

Knox County Commission



NOTICE

TO: MEMBERS OF THE RULES COMMITTEE

**Commissioner Carringer Commissioner Anders
Commissioner Smith Commissioner Dailey**

FROM: Commissioner Charles Busler, Chairman

**THE KNOX COUNTY COMMISSION'S RULES COMMITTEE SHALL MEET
MONDAY, NOVEMBER 14, 2016 AT 4:00 P.M. IN THE MAIN ASSEMBLY ROOM
OF THE CITY AND COUNTY BUILDING. ALL AGENDA ITEMS ARE SUBJECT TO
VOTE.**

AGENDA

- 1) Call to Order.
- 2) Approval of the minutes of the previous meeting.
- 3) Discussion of suggested changes to the Commission Rules regarding Zoning issues.
- 4) Discussion of suggested changes to the Commission Rules regarding the Drives and Roads section of the Commission Agenda.
- 5) Discussion of meeting times.
- 6) Other business.
- 7) Adjournment.

Rules Committee

1.

Meeting Date: 11/14/2016

Requested By: Jolie Bonavita,
COUNTY
COMMISSION

Department: COUNTY COMMISSION

Requires Expenditure of Funds: Funded in Current Budget:

Appropriation Required:

Information

CAPTION

Call to Order.

Rules Committee

2.

Meeting Date: 11/14/2016

Requested By: Jolie Bonavita,
COUNTY
COMMISSION

Department: COUNTY COMMISSION

Requires Expenditure of Funds: Funded in Current Budget:

Appropriation Required:

Information

CAPTION

Approval of the minutes of the previous meeting.

Rules Committee

3.

Meeting Date: 11/14/2016

Requested By: Jolie Bonavita,
COUNTY
COMMISSION

Department: COUNTY COMMISSION

Requires Expenditure of Funds: Funded in Current Budget:

Appropriation Required:

Information

CAPTION

Discussion of suggested changes to the Commission Rules regarding Zoning issues.

Attachments

attachment

KNOX COUNTY COMMISSION RULES



Revised March 1, 2015 (pursuant to Resolution R-15-1-903)

RULE I. BOARD OF COMMISSIONERS

SECTION A. CONVENING THE COMMISSION:

The Commission shall meet in the City-County Building on the fourth Monday of each month to consider its Legislative Agenda and Zoning Agenda. The Legislative Session shall begin at 5:00 p.m. and the Zoning Session shall begin at 7:00 p.m. or immediately following the Legislative Session. In the event a meeting falls on a legal holiday, the Chair shall convene the Commission on a date **and time** set by the Chair. The regular meeting of the Commission and Zoning Session in November and December shall be scheduled on the third Monday of November and December. In the event of inclement weather and the county offices in the City-County Building are closed, the Commission meeting shall be postponed at the direction of the Chair.

SECTION B. ORDER OF BUSINESS:

- I. Call to Order/Roll Call (5:00 p.m.)
 - A. Public Forum
 - B. Honorary Resolutions
 - C. Devotional
 - D. Pledge to the Flag
 - E. Approval of Minutes of Previous Meeting
 - F. Amendments to the Agenda
 - G. Drives and Roads
 - H. Line Item Transfers
 - I. Notary Public Applications
 - J. Resolutions (Consent Calendar and Resolutions not on the Consent Calendar)
 - K. Ordinances on First Reading
 - L. Ordinances on Second Reading
 - M. Public Forum
 - N. Other Business

- II. Call to Order/Roll Call (7:00 p.m.)
 - A. Zoning Requests
 - B. Zoning Appeals
 - C. Amendments to the Knox County Zoning Ordinance
 - D. Other Business
 - E. Adjournment

SECTION C. **GAINING THE FLOOR:**

The sponsor of a resolution or discussion item shall be entitled to speak first. The Chair shall recognize each Commissioner wishing to speak and shall make every effort to recognize Commissioners in the order of their request. **The Vice Chair shall assist the Chair in keeping track of the order of those wishing to speak.**

SECTION D. **SPEAKING:**

A member recognized by the Chair shall confine his or her remarks to the question under debate. The sponsor of a resolution may speak as often as the situation requires. No other member shall speak longer than five minutes on the same subject in the first speech and three minutes in any succeeding speech.

SECTION E. **CONSENT TO YIELD:**

A speaker shall not be interrupted, except for a question. The speaker may decline to yield, but shall respond to questions at the end of the presentation.

SECTION F. **POINTS OF ORDER:**

If any member violates the Rules of the Commission, the Chair shall call the member to order. A point of order may be raised as provided by Robert's Rules of Order (current edition).

SECTION G **APPEAL ON RULING:**

Any member may appeal any ruling of the Chair. A majority vote of the members present shall decide the appeal, as provided by Robert's Rules of Order (current edition).

SECTION H. **REFUSAL TO BE IN ORDER:**

If any person refuses to remain orderly, the Chair shall call that person to order. If such person refuses to come to order, the Chair shall have the right to order the person's removal from the meeting. This person may return only after approval of the Chair, or a majority vote of Commissioners present. This section also applies to members of the general public.

SECTION I. **COMMITTEE REFERRALS:**

Any matter requiring consideration or study by a committee shall be referred to the appropriate committee by the Commission Chair.

SECTION J. **MOTIONS:**

Motions may be made only by Commissioners in accordance with the following:

1. **Debating Motions:** No motion shall be debated until seconded and stated by the Chair.
2. **Motions in Writing:** When a motion is made and seconded, it shall be

- reduced to writing if desired by the Chair or any member.
3. **Motions During Vote:** After the Chair begins a voice or roll call vote, no other motion shall be in order until the result of the vote is declared by the Chair.
 4. **Requiring Roll Call:** Any motion may be put to the Commission for a voice vote by the Chair. Upon unanimous consent of the Commission, a voice vote may be recorded as a roll call vote.
 5. **Friendly Amendments:** A Friendly Amendment to a motion under debate that is perceived by all parties an enhancement to the original motion is permissible when approved by the Chair and consented to by the movers of the motion.
 6. **Withdrawal of Motions:** A motion that has been seconded may be withdrawn by the maker of the motion. In the event a member objects to the withdrawal, or the person who seconded the motion refuses to withdraw his or her second, then the motion becomes the property of the body and can only be withdrawn by a motion to permit withdrawal which requires a second and a majority vote of the body.

SECTION K. MEMBER MAY CHANGE VOTE:

Any member may change a vote before the result of a roll call is declared by the Chair. It shall be the duty of the Chair at the end of each roll call to inquire if those who passed or were absent when the roll was called now wish to vote or if a Commissioner wishes to change a vote. The result shall be declared by the Chair.

SECTION L. RECONSIDERATION OF A MOTION:

After a question has been put to a vote, any member of the prevailing side may move with another member of the prevailing side to second a reconsideration at any time prior to adjournment. An affirmative majority vote of the members present shall be required for reconsideration in accordance with Robert's Rules of Order (current edition).

SECTION M. ELECTIONS OR APPOINTMENTS:

In all proceedings of the Commission to either fill vacancies in elective offices or appoint committee members, board members, or appointed officers of the county where the Commission is authorized to make such appointment, the appropriate procedure set forth below shall be followed. There shall be a public hearing before any elected official vacancy is filled by the Commission. County officials shall reside in the district from which elected or appointed as provided by Section 9.10 of the Knox County Charter. Members appointed to boards and committees shall also be residents of Knox County at the time of their appointment and at all times while serving pursuant to Section 2.02.I of the Knox County

Charter.

1. The procedure for filling vacancies in elective offices shall be as follows in accordance with Tenn. Code Ann. § 5-5-111 and Knox County Charter Sections 2.03.E., 2.03.F. and 9.08.G.:

a. Before the Commission votes or considers any motion or resolution regarding the office to be filled, the Chair shall allow registered voters of the county an opportunity to submit names and qualifications to the Commission for consideration. The names and qualifications may be submitted in writing to the Chair prior to the meeting or may be submitted in person at the meeting. In order for a name to be considered, a member of the Commission must subsequently nominate the person. Members of the county legislative body may also nominate a candidate or candidates to fill the office or vacancy without the name being submitted by a voter.

b. Each member of the Commission shall have an opportunity by roll call to nominate a candidate or candidates to fill the office or vacancy. Nominations do not require a second. If the person nominated is not present at the meeting, the person making the nomination shall submit a signed statement from the nominee that the nominee is willing to serve in the office if appointed.

c. If a Commission member's name is placed in nomination, the Chair of the Commission shall, prior to the first vote, require that member to either accept or decline the nomination. A refusal to either accept or decline shall disqualify that member for nomination. Should a member of the Commission accept a nomination, the member shall be prohibited from voting on the appointment or any motions or resolutions relative to making the appointment until the vacancy is filled. A Commission member accepting nomination shall also recuse him/herself from the discussion on the matter in accordance with the Knox County Charter and leave the dais and sit in the audience until the vacancy is filled. For the purposes of determining a majority, the membership of the Commission shall be reduced to reflect any member or members prohibited from voting on the appointment. If a member of the Commission is subsequently appointed to fill the vacancy, the member shall immediately resign from the Commission upon accepting the appointment. If the member does not receive the appointment, the member shall not be required to resign and may continue the member's duties on the Commission upon the conclusion of the vote on the appointment. No vote shall be recorded in favor of any member of the Commission who has either declined nomination or been otherwise disqualified.

- d. Nominators may speak about their nominee; nominees may speak about themselves.
 - e. After nominations are ended, nominations shall be closed by motion and vote.
 - f. The Chair will then call for discussion by commissioners regarding all the nominees.
 - g. After each commissioner is afforded ample opportunity to express his/her views and responding views, the Chair will ask if all commissioners are ready for a vote. If any commissioner wants further discussion, further discussion shall be permitted.
 - h. When discussion is complete, voting will commence. By roll call vote each commissioner may vote in favor of one (1) nominee by name and the nominee with the least number of votes is disqualified.
 - i. After each vote, the chair will invite further discussion by commissioners regarding the remaining nominees.
 - j. If there is a tie vote, the Chair will invite the nominators and remaining nominees to speak again, and the Chair will invite further discussion by commissioners.
 - k. Voting will resume until a nominee receives the votes of a majority of the members of the Commission eligible to vote on the appointment.
 - l. If the official appointed is a Knox County Commissioner, then he or she shall not take the oath of office until after any other appointments of an elective office on the same agenda have been considered.
2. The procedure for appointing committee members, board members, the county internal auditor, or other appointed officers shall be as follows:
- a. Each member of the Commission shall have an opportunity by roll call to nominate a person or persons to serve in each vacant position. Nominations do not require a second. The application of a nominee for a vacant position shall represent the nominee's willingness to serve in the position if appointed. The Commission Chair shall also allow registered voters of the County an opportunity to submit names to the Commission for consideration. The

names may be submitted in writing to the Chair prior to the meeting or may be submitted in person at the meeting. In order for a name to be considered, a member of the Commission must subsequently nominate the person.

- b. Nominators may speak about their nominees; nominees may speak about themselves.
- c. After nominations are ended, nominations shall be closed by motion and vote.
- d. The Chair will then call for discussions by commissioners regarding all the nominees.
- e. After each commissioner is afforded ample opportunity to express his/her views and responding views, the Chair will ask if all commissioners are ready for a vote. If any commissioner wants further discussion, further discussion shall be permitted.
- f. When discussion is complete, voting will commence. By roll call vote each commissioner may vote in favor of one (1) nominee by name and the nominee with the least number of votes is disqualified.
- g. After each vote, the chair will invite further discussion by commissioners regarding the remaining nominees.
- h. If there is a tie vote, the Chair will invite the nominators and remaining nominees to speak again, and the Chair will invite further discussion by commissioners.
- i. Voting will resume until a nominee receives a majority of the votes of the membership of the Commission.

SECTION N.

AGENDA:

1. Commission members, officials, and others requesting matters to be placed on the agenda of the Agenda Work Session meeting or a regular Commission meeting shall submit such requests electronically on Agenda Quick by 12:00 noon on the first Monday of every month. Any matter requested to be added to an agenda that meets the deadline shall be placed on that month's agenda of a regular meeting of the Commission. The sponsor of any matter may withdraw same without Commission approval prior to the final agenda being set.

2. All requests for line item transfers between accounts shall be submitted to the Commission electronically on Agenda Quick by 12:00 noon on the second Monday of every month.
3. Any request for matters to be placed on the Commission agenda after the deadline shall be approved by the Chair of the Commission or said request will be considered at the next regular meeting.
4. Matters may be added to the agenda(s) for all meetings except a special session of the Commission by an affirmative vote of two-thirds (2/3) of the membership of the Commission or two-thirds (2/3) of a quorum of a committee, as applicable. However, any regular agenda item or similar subject matter that has been acted on by the Commission during its regular session may not be placed on the regular Commission agenda for a period of ninety (90) days without the consenting vote of two-thirds (2/3) of the members of the Commission. The only exception to this rule will be a vote on the budget and/or the vote on the tax rate, which would require a majority vote.
5. A copy of the agenda including proposed resolutions and attachments shall be available to each Commissioner by 5:00 p.m. on the Thursday before the Agenda Work Session or regular session.
6. All matters affecting the zoning of real property, including amendments to the Knox County Zoning Ordinance, regardless of whether such action is to be taken by resolution or ordinance, shall be considered as a matter under zonings. If a road closure affects a zoning matter and both items are on the same agenda, then both items shall be heard together in the zoning agenda.
7. Any agenda item that fails in the Agenda Work Session shall be removed from the Commission agenda.
8. The devotional shall be delivered in accordance with the policy effectuated by Resolution R-12-7-904 of the Knox County Commission, or as amended.
9. Discussion items on the agenda of the Agenda Work Session shall not appear on the Commission agenda unless requested otherwise at the Agenda Work Session.
10. Rezoning requests shall be listed on the agenda of the Agenda Work Session for informational purposes only and not for a recommendation for the Commission agenda. Rezoning requests shall automatically proceed to the Commission agenda.

11. If no action is taken on an agenda item not otherwise provided for herein, then that agenda item shall proceed to the next meeting agenda as provided by Robert's Rules of Order, (current edition).

SECTION O. **PUBLIC FORUM:**

The Commission provides the public the opportunity at meetings to address each agenda item during the Commission's discussion or consideration of an agenda item. Citizens are also provided additional opportunities to express an opinion on any matter during Public Forum which is the first order of business at the 5:00 p.m. regularly scheduled Commission meeting (Legislative Session) and at the end of the Legislative Session as shown in Rule I, Section B. Each person so appearing shall be allowed five (5) minutes unless otherwise provided by the Commission. Citizens appearing before the Commission shall state their name and residential address or business address for the record.

SECTION P. **CONSENT CALENDAR:**

Any resolution, with the exception of honorary resolutions, which passes by unanimous vote at the Agenda Work Session shall be placed on the Consent Calendar. All items on the Consent Calendar shall be approved upon a single motion and vote of the Commission. Passage of such motion shall be considered as any other motion before the Commission. Adoption of such a motion shall be considered approval of each item individually, and no later objection may be made for failure to take action by individual motion. The Chair of the Commission shall direct the Clerk to read all relevant information into the record prior to the vote on the Consent Calendar. Any member of the Commission may require any matter be considered individually by making objection to the motion to collectively consider all consent items prior to the recording of the vote by the Clerk and the result of the vote is declared by the Chair.

SECTION Q. **SUSPENDING THE RULES:**

The rules may be suspended at any time by a two-thirds (2/3) majority of the membership of the Commission.

SECTION R. **AMENDING THE RULES:**

Rules may be amended by Resolution of the Commission upon report of the Rules Committee.

SECTION S. **ROBERT'S RULES OF ORDER:**

All matters not covered herein shall be governed by Robert's Rules of Order, (current edition).

SECTION T. **COMMISSION OFFICE USE:**

The Commission Office shall be used for Commission business only.

SECTION U. AGENDA WORK SESSION:

Each month, the Commission shall meet for the Agenda Work Session at 5:00 p.m. on the Monday one week prior ~~(or the first business day of the week)~~ to the Commission meeting. **In the event the Agenda Work Session falls on a legal holiday, the Chair shall convene the Commission on a date and time set by the Chair. In the event of inclement weather and the county offices in the City-County Building are closed, the Agenda Work Session shall be postponed at the direction of the Chair.** The Consent Calendar shall be established at the Agenda Work Session.

SECTION V. SPECIAL MEETINGS:

A special session of the Commission shall be called in accordance with the provisions of Tenn. Code Ann. § ~~5-5-105~~ **5-5-104(c)**.

RULE II. CHAIR

SECTION A. CALL TO ORDER:

The Commission meeting shall be called to order by the Chair. In the absence of the Chair, the Vice Chair shall preside. In the absence of the Vice Chair, the Commission shall be called to order by the Clerk and shall subsequently elect one of its members to preside until the Chair or Vice Chair returns.

SECTION B. THE QUESTION:

The Chair shall clearly state the question before a vote is taken. A member may ask for clarification of the question before the result of a vote is declared by the Chair.

RULE III. COUNTY CLERK

SECTION A. MINUTES OF THE COMMISSION:

The County Clerk shall prepare the minutes of each meeting and distribute them to each Commissioner no later than the Thursday before the Agenda Work Session or regular session. Minutes of each meeting shall be approved by the Commission. Subsequent to the minutes being approved by Commission, the minutes shall be made available on the Knox County Commission's website and provided to the general public upon request.

SECTION B. ROLL CALL VOTE:

The Chair shall require the Clerk to call the roll and record the vote as deemed necessary by the Chair or required by the Knox County Charter or Code. The Chair shall alternate districts where roll call begins. Roll call of commission seats does not need to be in numerical order.

SECTION C. VETO MESSAGE:

The Clerk shall send notice of an Executive veto in accordance with the provisions of the Knox County Charter. Upon the request of a Commissioner, the Law Director shall prepare a resolution for consideration by the Commission authorizing a veto override.

RULE IV. COUNTY LAW DIRECTOR

SECTION A. COUNTY LAW DIRECTOR:

The County Law Director or his designee shall attend meetings to advise on matters of the law. The Law Director or his designee shall also attend committee meetings when called upon by the Chair of a Standing or other Committee established by the Commission or a written request signed by a majority of that Committee.

RULE V. COMMITTEES

SECTION A. OFFICERS ELECTION:

Upon the establishment or appointment of a committee, the members of the committee shall convene and elect a Chair, Vice Chair, and a Secretary from its membership and adopt rules for its operation not covered under general regulations pertaining to all committees. If a committee has not organized as required within a reasonable amount of time of its establishment or appointment, the Chair shall call the committee into session and serve as a temporary Chair until the committee elects a Chair.

SECTION B. COMMITTEE MEETINGS OPEN TO COMMISSION MEMBERSHIP:

All committee meetings shall be open. Only duly elected members of the committee in session may vote, make motions and count as forming a quorum. A majority of the committee is needed to form a quorum in order to vote on issues to recommend to the full Commission.

A committee without a quorum may have discussions of issues. Commissioners who are not members of the committee may participate in the committee meeting.

SECTION C. AUTHORITY OF COMMITTEES:

The role and jurisdiction of a committee is to investigate and study matters, provide information and present recommendations to the Commission as generally described in the title of the committee and as more specifically defined in the subject areas listed under the title. Should any question arise as to the jurisdiction of any committee, it shall be referred to the Chair for determination. This determination is subject to an appeal to the Commission at its regular meeting.

SECTION D. REPORTING PROCEDURE:

The procedure for reporting the findings of a committee shall be as follows:

1. The Committee Chair or the member designated shall report and move any action recommended by the committee.
2. Upon completion of a report the speaker shall yield to questions.
3. If no committee action is moved by the Committee Chair, motions from the Commission for action or to receive the report are appropriate, and, if made and seconded, may then be discussed and acted upon.

SECTION E. DUTIES OF COMMITTEE AND SUBCOMMITTEE OFFICERS:

The Committee Chair's responsibility is to call meetings of the committee, prepare the agenda, serve as the presiding officer, and serve as spokesman of the Committee before Commission. The Committee Chair shall ensure that the notice requirements are met for all meetings of the Committee. If a workshop is held by a committee, the Chair of that committee shall preside and the Rules of the Commission shall apply. The Chair should understand and make the committee aware of its areas of jurisdiction. The Vice Chair is to assume the role and responsibilities of the Chair in his or her absence. Should the Chair's seat be vacated, a new Chair shall be elected. The Secretary shall be responsible for the taking of minutes and filing same with the Commission office.

SECTION F. COMMITTEE MEETING MINUTES:

The minutes of all committee meetings shall contain the day, time, place the committee convenes, the members present, a summary of matters considered, a record of the voting on any matters voted upon by the committee, and the time of adjournment. For any Committee that the County Clerk does not prepare the minutes, the Secretary shall be responsible for the taking of minutes and filing same with the Commission Office. The meeting minutes of a Standing Committee may be approved by signature of the Chair of that Standing Committee.

SECTION G VACANCIES ON COMMITTEES:

If for any reason one or more members of a committee vacate their positions, the Commission shall fill those vacancies in the same manner as the original members.

In the event a Commissioner who is serving on a committee in his or her capacity as a member of the Commission ceases to be a member of the Commission, then his or her seat on the committee shall be declared vacant and the vacancy shall be filled with a sitting member of the Commission in the same manner and by the same authority as the original appointment.

SECTION H. SPECIAL COMMITTEES:

The Chair may from time to time appoint a Special Committee, Task Force, or Ad Hoc Committee as the circumstances require, but such a Special Committee, Task Force, or Ad Hoc Committee shall be disbanded when it completes its assigned work and in no case shall it exist longer than one year unless extended by Resolution of the Commission. No Special

Committee, Task Force, or Ad Hoc Committee shall be appointed for any purpose when there is a Standing Committee on the same subject.

SECTION I. RULES COMMITTEE:

The committee on Rules, which shall be comprised of five members, shall be appointed annually by resolution of the Full Commission following the reorganization of the Commission. The Rules Committee shall convene no less than annually to review the Commission Rules and report its recommendations to the Commission. All proposed amendments or additions to the Commission Rules shall be reviewed by the Rules Committee for recommendation prior to being considered by the Full Commission.

SECTION J. CABLE TV COMMITTEE:

There shall be a Cable TV Committee comprised of all eleven (11) members of the Commission.

SECTION K. BEER BOARD:

Pursuant to Resolution R-09-2-101-SS, the entire Knox County Commission shall regulate the sale of beer in Knox County. The Commission shall convene at 4:00 p.m. on the day of the Commission meeting, unless otherwise noticed, for said purpose, which meeting shall be referred to as the Beer Board. The Chair and Vice Chair of Commission shall serve as Chair and Vice Chair of the Beer Board. It shall not be necessary to appoint a Commissioner to serve as secretary of the Beer Board.

SECTION L. FAILURE OF COMMITTEE TO MEET:

If the Chair of a committee fails to call a meeting, the Commission Chair or a majority of the committee may do so.

SECTION M. COMMITTEE AS A WHOLE:

The Commission may, by two-thirds (2/3) vote of the members present, resolve itself into a committee as a whole. All workshops conducted by the Commission as a committee as a whole shall be conducted by the Chair and the Rules of the Commission shall apply.

SECTION N. STANDING COMMITTEES:

All Standing Committees shall be appointed annually by resolution of the Full Commission following the reorganization of the Commission. Any committee on which only commissioners serve shall be considered a standing committee. However, the Beer Board shall not be considered a standing committee.

Every Commissioner shall serve on one standing committee, unless he or she waives such right in writing to the Chair prior to reorganization. No Commissioner shall serve as Chair of more than two Standing Committees. The Chair of Commission shall not serve as an

officer of any standing committee. Standing committees shall only elect the officer positions of chair and vice chair. Any vacancy on a standing committee that is not composed of the entire membership of the Commission shall be filled by resolution of the Commission.

SECTION O. SUBCOMMITTEES:

Each standing committee may, from its membership, select subcommittees to make studies and recommendations to the committee on any specific matter which falls within its authority. Furthermore, it may select interested citizens who wish to help in the study of a given matter (and, with the approval of the Commission, ask them to work as a part of the subcommittee). The Standing Committee, not its subcommittee, shall have final responsibility for all recommendations.

SECTION P. MAJORITY VOTES REQUIRED IN COMMITTEES:

When any Knox County board or committee, which is governed by these rules, is voting on a matter that requires no further County Commission action, the issue shall pass only upon receiving an affirmative vote of a majority of the membership of the committee. All other votes by committees shall be in accord with Robert's Rules of Order, (current edition).

SECTION Q. OTHER COMMITTEES:

As also provided by Section 2.02.I of the Knox County Charter, the Commission may appoint members to those boards and commissions it deems necessary in the furtherance of its duties and responsibilities.

SECTION R. NOTICE OF COMMITTEE MEETINGS:

Each member of the commission and the general public shall be given at least five (5) days advance notice of the time and place of all committee meetings, including standing committee meetings. A notice shall be published in a newspaper of general circulation pursuant to Tenn. Code Ann. § 8-44-103 and court cases interpreting this statute. The notice shall be provided to the Commission Office for publishing at least seven (7) days prior to the committee meeting in order to meet the five (5) day notice requirement unless other arrangements have been made to comply with these notice requirements. All notices provided to the Commission Office for publishing in a newspaper of general circulation shall also be posted on the Knox County Commission website. Committees with established time and place of regular meetings are deemed to have been given sufficient notice.

RULE VI. MISCELLANEOUS

SECTION A. RULES FOR THE NEWS MEDIA:

All news media shall be eligible to attend, report, or broadcast meetings of the Commission subject to the following rules:

1. Personnel and equipment shall not interfere with orderly procedure of the meeting.
2. No equipment shall be placed on the stage in front of the Commissioners or in such a location as to interfere with the Commissioners' view of the speaker's platform.

SECTION B. **CONFLICT OF THESE RULES WITH LAW:**

If any part of these rules conflict with state or federal law, that part in conflict shall be null and void.

SECTION C. **ROAD AND RIGHT OF WAY CLOSURE:**

Before a road closure shall be considered by the Commission and placed on its agenda, the following requirements must be met:

1. A written request for closure giving the name of the road, the right of way width, the length of the section to be closed, location of the road in relation to any existing roads with which it intersects, the person to whom the right of way is to be transferred, and the name of the person requesting the closure, shall be submitted for review to Engineering and Public Works.

2. A copy of the request will be sent to the Director of Engineering & Public Works who will send a copy of the request to all utilities serving the area and any other governmental unit which may have adjoining road right of ways.

3. The request will be accompanied by a signed statement of all adjoining property owners who agree with the request or do not object to the closure. The request shall also state all other adjoining property owners to the road right of way who have not filed a written statement agreeing to the closure.

4. The request for closure must be accompanied by a recordable plat showing the right of way to be abandoned with a metes and bounds description and the boundaries of the lots of the person to whom the right of way is to be transferred as they will exist if the right of way is closed as requested.

5. Road and right of way closures shall be approved in two (2) separate Commission meetings before being final. Upon final approval, the party requesting closure shall submit a metes and bounds description of each portion of the right of way closed with the name of the person to whom it is to be transferred, as approved by the Commission, to the Law Department for preparation and execution of quit claim deeds. A recordable plat showing the boundaries of the lots of the persons to whom the right of way is transferred as approved shall be filed with MPC and recorded with the Register of Deeds in compliance with the Subdivision Regulations of Knox County.

SECTION D. **OUTSIDE CONFERENCES AND TRAVEL:**

The Chair of Commission and other members of the Commission, as designated by the Chair, may attend outside conferences and travel with the expenses coming from the Commission budget and shall not exceed that budget. All Commission expenses for conferences and travel shall be spread of record at a regular Commission meeting.

SECTION E. HONORARY RESOLUTIONS:

All honorary resolutions shall be meaningful and noteworthy to the community and/or the individual receiving recognition by the Commission. It shall be the responsibility of any Commissioner requesting an Honorary or Memorial Resolution to provide the Commission Office and the Law Director with such information as is necessary for the drafting of the requested resolution.

SECTION F. COMMISSION CALLED MEETING:

Any County Commissioner desirous of meeting with fellow Commissioners at a time and place other than regularly scheduled/noticed public meetings shall ensure such meeting is publicly noticed through the Commission Office, or by appropriate intranet process that serves to put the media and general public on notice, at least forty eight (48) hours prior to such meeting, except in a declared state of emergency or in matters of great public importance where time is of the essence. All meetings shall be open to the public, shall contain a written agenda, and minutes must be kept and made available for inspection by members of the general public. Further, Commissioners shall provide the Commission Office with a list of those regularly scheduled meetings of civic, community and political organizations at which two or more Commissioners may attend to ensure that adequate public notice of same is given.

SECTION G. CHARTER AMENDMENTS:

Any charter amendment to be considered by the Knox County Commission, whether it derived from a citizen group or a Knox County Commissioner, shall be reviewed by the Knox County Law Director before being considered on first reading. If the ordinance proposing a charter amendment is passed on first reading, a minimum of two public hearings shall be required before the charter amendment is considered on second reading.

SECTION H. REORGANIZATION MEETING ORDER OF PROCEDURE:

The annual reorganization meeting of the Knox County Commission, in regard to the election of the Commission Chair, the Commission Vice Chair, and the Chairs and Vice Chairs of the Standing Committees, shall be conducted in accordance with the provisions of the Knox County Charter and as follows:

1. Reorganization meeting of the Knox County Commission called to order by the Clerk.
2. Election of Chair and Vice Chair pursuant to the Knox County Charter shall be conducted as set forth below. No Commissioner shall be eligible to be elected to serve as Chair of the Commission for more than two (2) terms.

Question: Does the Commission want to clarify that this would be two (2) terms as Chair per term on the Commission?

Each member of the Commission shall have an opportunity by roll call to nominate a Commissioner to serve as Chair and Vice Chair by separate ballot. The Knox County Clerk shall preside over the meeting until a Chair is elected, at which time the Chair shall preside. Pursuant to the Knox County Charter, nominations may be made by members of the Commission only. Nominations do not require a second. If a Commissioner nominated is not present at the meeting, a statement from the nominee that the nominee is willing to serve as Chair or Vice Chair, if elected, shall be submitted. Each Commissioner nominated shall, prior to the first vote, either accept or decline the nomination. A refusal to either accept or decline shall disqualify that member for nomination. No vote shall be recorded in favor of any member of the Commission who has declined nomination. Nominators may speak about their nominees; nominees may speak about themselves. After nominations are ended, nominations shall be closed by motion and vote. The Clerk or Chair, as the case may be, will then call for discussion by commissioners regarding all the nominees. After each Commissioner is afforded ample opportunity to express his/her views and responding views, the Clerk or Chair will ask if all Commissioners are ready for a vote. If any Commissioner wants further discussion, further discussion shall be permitted. When discussion is complete, voting will commence. By roll call vote each Commissioner may vote in favor of one (1) nominee by name and the nominee with the least number of votes is disqualified. After each vote, the Clerk or Chair will invite further discussion by Commissioners regarding the remaining nominees. If there is a tie vote, the Clerk or Chair will invite the nominators and remaining nominees to speak again, and the Clerk or Chair will invite further discussion by Commissioners. Voting will resume until a nominee receives a majority of the votes of the membership of the Commission.

3. Following election of Chair and Vice Chair of the Commission, the Commission shall consider and approve a resolution appointing commissioners to standing committees in accordance with the section in the Commission Rules regarding standing committees. Commissioners shall have an opportunity to volunteer to serve on those standing committees as may be of interest. Vacancies not filled by volunteers shall be filled by nominations from the floor.
4. The Chair shall recess the full Commission and convene a meeting of each Standing Committee separately, one at a time, as follows:
 - a. The Chair of the Commission shall convene the Standing Committee and open the floor for nominations for the position of Chair of the Standing Committee and from those nominees the Standing Committee will elect a Chair. If a Commissioner nominated is not

- present at the meeting, a statement from the Commissioner that the Commissioner is willing to serve as an officer shall be submitted.
- b. Once a Chair is chosen that person will then preside over the meeting of the Standing Committee and open the floor for nominations for the position of Vice Chair.
 - c. The Chair of the Standing Committee will then adjourn the meeting of the Standing Committee following the approval of the minutes of the previous meetings, if necessary, and to schedule any future meeting as needed.
5. The Chair of the Commission shall then reconvene the full commission pursuant to any other pending business and adjournment.

SECTION I. ZONING ORDINANCES:

Pursuant to the County Zoning Ordinance, before the enactment of any amendment to the zoning ordinance, the Commission shall hold a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be published once in a daily newspaper of general circulation in the County.

RULE VII. REZONING REQUESTS AND APPEALS

SECTION A. TIME LIMITS:

The applicant for zoning and those opposed to the zoning shall be given a maximum of five (5) minutes to present their case and three (3) minutes for rebuttal. The Chair shall have the discretion to grant an extension pursuant to the approval of the Commission by voice vote. If an extension is granted, each will be given an equal specified amount of time. (Time will be kept by the Clerk.)

SECTION B. WITNESSES OR CITIZENS APPEARING BEFORE THE COMMISSION:

Each witness or citizen shall state their name and residential address or business address before giving testimony. No witness shall be permitted to testify on the same matter more than once, except by special permission given by vote of the Commission. This shall not preclude attorneys or others representing applicants or opponents from asking questions of witnesses.

SECTION C. ORDER OF PROCEDURE:

1. Matter called by Clerk.
2. MPC staff representative reports MPC's recommendation.
3. Applicant or appellant states name and address, and presents relevant testimony.
4. Opposition speaker(s) states name and presents relevant testimony for opposing the requested action.

5. Applicant rebuts opposition arguments, states any compromise or conditions he or she is willing to accept. No new matters may be introduced. Opposition may agree to any offered compromise. Neither should exceed two (2) minutes.
6. County Commissioners may ask questions of any speakers.
7. Motion and second followed by Commission deliberations which shall not be interrupted from the audience.

SECTION D. REAPPLICATION AFTER DENIAL:

Following denial by the Commission, no rezoning request, appeal, or subdivision plan approval request may be resubmitted for a period of at least twelve (12) months. Provided, however, a petition for a different zoning shall be considered.

SECTION E. RECONSIDERATION AFTER DECISION:

Once a decision has been made by Commission, the matter will not be reconsidered until it has been back before MPC.

SECTION F. APPLICANT ATTENDANCE REQUIRED FOR ACTION:

Attendance at the Zoning session by the applicant or a representative for a rezoning or plan amendment shall be required for Commission action. If the applicant is not present when the item is read, it shall automatically be placed at the end of the current agenda. If the applicant still is not present when the item is reached again, then the item shall be placed on the Commission Agenda for the following month.



Knox County Commission
City County Building, Suite 603

400 West Main Street
Knoxville, Tennessee 37902
(865) 215-2534

Rules Committee

4.

Meeting Date: 11/14/2016

Requested By: Jolie Bonavita,
COUNTY
COMMISSION

Department: COUNTY COMMISSION

Requires Expenditure of Funds: Funded in Current Budget:

Appropriation Required:

Information

CAPTION

Discussion of suggested changes to the Commission Rules regarding the Drives and Roads section of the Commission Agenda.

Rules Committee

5.

Meeting Date: 11/14/2016

Requested By: Jolie Bonavita,
COUNTY
COMMISSION

Department: COUNTY COMMISSION

Requires Expenditure of Funds: Funded in Current Budget:

Appropriation Required:

Information

CAPTION

Discussion of meeting times.

Rules Committee

6.

Meeting Date: 11/14/2016

Requested By: Jolie Bonavita,
COUNTY
COMMISSION

Department: COUNTY COMMISSION

Requires Expenditure of Funds: Funded in Current Budget:

Appropriation Required:

Information

CAPTION

Other business.

Rules Committee

7.

Meeting Date: 11/14/2016

Requested By: Jolie Bonavita,
COUNTY
COMMISSION

Department: COUNTY COMMISSION

Requires Expenditure of Funds: Funded in Current Budget:

Appropriation Required:

Information

CAPTION

Adjournment.
