount of \$18,873.03 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 Wright moved to approve Resolution R-12-11-405 - Resolution of the Commission of Knox County, Tennessee, approving Budget Supplement Agreement Number 2 in the amount of \$18,873.03 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 Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AMENDMENT TO KNOX COUNTY CONTRACT NUMBER 12-029 WITH LASTING IMPRESSIONS LAWN CARE FOR MOWING AND LEAF REMOVAL SERVICES FOR SEVERAL KNOX COUNTY PROPERTIES, WHICH AMENDMENT PROVIDES FOR THE ADDITION OF SAID SERVICES AND LOT CLEANING AT KNOX COUNTY'S CONVENIENCE CENTERS – R-12-11-406:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an amendment to Knox County Contract Number 12-029 with Lasting Impressions Lawn Care for mowing and leaf removal services for several Knox County properties, which amendment provides for the addition of said services and lot cleaning at Knox County's Convenience Centers was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-406 - Resolution of the Commission of Knox County, Tennessee, approving an amendment to Knox County Contract Number 12-029 with Lasting Impressions Lawn Care for mowing and leaf removal services for several Knox County properties, which amendment provides for the addition of said services and lot cleaning at Knox County's Convenience Centers. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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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 \$18,645.00 FROM CLOSED PROJECTS AND UNPROGRAMMED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS FOR SECURITY ALARMS, CAMERAS AND LIGHTING FOR THE YWCA TRANSITIONAL HOUSING – R-12-11-501:

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 \$18,645.00 from closed projects and unprogrammed Community Development Block Grant (CDBG) Program funds for security alarms, cameras and lighting for the YWCA Transitional Housing was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-501 - Resolution of the Commission of Knox County, Tennessee, approving an agreement with the Young Women’s Christian Association (YWCA) Knoxville to provide \$18,645.00 from closed projects and unprogrammed Community Development Block Grant (CDBG) Program funds for security alarms, cameras and lighting for the YWCA Transitional Housing. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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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 \$30,000.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR RAPE PREVENTION EDUCATION SERVICES – R-12-11-601:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$30,000.00 (no local match required) with the Tennessee Department of Health for Rape Prevention Education Services was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-601 - Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$30,000.00 (no local match required) with the Tennessee Department of Health for Rape Prevention Education Services. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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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 \$20,000.00 (REQUIRES A LOCAL MATCH OF \$4,861.00) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR “EAT WELL, PLAY MORE, TENNESSEE” STATE PLAN IMPLEMENTATION SERVICES R-12-11-602:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$20,000.00 (requires a local match of \$4,861.00) with the Tennessee Department of Health for “Eat Well, Play More, Tennessee” State Plan Implementation Services was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-602 - Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$20,000.00 (requires a local match of \$4,861.00) with the Tennessee Department of Health for “Eat Well, Play More, Tennessee” State Plan Implementation Services. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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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 \$67,100.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR URINE-BASED SCREENING SERVICES FOR JUVENILES BOOKED AT THE RICHARD L. BEAN JUVENILE SERVICE CENTER – R-12-11-901:

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

Commissioner Wright moved to approve Resolution R-12-11-901 - Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$67,100.00 (no local match required) with the Tennessee Department of Health for urine-based screening services for juveniles booked at the Richard L. Bean Juvenile Service Center. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE 2012-2013 JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) IN THE AMOUNT OF \$31,486.00 (REQUIRES A LOCAL MATCH OF \$3,149.00) FROM THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH FOR THE CONTINUATION OF THE KNOX COUNTY JUVENILE COURT'S SUBSTANCE ABUSE PROGRAM – R-12-11-902:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2012-2013 Juvenile Accountability Block Grant (JABG) in the amount of \$31,486.00 (requires a local match of \$3,149.00) from the Tennessee Commission on Children and Youth for the continuation of the Knox County Juvenile Court's Substance Abuse Program was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-12-11-902 - Resolution of the Commission of Knox County, Tennessee, approving the 2012-2013 Juvenile Accountability Block Grant (JABG) in the amount of \$31,486.00 (requires a local match of \$3,149.00) from the Tennessee Commission on Children and Youth for the continuation of the Knox County Juvenile Court's Substance Abuse Program. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONFIRMING THE KNOX COUNTY MAYOR'S APPOINTMENTS OF HEMAL TAILOR, BO CONNOR, CARMEN TEGANO, ANITA LANE, BRAD ANDERS AND CORTNEY PIPER TO THE VISIT KNOXVILLE BOARD OF DIRECTORS – R-12-11-113:

Consideration of a resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointments of Hemal Tailor, Bo Connor, Carmen Tegano, Anita Lane, Brad Anders and Cortney Piper to the Visit Knoxville Board of Directors was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-12-11-113 Resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointments of Hemal Tailor, Bo Connor, Carmen Tegano, Anita Lane, Brad Anders and Cortney Piper to the Visit Knoxville Board of Directors. Commissioner Ownby seconded the motion and upon roll call vote

Commissioners McKenzie, Broyles, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Anders abstained from voting. Commissioner Norman was absent from the meeting. The motion carried 9-0-1-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A DEFINED SERVICES CONTRACT IN THE AMOUNT OF \$500,000.00 WITH THE KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE (CAC) FOR SENIOR TRANSPORTATION SERVICES – R-12-11-801:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a defined services contract in the amount of \$500,000.00 with the Knoxville-Knox County Community Action Committee (CAC) for Senior Transportation Services was before the Board of Commissioners.

Ms. Barbara Monte, Director for the Knoxville-Knox County Community Action Committee CAC Office on Aging and Transportation, was present and spoke on the matter.

Commissioner Broyles moved to approve Resolution R-12-11-801 - Resolution of the Commission of Knox County, Tennessee, approving a defined services contract in the amount of \$500,000.00 with the Knoxville-Knox County Community Action Committee (CAC) for Senior Transportation Services. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Brown, Hammond and Shouse voted aye. Commissioner Wright voted no. Commissioner Norman was absent from the meeting. The motion carried 9-1-0-1.

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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 7215 MIDDLEBROOK PIKE TO BE BY PUBLIC AUCTION AND PROVIDING FOR SAID PROPERTY TO BE SUBDIVIDED AND REZONED ACCORDING TO ITS HIGHEST AND BEST USE PRIOR TO ITS SALE BY PUBLIC AUCTION – R-12-11-802:

Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property located at 7215 Middlebrook Pike to be by public auction and providing for said property to be subdivided and rezoned according to its highest and best use prior to its sale by public auction was before the Board of Commissioners.

Mr. Jim McIntyre, Superintendent for Knox County Schools, Mr. Richard Armstrong, Knox County Law Director, Mr. Hugh Holt, Director for the Knox County Purchasing Department, and Mr. David Buuck, Knox County Chief Deputy Law Director, were present and spoke on the matter.

Commissioner Ownby moved to approve Resolution R-12-11-802 - Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property located at 7215 Middlebrook Pike to be by public auction and providing for said property to be subdivided and rezoned according to its highest and best use prior to its sale by public auction. Commissioner Wright seconded the motion.

Commissioner Shouse moved as a substitute motion to defer to the February 2013 Board of Commissioners meeting Resolution R-12-11-802 - Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property located at 7215 Middlebrook Pike to be by public auction and providing for said property to be subdivided and rezoned according to its highest and best use prior to its sale by public auction. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Briggs, Hammond and Shouse voted aye. Commissioners Ownby, Anders, Smith, Wright and Brown voted no. Commissioner Norman was absent from the meeting. The substitute motion failed 5-5-0-1.

Upon roll call vote of the original motion to approve Resolution R-12-11-802 - Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property located at 7215 Middlebrook Pike to be by public auction and providing for said property to be subdivided and rezoned according to its highest and best use prior to its sale by public auction, Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioners Broyles and Shouse voted no. Commissioner Norman was absent from the meeting. The motion carried 8-2-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, 1) DIRECTING THE KNOX COUNTY FINANCE DIRECTOR TO, SUBJECT TO KNOXVILLE CITY COUNCIL'S ACTION OF SAME, PUT A HOLD ON IMPLEMENTING THE CITY-COUNTY BUILDING GARAGE MONTHLY PARKING RATE INCREASE EFFECTIVE JANUARY 1, 2013 TO \$60.00 FOR KNOX COUNTY EMPLOYEES PAYING THE FULL RATE AND \$30.00 FOR THOSE EMPLOYEES PAYING THE 50% RATE; AND 2) REQUESTING THE CITY-COUNTY PBA PARKING COMMITTEE TO RECONVENE, SUBJECT TO KNOXVILLE CITY COUNCIL'S ACTION OF SAME, AS RECOMMENDED IN THE CITY-COUNTY PBA PARKING COMMITTEE REPORT DATED MAY 18, 2010, TO REVIEW THE PARKING RATE AND STRUCTURE AND OTHER MATTERS AFFECTING PARKING POLICIES AND SUBMIT ITS FINDINGS AND RECOMMENDATIONS TO THE COUNTY COMMISSION,

CITY COUNCIL, BOARD OF EDUCATION AND PBA BOARD OF DIRECTORS FOR THEIR CONSIDERATION AND APPROVAL – R-12-11-903:

Consideration of a resolution of the Commission of Knox County, Tennessee, 1) directing the Knox County Finance Director to, subject to Knoxville City Council's action of same, put a hold on implementing the City-County Building Garage monthly parking rate increase effective January 1, 2013 to \$60.00 for Knox County employees paying the full rate and \$30.00 for those employees paying the 50% rate; and 2) requesting the City-County PBA Parking Committee to reconvene, subject to Knoxville City Council's action of same, as recommended in the City-County PBA Parking Committee Report dated May 18, 2010, to review the parking rate and structure and other matters affecting parking policies and submit its findings and recommendations to the County Commission, City Council, Board of Education and PBA Board of Directors for their consideration and approval was before the Board of Commissioners.

Mr. Richard Armstrong, Knox County Law Director, was present and spoke on the matter.

Commissioner Anders moved to defer to the July 2013 Board of Commissioners meeting Resolution R-12-11-903 - resolution of the Commission of Knox County, Tennessee, 1) directing the Knox County Finance Director to, subject to Knoxville City Council's action of same, put a hold on implementing the City-County Building Garage monthly parking rate increase effective January 1, 2013 to \$60.00 for Knox County employees paying the full rate and \$30.00 for those employees paying the 50% rate; and 2) requesting the City-County PBA Parking Committee to reconvene, subject to Knoxville City Council's action of same, as recommended in the City-County PBA Parking Committee Report dated May 18, 2010, to review the parking rate and structure and other matters affecting parking policies and submit its findings and recommendations to the County Commission, City Council, Board of Education and PBA Board of Directors for their consideration and approval. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, EXTENDING THE BILLBOARD MORATORIUM FOR AN ADDITIONAL THIRTY (30) DAYS EXPIRING DECEMBER 29, 2012 – R-12-11-904:

Consideration of a resolution of the Commission of Knox County, Tennessee, extending the billboard moratorium for an additional thirty (30) days expiring December 29, 2012 was before the Board of Commissioners.

Commissioner Hammond moved to approve Resolution R-12-11-904 Resolution of the Commission of Knox County, Tennessee, extending the billboard moratorium for an additional thirty (30) days expiring December 29, 2012. Commissioner Broyles seconded the motion.

Commissioner Briggs moved as substitute motion to defer to the January 2013 Board of Commissioners meeting Resolution R-12-11-904 - Resolution of the Commission of Knox County, Tennessee, extending the billboard moratorium for an additional thirty (30) days expiring December 29, 2012. Commissioner Broyles seconded the motion and upon roll call vote Commissioners Shouse, Hammond, Brown, Anders, Briggs, Broyles and McKenzie voted aye. Commissioners Wright, Smith and Ownby voted no. Commissioner Norman was absent from the meeting. The substitute motion carried 7-3-0-1.

Mr. Richard Armstrong, Knox County Law Director, was present and spoke on the matter.

Commissioner McKenzie moved to extend the billboard moratorium until January 31, 2013. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Briggs, Anders, Brown, Hammond and Shouse voted aye. Commissioners Ownby, Smith and Wright voted no. Commissioner Norman was absent from the meeting. The substitute motion carried 7-3-0-1.

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IN RE: CONSIDERATION OF THE SPREAD OF RECORD THE KNOX COUNTY MAYOR'S ORDER APPOINTING TODD COOK TO THE HALLSDALE- POWELL UTILITY DISTRICT BOARD OF COMMISSIONERS:

Consideration of the Spread of Record the Knox County Mayor's order appointing Todd Cook to the Hallsdale-Powell Utility District Board of Commissioners was before the Board of Commissioners.

Commissioner Anders moved to approve the Spread of Record the Knox County Mayor's order appointing Todd Cook to the Hallsdale-Powell Utility District Board. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

ORDER OF THE KNOX COUNTY MAYOR
APPOINTING UTILITY DISTRICT COMMISSIONER

IN RE:)
)
COMMISSIONER APPOINTMENT)
FOR THE HALLSDALE-POWELL)
UTILITY DISTRICT OF KNOX)
COUNTY, TENNESSEE)

Upon certification by the Board of Commissioners of the Hallsdale-Powell Utility District of Knox County, Tennessee, certifying an upcoming vacancy on said Board of Commissioners by the expiration of the term of Commissioner Jim Hill, and certifying a list of three names nominated for appointment to fill such vacancy in accordance with T.C.A. § 7-82-307(a);

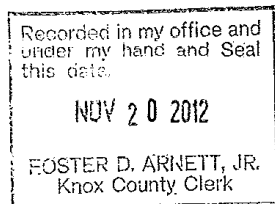
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, AS FOLLOWS:

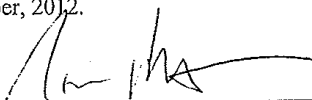
(a) That Todd Cook is hereby appointed to the Board of Commissioners of the Hallsdale-Powell Utility District of Knox County, Tennessee, to serve a four (4) year term commencing September 14, 2012. Todd Cook took the oath of office on November 2, 2012.

(b) That a copy of this Order shall be entered into the minutes of the Knox County Commission as required by T.C.A. § 7-82-307(a)(4), and that a certified copy of this Order shall be provided to the Hallsdale-Powell Utility District Board of Commissioners and the appointee as required by T.C.A. § 7-82-307(a)(4).

(c) That this Order shall be kept by the Knox County Clerk as a permanent record of Knox County, and the Knox County Clerk shall issue certified copies of this Order as shall be requested.

ENTERED this 13th day of November, 2012.





TIM BURCHETT
KNOX COUNTY MAYOR

IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING CHAPTER 38, ARTICLE II OF THE KNOX COUNTY CODE, ENTITLED “HEALTH DEPARTMENT” TO ESTABLISH A COMMUNITY HEALTH COUNCIL (AMENDING ORDINANCE O-96-3-102, ADOPTED APRIL 22, 1996 AND ADDING A DIVISION 2 TO KNOX COUNTY CODE, CHAPTER 38, ARTICLE II, PREVIOUSLY RESERVED) – O-12-11-101 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Chapter 38, Article II of the Knox County Code, entitled “Health Department” to establish a Community Health Council (amending Ordinance O-96-3-102, adopted April 22, 1996 and adding a Division 2 to Knox County Code, Chapter 38, Article II, previously reserved) was before the Board of Commissioners on first reading.

Commissioner Anders moved to approve Ordinance O-12-11-101 – Ordinance of the Commission of Knox County, Tennessee, amending Chapter 38, Article II of the Knox County Code, entitled “Health Department” to establish a Community Health Council (amending Ordinance O-96-3-102, adopted April 22, 1996 and adding a Division 2 to Knox County Code, Chapter 38, Article II, previously reserved) on first reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO AMEND KNOX COUNTY CODE, CHAPTER 26, ARTICLE VI ENTITLED “STORMWATER MANAGEMENT” IN ORDER TO COMPLY WITH THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT AND TO BECOME A TENNESSEE QUALIFYING LOCAL PROGRAM FOR CONSTRUCTION SITE STORMWATER RUNOFF CONTROL (AMENDING ORDINANCE O-07-12-101, ADOPTED JANUARY 28, 2008) – O-12-11-102 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, to amend Knox County Code, Chapter 26, Article VI entitled “Stormwater Management” in order to comply with the National Pollution Discharge Elimination System Permit and to become a Tennessee Qualifying Local Program for Construction Site Stormwater Runoff Control (amending

Ordinance O-07-12-101, adopted January 28, 2008) was before the Board of Commissioners on first reading.

Commissioner Anders moved to approve Ordinance O-12-11-102 - Ordinance of the Commission of Knox County, Tennessee, to amend Knox County Code, Chapter 26, Article VI entitled "Stormwater Management" in order to comply with the National Pollution Discharge Elimination System Permit and to become a Tennessee Qualifying Local Program for Construction Site Stormwater Runoff Control (amending Ordinance O-07-12-101, adopted January 28, 2008) on first reading. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE II, SECTION 2.03 OF THE KNOX COUNTY CHARTER ENTITLED "MEMBERSHIP AND ELECTION; DISTRICT, SEATS, REAPPORTIONMENT AND REDISTRICTING" TO PROVIDE FOR A FIFTEEN (15) MEMBER COMMISSION ELECTED FROM FIFTEEN (15) DISTRICTS (AMENDING KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUM OF AUGUST 2, 2012) – O-12-11-103 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article II, Section 2.03 of the Knox County Charter entitled "Membership and Election; District, Seats, Reapportionment and redistricting" to provide for a fifteen (15) member commission elected from fifteen (15) districts (amending Knox County Charter as adopted November 8, 1988, as amended through Referendum of August 2, 2012) was before the Board of Commissioners on first reading.

Mr. Richard Armstrong, Knox County Law Director, and Mr. David Buuck, Knox County Chief Deputy Law Director, were present and spoke on the matter.

Commissioner Wright moved to approve Ordinance O-12-11-103 – Ordinance of the Commission of Knox County, Tennessee, amending Article II, Section 2.03 of the Knox County Charter entitled "Membership and Election; District, Seats, Reapportionment and redistricting" to provide for a fifteen (15) member commission elected from fifteen (15) districts (amending Knox County Charter as adopted November 8, 1988, as amended through Referendum of August 2, 2012). Commissioner Brown seconded the motion.

Commissioner Hammond moved as a substitute motion to approve a resolution to form a task force to review this matter; and that Commissioner Wright serve as Chairman of the task force. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Norman was absent from the meeting. The substitute motion carried 10-0-0-1.

The resolution for this item was drafted after the meeting and the resolution number and caption reads as follows: Resolution R-12-11-114 – Resolution of the Commission of Knox County, Tennessee, creating a task force to study and evaluate the size of the Knox County Commission and report its findings and recommendations to the Knox County Commission at a future commission meeting.

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IN RE: ORDINANCES ON SECOND READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO AMEND THE KNOX COUNTY CODE, CHAPTER 12, ARTICLE II ENTITLED “PEDDLERS AND SOLICITORS” TO FURTHER REGULATE TRANSIENT VENDORS AND ENABLE THE KNOX COUNTY DEPARTMENT OF CODES ADMINISTRATION AND INSPECTIONS TO ENFORCE SAID REGULATIONS (AMENDING ORDINANCE O-97-5-101, ADOPTED JULY 28, 1997 AND ORDINANCE O-10-6-101, ADOPTED JULY 26, 2010) – O-12-10-101 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, to amend the Knox County Code, Chapter 12, Article II entitled “Peddlers and Solicitors” to further regulate transient vendors and enable the Knox County Department of Codes Administration and Inspections to enforce said regulations (amending Ordinance O-97-5-101, adopted July 28, 1997 and Ordinance O-10-6-101, adopted July 26, 2010) was before the Board of Commissioners on second reading.

Mr. Richard Armstrong, Knox County Law Director, and Mr. Bill Pierce, Knox County Plans Examiner, were present and spoke on the matter.

Commissioner Anders moved to approve Ordinance O-12-10-101 - Ordinance of the Commission of Knox County, Tennessee, to amend the Knox County Code, Chapter 12, Article II entitled “Peddlers and Solicitors” to further regulate transient vendors and enable the Knox County Department of Codes Administration and Inspections to enforce said regulations (amending Ordinance O-97-5-101, adopted July 28, 1997 and Ordinance O-10-6-101, adopted July 26,

2010) on second reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioner Brown voted no. Commissioner Norman was absent from the meeting. The motion carried 9-1-0-1.

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IN RE: AMENDMENT TO THE AGENDA – (CONTINUED):

6. At this time, Commissioner Brown spoke concerning overcrowding in Knox County jails.

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IN RE: ROLL CALL – (5:00 P.M.)

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Commissioners Broyles and Norman were absent from the meeting.

* * * * *

IN RE: ZONING REQUESTS:

1. Consideration of the request of Hunter Valley Farm for rezoning from A Agricultural Zone to T Transition Zone was before the Board of Commissioners. Property located on the northwest side of Hunter Valley Lane, northeast of Tedford Lane. (4th Commission District)

Mr. Arthur Seymour, Attorney representing Hunter Valley Farm, was present and spoke on behalf of the request.

Mr. Ewing “Buz” Johnson, Deputy Director for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Ownby moved to approve zoning request RZ-12-11-101 – Request of Hunter Valley Farm for rezoning from A Agricultural Zone to T Transition Zone limited to use as an event facility subject to use on review development plan approval of the use by MPC as per MPC’s recommendation. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners Broyles and Norman were absent from the meeting. The motion carried 9-0-0-2. Property located on the northwest side of Hunter Valley Lane, northeast of Tedford Lane. (4th Commission District) MPC’s file number: 10-D-12-RZ

* * * * *

2. Consideration of the request of the Metropolitan Planning Commission to adopt the 2012 South County Sector Plan Update was before the Board of Commissioners. (8th Commission District)

Mr. Mike Carberry, Comprehensive Planning Manager for Metropolitan Planning Commission, Ms. Gail Wood, area resident, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. Daniel Sanders, Knox County Deputy Law Director, were present and spoke on the matter.

Commissioner Brown moved to approve the request of the Metropolitan Planning Commission to adopt the 2012 South County Sector Plan Update. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Wright, Brown, Hammond and Shouse voted aye. Commissioners Ownby, Briggs, Anders and Smith voted no. Commissioners Broyles and Norman were absent from the meeting. The motion failed 5-4-0-2. MPC's file number: 8-A-12-SP.

* * * * *

3. Consideration of the request of the Metropolitan Planning Commission for Northwest City Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone was before the Board of Commissioners. Property located southwest side Primus Road, northwest of Murray Drive. (7th Commission District)

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

Commissioner Anders moved to approve zoning request RZ-12-11-102 - Request of the Metropolitan Planning Commission for Northwest City Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners Broyles and Norman were absent from the meeting. The motion carried 9-0-0-2. Property located southwest side Primus Road, northwest of Murray Drive. (7th Commission District) MPC's file number: 10-B-12-SP.

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IN RE: ZONING APPEALS:

No rezoning appeals received.

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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 3 OF THE KNOX COUNTY ZONING ORDINANCE (APPENDIX A OF THE KNOX COUNTY CODE) TO PROHIBIT BILLBOARDS AND OTHER

ADVERTISING STRUCTURES IN ALL ZONE DISTRICTS (AMENDING ORDINANCE O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) – O-12-11-104 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) to prohibit billboards and other advertising structures in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner McKenzie moved to defer until January 31, 2013 Ordinance O-12-11-104 - Ordinance of the Commission of Knox County, Tennessee, amending Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) to prohibit billboards and other advertising structures in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) on first reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners Broyles and Norman were absent from the meeting. The motion carried 9-0-0-2.

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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 (APPENDIX A OF THE KNOX COUNTY CODE) REGARDING THE REGULATION OF ELECTRONIC MESSAGE CENTERS IN KNOX COUNTY (AMENDING ORDINANCE O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) – O-12-11-105 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 2 and Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) regarding the regulation of electronic message centers in Knox County (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner McKenzie moved to defer to the January 2013 Board of Commissioners meeting Ordinance O-12-11-105 - Ordinance of the Commission of Knox County, Tennessee, amending Article 2 and Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) regarding the regulation of electronic message centers in Knox County (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) on first reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse

voted aye. Commissioners Broyles and Norman were absent from the meeting. The motion carried 9-0-0-2.

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

7. Commissioner McKenzie moved to reconsider the following item at this time: O-12-11-104 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) to prohibit billboards and other advertising structures in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended). Commissioner Anders seconded the motion and upon voice vote the motion carried 9-0-0-2. Commissioners Broyles and Norman were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE 3 OF THE KNOX COUNTY ZONING ORDINANCE (APPENDIX A OF THE KNOX COUNTY CODE) TO PROHIBIT BILLBOARDS AND OTHER ADVERTISING STRUCTURES IN ALL ZONE DISTRICTS (AMENDING ORDINANCE O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) – O-12-11-104 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) to prohibit billboards and other advertising structures in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner McKenzie moved to defer to the January 2013 Board of Commissioners meeting Ordinance O-12-11-104 - Ordinance of the Commission of Knox County, Tennessee, amending Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) to prohibit billboards and other advertising structures in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) on first reading. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners Broyles and Norman were absent from the meeting. The motion carried 9-0-0-2.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO AMEND ARTICLE 2 AND ARTICLE 3 OF THE KNOX COUNTY ZONING ORDINANCE (APPENDIX A OF THE KNOX COUNTY CODE) TO PROHIBIT THE

CONVERSION OF BILLBOARDS TO DIGITAL BILLBOARDS AND OTHER ADVERTISING SIGNS TO ELECTRONIC ADVERTISING SIGNS OR ELECTRONIC MESSAGE CENTER SIGNS IN ALL ZONE DISTRICTS (AMENDING ORDINANCE O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) – O-12-11-106 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, to amend Article 2 and Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) to prohibit the conversion of billboards to digital billboards and other advertising signs to electronic advertising signs or electronic message center signs in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner McKenzie moved to defer to the January 2013 Board of Commissioners meeting Ordinance O-12-11-106 - Ordinance of the Commission of Knox County, Tennessee, to amend Article 2 and Article 3 of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) to prohibit the conversion of billboards to digital billboards and other advertising signs to electronic advertising signs or electronic message center signs in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners Broyles and Norman were absent from the meeting. The motion carried 9-0-0-2.

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IN RE: ADJOURNMENT:

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

* * * * *

KNOX COUNTY BOARD OF COMMISSIONERS

R. LARRY SMITH, VICE-CHAIRMAN