

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, December 17, 2012 at 2:00 P.M. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse. Commissioners Anders and Broyles were absent from the meeting. Also present were Mr. Richard Walls, Knox County Internal Auditor, Mr. Richard Armstrong, Knox County Law Director, Mr. David Buuck, Knox County Chief Deputy Law Director, Mr. Chris Caldwell, Director, Knox County Finance, Dr. James McIntyre, Jr., Knox County Superintendent of Schools, Mr. J.J. Jones, Knox County Sheriff and news media.

The following proceedings were had and entered of record to-wit:
Commissioner Norman, Chairman, presided.

* * * * *

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

Commissioner Norman called the meeting to order.

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

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

No Honorary Resolutions received.

* * * * *

No one was present to speak.

* * * * *

IN RE: DEVOTIONAL:

Commissioner Ed Shouse gave the devotional.

* * * * *

IN RE: PLEDGE TO THE FLAG:

Commissioner Mike Brown led the Pledge to the Flag.

* * * * *

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

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

Commissioner Hammond moved to approve the minutes of the previous meeting on November 19, 2012 with the following amendment: Regarding the consideration of O-12-11-103 and the substitute motion to approve a resolution to form a task force to study and evaluate the size of

commission: 1. Amend to provide the resolution number (R-12-11-114) and caption to read as follows: Resolution creating a task force to study and evaluate the size of the Commission.

2. Amend to provide that Commissioner Wright was appointed to serve as Chairman of the Task Force. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: AMENDMENTS TO THE AGENDA:

Commissioner McKenzie moved to amend the agenda as follows:
Add a discussion item regarding Education/Finance Committee.

* * * * *

Add discussion of school safety and security for Knox County Schools and hear after consent items.

* * * * *

Defer to the January 2013 Board of Commissioners meeting
R-12-12-903 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with BB&T to provide banking services for Knox County.

* * * * *

Withdraw from the agenda R-12-12-905 – Consideration of a Resolution of the Commission of Knox County, Tennessee urging the Tennessee Department of Transportation to end plans to extend James White Parkway. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: DRIVES AND ROADS:

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

Commissioner Wright moved to approve on second reading 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. Property owner is Todd Claiborne.

Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: LINE ITEM TRANSFERS:

No line item transfers received.

* * * * *

IN RE: NOTARY APPLICATIONS:

Consideration of Notary Public applications was before the Board of Commissioners.

Commissioner McKenzie moved to approve 124 Notary Public applications. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners and Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REAPPOINTING BEN PETHEL AND APPOINTING TAMMY WHITE AND ANTHONY WISE, JR. TO THE TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY (TTCDA) BOARD OF COMMISSIONERS (MEMBERS ARE NOMINATED BY THE GOVERNOR UPON RECOMMENDATIONS RECEIVED FROM THE COUNTY MAYOR AND APPROVED BY THE COUNTY COMMISSION): R-12-12-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee reappointing Ben Pethel and appointing Tammy White and Anthony Wise, Jr. to the Tennessee Technology Corridor Development Authority (TTCDA) Board of Commissioners (members are nominated by the Governor upon recommendations received from the County Mayor and approved by the County Commission) was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee reappointing Ben Pethel and appointing Tammy White and Anthony Wise, Jr. to the

Tennessee Technology Corridor Development Authority (TTCDA) Board of Commissioners (members are nominated by the Governor upon recommendations received from the County Mayor and approved by the County Commission). Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PERMANENT ACCESS AND UTILITY EASEMENT AGREEMENT, WHICH INCLUDES A TEMPORARY CONSTRUCTION EASEMENT, IN THE AMOUNT OF \$1,368.00 BETWEEN THE KNOX COUNTY BOARD OF EDUCATION AND THE WEST KNOX UTILITY DISTRICT FOR PROPERTY LOCATED AT 8108 BEAVER RIDGE ROAD (KARNS ELEMENTARY SCHOOL) FOR THE CONSTRUCTION AND MAINTENANCE OF A SANITARY SEWER FORCE MAIN: R-12-12-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Permanent Access and Utility Easement Agreement, which includes a Temporary Construction Easement, in the amount of \$1,368.00 between the Knox County Board of Education and the West Knox Utility District for property located at 8108 Beaver Ridge Road (Karns Elementary School) for the construction and maintenance of a sanitary sewer force main was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Permanent Access and Utility Easement Agreement, which includes a Temporary Construction Easement, in the amount of \$1,368.00 between the Knox County Board of Education and the West Knox Utility District for property located at 8108 Beaver Ridge Road (Karns Elementary School) for the construction and maintenance of a sanitary sewer force main.

Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioner Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A NEW SERVICES UTILITY EASEMENT AGREEMENT BETWEEN KNOX COUNTY AND THE KNOXVILLE UTILITIES BOARD (KUB) FOR PROPERTY LOCATED AT 900 OAKLETT DRIVE (STERCHI ELEMENTARY): R-12-12-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a New Services Utility Easement Agreement between Knox County and the Knoxville Utilities Board (KUB) for property located at 900 Oaklett Drive (Sterchi Elementary) was before the Board of Commissioners.

Mr. Jim French, Knox County Schools, was present and spoke on the matter.

Commissioner Brown moved to approve R-12-12-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a New Services Utility Easement Agreement between Knox County and the Knoxville Utilities Board (KUB) for property located at 900 Oaklett Drive (Sterchi Elementary). Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH COCA-COLA NORTH AMERICA, INC. FOR A BEVERAGE DISPENSING SYSTEM FOR THE KNOX COUNTY SHERIFF'S OFFICE: R-12-12-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Coca-Cola North America, Inc. for a Beverage Dispensing System for the Knox County Sheriff's Office was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Coca-Cola North America, Inc. for a Beverage Dispensing System for the Knox County Sheriff's Office. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE ACCEPTANCE OF A HELICOPTER TRANSMISSION (MILITARY VALUE OF \$75,248.00) FROM THE DEPARTMENT OF DEFENSE 1033 SURPLUS PROPERTY PROGRAM FOR THE BENEFIT OF THE KNOX COUNTY SHERIFF'S OFFICE:R-12-12-302:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the acceptance of a helicopter transmission (military value of \$75,248.00) from the Department of Defense 1033 Surplus Property Program for the benefit of the Knox County Sheriff's Office was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-302 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the acceptance of a helicopter transmission (military value of \$75,248.00) from the Department of Defense 1033 Surplus Property Program for the benefit of the Knox County Sheriff's Office. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

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 WH CAPITAL, LLC FOR PROPERTY LOCATED AT 7205 CHAPMAN HIGHWAY:R-12-12-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with WH Capital, LLC for property located at 7205 Chapman Highway was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with WH Capital, LLC for property located at 7205 Chapman Highway. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried

8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AWARD AGREEMENT IN THE AMOUNT OF \$95,400.00 FROM THE NATURE CONSERVANCY UNDER ITS TENNESSEE HEALTHY WATERSHED INITIATIVE FOR PHASE II OF THE HARRELL ROAD STORMWATER DEMONSTRATION PARK: R-12-12-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant award agreement in the amount of \$95,400.00 from The Nature Conservancy under its Tennessee Healthy Watershed Initiative for Phase II of the Harrell Road Stormwater Demonstration Park was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant award agreement in the amount of \$95,400.00 from The Nature Conservancy under its Tennessee Healthy Watershed Initiative for Phase II of the Harrell Road Stormwater Demonstration Park. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE NECESSARY RIGHT OF WAY ACQUISITION (1 TRACT) FOR INTERSECTION IMPROVEMENTS AT DANTE ROAD AND GREER ROAD AS SHOWN ON THE ROBERT G. CAMPBELL & ASSOCIATES, L. P. RIGHT-OF-WAY PLANS:R-12-12-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the necessary right of way acquisition (1 tract) for intersection improvements at Dante Road and Greer Road as shown on the Robert G. Campbell & Associates, L. P. Right-of-Way Plans was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the necessary right of way acquisition (1 tract) for intersection

improvements at Dante Road and Greer Road as shown on the Robert G. Campbell & Associates, L. P. Right-of-Way Plans. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH TRANS-TECH, INC. DBA BUDGET TRANSMISSIONS FOR TRANSMISSION REPAIR AND REBUILD SERVICES:R-12-12-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Trans-Tech, Inc. dba Budget Transmissions for Transmission Repair and Rebuild Services was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Trans-Tech, Inc. dba Budget Transmissions for Transmission Repair and Rebuild Services. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$351,700.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR HIV/AIDS/STD PREVENTION, TESTING, DIAGNOSIS AND TREATMENT, AND SURVEILLANCE IN KNOX COUNTY: R-12-12-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$351,700.00 (no local match required) with the Tennessee Department of Health for HIV/AIDS/STD Prevention, Testing, Diagnosis and Treatment, and Surveillance in Knox County was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$351,700.00 (no local match required) with the Tennessee Department of Health for HIV/AIDS/STD Prevention, Testing, Diagnosis and Treatment, and Surveillance in Knox County. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$39,700.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR TOBACCO USE PREVENTION AND CONTROL SERVICES:R-12-12-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$39,700.00 (no local match required) with the Tennessee Department of Health for Tobacco Use Prevention and Control Services was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$39,700.00 (no local match required) with the Tennessee Department of Health for Tobacco Use Prevention and Control Services. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMBULANCE SERVICE AGREEMENT WITH RURAL/METRO OF TENNESSEE, L.P. TO PROVIDE MEDICAL AMBULANCE SERVICES IN KNOX COUNTY FOR A FIVE (5) YEAR TERM (JULY 1, 2013 – JUNE 30, 2018) WITH THE OPTION TO RENEW FOR TWO (2) ADDITIONAL FIVE (5) YEAR TERMS, SUBJECT TO COUNTY COMMISSION APPROVAL: R-12-12-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an Ambulance Service Agreement with Rural/Metro of Tennessee, L.P. to provide Medical Ambulance Services in Knox County for a five (5) year term (July 1, 2013 – June 30, 2018) with the option to renew for two (2) additional five (5) year terms, subject to County Commission approval was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an Ambulance Service Agreement with Rural/Metro of Tennessee, L.P. to provide Medical Ambulance Services in Knox County for a five (5) year term (July 1, 2013 – June 30, 2018) with the option to renew for two (2) additional five (5) year terms, subject to County Commission approval. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Brigg was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE REAL ESTATE SALES CONTRACT FOR THREE (3) SURPLUS PROPERTIES LOCATED AT 2215 SHIPETOWN ROAD TO MACK R. WALKER IN THE AMOUNT OF \$11,845.00; 280 S. PETERS ROAD TO TODD HOWARTH IN THE AMOUNT OF \$75,250.00; AND 312 S. PETERS ROAD TO CHARLES ADAMS IN THE AMOUNT OF \$128,750.00 (SAID AMOUNTS INCLUDE THE THREE PERCENT (3%) BUYERS PREMIUM TO BE PAID TO POWELL AUCTION & REALITY, LLC: R-12-12-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Real Estate Sales Contract for three (3) surplus properties located at 2215 Shipetown Road to Mack R. Walker in the amount of \$11,845.00; 280 S. Peters Road to Todd Howarth in the amount of \$75,250.00; and 312 S. Peters Road to Charles Adams in the amount of \$128,750.00 (said amounts include the three percent (3%) buyers premium to be paid to Powell Auction & Reality, LLC was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Real Estate Sales Contract for three (3) surplus properties located at 2215 Shipetown Road to Mack R. Walker in the amount of \$11,845.00; 280

S. Peters Road to Todd Howarth in the amount of \$75,250.00; and 312 S. Peters Road to Charles Adams in the amount of \$128,750.00 (said amounts include the three percent (3%) buyers premium to be paid to Powell Auction & Reality, LLC. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDMENT IN THE APPROXIMATE AMOUNT OF \$12,500.00 TO THE PLAN MANAGEMENT AGREEMENT WITH HUMANA HEALTH PLAN, INC. FOR THE ADMINISTRATION OF EMPLOYEE MEDICAL INSURANCE BENEFITS UNDER THE KNOX COUNTY GOVERNMENT HEALTH CARE PLAN, WHICH AMENDMENT PROVIDES EMPLOYEE PERSONAL NURSE SERVICES: R-12-12-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment in the approximate amount of \$12,500.00 to the Plan Management Agreement with Humana Health Plan, Inc. for the administration of employee medical insurance benefits under the Knox County Government Health Care Plan, which amendment provides Employee Personal Nurse Services was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment in the approximate amount of \$12,500.00 to the Plan Management Agreement with Humana Health Plan, Inc. for the administration of employee medical insurance benefits under the Knox County Government Health Care Plan, which amendment provides Employee Personal Nurse Services. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT IN THE APPROXIMATE AMOUNT OF \$442,980.00 WITH HM INSURANCE GROUP DOING BUSINESS AS HM LIFE

INSURANCE COMPANY, FOR STOP LOSS INSURANCE FOR THE PERIOD BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2013:R-12-12-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the approximate amount of \$442,980.00 with HM Insurance Group doing business as HM Life Insurance Company, for Stop Loss Insurance for the period beginning January 1, 2013 and ending December 31, 2013 was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the approximate amount of \$442,980.00 with HM Insurance Group doing business as HM Life Insurance Company, for Stop Loss Insurance for the period beginning January 1, 2013 and ending December 31, 2013. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING DONATIONS IN THE TOTAL AMOUNT OF \$14,500.00 IN SUPPORT OF THE KNOX COUNTY MAYOR'S 6TH ANNUAL SENIOR APPRECIATION PICNIC HELD ON SEPTEMBER 21, 2012: R-12-12-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting donations in the total amount of \$14,500.00 in support of the Knox County Mayor's 6th Annual Senior Appreciation Picnic held on September 21, 2012 was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting donations in the total amount of \$14,500.00 in support of the Knox County Mayor's 6th Annual Senior Appreciation Picnic held on September 21, 2012. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE WAIVING THE DECEMBER 15, 2012 DEADLINE FOR THE JUDGES OF THE GENERAL SESSIONS COURT TO DELIVER A LETTER TO THE CHAIR OF THE KNOX COUNTY COMMISSION LISTING BY NAME NO LESS THAN FOUR (4) NOR MORE THAN EIGHT (8) PERSONS APPROVED BY A MAJORITY OF THE GENERAL SESSIONS JUDGES FOR EACH OF THE THREE (3) JUDICIAL MAGISTRATE SEATS EXPIRING JANUARY 31, 2013: R-12-12-906:

Consideration of a Resolution of the Commission of Knox County, Tennessee waiving the December 15, 2012 deadline for the Judges of the General Sessions Court to deliver a letter to the Chair of the Knox County Commission listing by name no less than four (4) nor more than eight (8) persons approved by a majority of the General Sessions Judges for each of the three (3) Judicial Magistrate seats expiring January 31, 2013 was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee waiving the December 15, 2012 deadline for the Judges of the General Sessions Court to deliver a letter to the Chair of the Knox County Commission listing by name no less than four (4) nor more than eight (8) persons approved by a majority of the General Sessions Judges for each of the three (3) Judicial Magistrate seats expiring January 31, 2013. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE KNOX COUNTY COURTHOUSE SECURITY REPORT FOR 2012 AND AUTHORIZING ITS SUBMISSION TO THE ADMINISTRATIVE OFFICE OF THE COURTS PURSUANT TO T.C.A. §16-2-505 (D): R-12-12-907:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Knox County Courthouse Security Report for 2012 and authorizing its submission to the Administrative Office of the Courts pursuant to T.C.A. §16-2-505 (d) was before the Board of Commissioners.

Commissioner Brown moved to approve R-12-12-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving

the Knox County Courthouse Security Report for 2012 and authorizing its submission to the Administrative Office of the Courts pursuant to T.C.A. §16-2-505 (d). Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF THE ACCEPTANCE OF NEW COUNTY ROADS:

Consideration of the Acceptance of new County Roads was before the Board of Commissioners.

- A. Kentwell Road located in Thompson Trail, District 6.
- B. Iverson Lane located in Thompson Trail, District 6.
- C. Cascade Falls Lane located in Cascade Falls, District 6.
- D. Burges Falls Lane located in Cascade Falls, District 6.
- E. Laurel Falls Lane located in Cascade Falls, District 6.
- F. Calgary Falls Lane located in Cascade Falls, District 6.
- G. Meadow Falls Lane located in Cascade Falls, District 6.
- H. Cawood Falls Lane located in Cascade Falls, District 6.
- I. Whelahan Farm Road located in Whelahan Farms, District 8.
- J. Mistletoe Drive located in Whelahan Farms, District 8.
- K. Apple Valley Drive located in Whelahan Farms, District 8.

Commissioner Brown moved to approve the above acceptance of new County Roads. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-0-0-3. Commissioner Briggs was absent from the vote. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Wright moved to pull from the consent agenda and discuss R-12-12-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a New Services Utility Easement Agreement between Knox County and the Knoxville Utilities Board (KUB) for property located at 900 Oaklett Drive (Sterchi Elementary) and R-12-12-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee waiving the December 15, 2012 deadline for the Judges of the General Sessions Court to deliver a letter to the Chair of the Knox

County Commission listing by name no less than four (4) nor more than eight (8) persons approved by a majority of the General Sessions Judges for each of the three (3) Judicial Magistrate seats expiring January 31, 2013. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-0-0-2. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A NEW SERVICES UTILITY EASEMENT AGREEMENT BETWEEN KNOX COUNTY AND THE KNOXVILLE UTILITIES BOARD (KUB) FOR PROPERTY LOCATED AT 900 OAKLETT DRIVE (STERCHI ELEMENTARY):R-12-12-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a New Services Utility Easement Agreement between Knox County and the Knoxville Utilities Board (KUB) for property located at 900 Oaklett Drive (Sterchi Elementary) was before the Board of Commissioners.

Dr. Jim McIntyre, Jr., Superintendent, Knox County Schools, was present and spoke on the matter.

Mr. Jim French, Knox County Schools Maintenance, was present and spoke on the matter.

Commissioner McKenzie moved after the discussion to add back to the consent agenda R-12-12-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a New Services Utility Easement Agreement between Knox County and the Knoxville Utilities Board (KUB) for property located at 900 Oaklett Drive (Sterchi Elementary). The motion was seconded and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-0-0-2. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE WAIVING THE DECEMBER 15, 2012 DEADLINE FOR THE JUDGES OF THE GENERAL SESSIONS COURT TO DELIVER A LETTER TO THE CHAIR OF THE KNOX COUNTY COMMISSION LISTING BY NAME NO LESS THAN FOUR (4) NOR MORE THAN EIGHT (8) PERSONS APPROVED BY A MAJORITY OF THE GENERAL SESSIONS

JUDGES FOR EACH OF THE THREE (3) JUDICIAL MAGISTRATE SEATS EXPIRING JANUARY 31, 2013: R-12-12-906:

Consideration of a Resolution of the Commission of Knox County, Tennessee waiving the December 15, 2012 deadline for the Judges of the General Sessions Court to deliver a letter to the Chair of the Knox County Commission listing by name no less than four (4) nor more than eight (8) persons approved by a majority of the General Sessions Judges for each of the three (3) Judicial Magistrate seats expiring January 31, 2013 was before the Board of Commissioners.

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

Commissioner McKenzie moved after the discussion to add back to the consent agenda R-12-12-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee waiving the December 15, 2012 deadline for the Judges of the General Sessions Court to deliver a letter to the Chair of the Knox County Commission listing by name no less than four (4) nor more than eight (8) persons approved by a majority of the General Sessions Judges for each of the three (3) Judicial Magistrate seats expiring January 31, 2013. The motion was seconded and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-0-0-2. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: DISCUSSION REGARDING SCHOOL SAFETY AND SECURITY:

Discussion regarding school safety and security in Knox County Schools after the violence that took place at Sandy Hook Elementary School in Newton, Conn. was before the Board of Commissioners.

Dr. Jim McIntyre, Superintendent, Knox County Schools, was present and spoke on the matter.

No action was taken.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE SOUTH COUNTY SECTOR PLAN, ADOPTED BY RESOLUTION RZ-02-2-102 ON FEBRUARY 5, 2002: R-12-12-908:

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the South County Sector Plan, adopted by Resolution RZ-02-2-102 on February 5, 2002 was before the Board of Commissioners.

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

Commissioner McKenzie moved to approve R-12-12-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the South County Sector Plan, adopted by Resolution RZ-02-2-102 on February 5, 2002. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-0-0-2. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: ORDINANCE ON FIRST READING:

No Ordinance received on first reading.

* * * * *

IN RE: ORDINANCES ON SECOND 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 (ORDINANCE NO. O-96-3-102, ADOPTED 4-22-96 AND ADDING A DIVISION 2 TO KNOX COUNTY CODE, CHAPTER 38, ARTICLE II, PREVIOUSLY RESERVED): O-12-11-101: SECOND 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 (Ordinance No. O-96-3-102, adopted 4-22-96 and adding a Division 2 to Knox County Code, Chapter 38, Article II, previously reserved) was before the Board of Commissioners on second reading.

Commissioner Smith moved to approve on second reading O-12-11-101 - 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 (Ordinance No. O-96-3-102, adopted 4-22-96 and adding a Division 2 to Knox County Code, Chapter 38, Article II, previously reserved). Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-0-0-2. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

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 (ORDINANCE NO. O-07-12-101, ADOPTED 1-28-08): O-12-11-102: SECOND 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 (Ordinance No. O-07-12-101, adopted 1-28-08) was before the Board of Commissioners on second reading.

Commissioner Brown moved to approve O-12-11-102 on second 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 (Ordinance No. O-07-12-101, adopted 1-28-08). Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-0-0-2. Commissioners Broyles and Anders were absent from the meeting.

* * * * *

IN RE: PUBLIC FORUM:

No one present to speak.

* * * * *

IN RE: OTHER BUSINESS:

Discussion regarding Education/Finance Committee was before the Board of Commissioners.

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

Dr. Jim McIntyre, Superintendent, Knox County Schools, was present and spoke on the matter.

Commissioner Norman will work with the Knox County Law Director and bring back in January 2013 the structure of the committee.

* * * * *

IN RE: ZONING REQUESTS:

No Zoning Requests received.

* * * * *

IN RE: ZONING APPEALS:

No Zoning Appeals received.

* * * * *

IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE:

No amendments to the Knox County Zoning Ordinance received.

* * * * *

IN RE: ADJOURNMENT:

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

TONY NORMAN, CHAIRMAN