

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, January 28, 2013 at 1:45 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. 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. Tim Burchett, Knox County Mayor, Mr. Dean Rice, Chief of Staff for the Knox County Mayor, Mr. Daniel Sanders, Knox County Deputy Law Director, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buz” Johnson, Deputy Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Norman, Chairman, presided.

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

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

Commissioner Norman called the meeting to order.

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IN RE: PUBLIC FORUM:

1. Mr. Caleb Boyers, concerned citizen, was present and spoke concerning tax exemption for blighted property.

Mr. Chad Tindell, Knox County Delinquent Tax Attorney for the Knox County Trustee’s Office, was present and spoke on the matter.

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2. Mr. Jim Theussen, concerned citizen, did not speak at this time, but spoke during the 5:00 p.m. zoning session meeting.

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3. Ms. Margot Kline, concerned citizen, did not speak at this time, but spoke during the 5:00 p.m. zoning session meeting.

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IN RE: HONORARY RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING MARY LOU HORNER – R-13-1-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee, memorializing Mary Lou Horner was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-13-1-101 – Resolution of the Commission of Knox County, Tennessee, memorializing Mary Lou Horner. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, read the resolution into the record.

Mr. Bobby Horner, son, along with his wife Libby, were present to accept the resolution and expressed appreciation to the commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING BRUCE MCCARTY – R-13-1-102:

Consideration of a Resolution of the Commission of Knox County, Tennessee, memorializing Bruce McCarty was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-102 - Resolution of the Commission of Knox County, Tennessee, memorializing Bruce McCarty. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, read the resolution into the record.

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IN RE: AMENDMENTS TO THE AGENDA:

1. Commissioner Norman amended the agenda to hear the following items later at the day's meeting: Resolution R-13-1-103; Resolution R-13-1-104; Resolution R-13-1-105; Resolution R-13-1-106; Resolution R-13-1-107; Resolution R-13-1-108; and Resolution R-13-1-109.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING DILLON MOORE OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-103:

This item was heard later at the day's meeting. (See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING IAN A. BEELER OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-104:

This item was heard later at the day's meeting. (See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING KYLE P. HALSTEAD OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-105:

This item was heard later at the day's meeting. (See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING AUSTIN T. HANCOCK OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-106:

This item was heard later at the day's meeting. (See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING JEREMY P. KINNEY OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-107:

This item was heard later at the day's meeting. (See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING NATHANAEL G. SANDERS OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-108:

This item was heard later at the day's meeting. (See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING NATHANIAL W. WECH OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-109:

This item was heard later at the day's meeting. (See Page _____)

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IN RE: ROLL CALL (2:10 P.M.)

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

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IN RE: DEVOTIONAL:

Reverend Seth Hammond, son of Commissioner Mike Hammond; and Pastor at Christ Covenant Presbyterian Church, Farragut, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG

Commissioner McKenzie 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 December 17, 2012 (Regular Session) was before the Board of Commissioners.

Commissioner McKenzie moved to approve the minutes from the previous meeting held on December 17, 2012 (Regular Session). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

2. Commissioner Norman amended the agenda to remove the following item from the Consent Calendar: Resolution R-13-1-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee, regarding the transfer of three (3) properties leased to Hillcrest Healthcare Communities, Inc. and located at 5319/5321/5325 Beverly Park Circle, 1758 Hillwood Drive and 6801 Middlebrook Pike to the Industrial Development Board of the County of Knox, Tennessee, and authorizing the execution and delivery of a Memorandum of Understanding in connection with said transfer and subsequent transfer of said properties to Hillcrest Healthcare Communities, Inc. in return for the payment of \$5,275,000.00.

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3. Commissioner Norman amended the agenda to add the following item to be heard after completion of Notary Applications: Resolution R-13-1-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee, concerning taxes and the disposal of real property owned by Knox County.

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4. At this time, Commissioner Smith indicated he wanted to recuse himself from the following item due to serving on the board for BB&T: Resolution R-13-1-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with BB&T to provide banking services for Knox County.

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5. Commissioner Ownby moved to amend the agenda to add the following items: Resolution R-13-1-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee, 1) approving the compensation of the Office of Knox County Law Director to represent the Knox County Trustee's Office in the legal activity associated with the collection of delinquent taxes, effective February 1, 2013 and; 2) appropriating the amount of \$85,000.00 from excess fees of the Knox County Trustee's Office budget to the Office of Knox County Law Director's budget; Discussion regarding an article in Tennessee County News relating to Education; Discussion regarding schools; Discussion regarding Insolvency Board; Discussion regarding the double payment for parking related to the Sheriff's Department; Report from the Ethics Ad Hoc Committee; Discussion regarding the Audit Committee; Discussion regarding the Safety Center; and Spread of Record the Knox County Mayor's Order reappointing Ruth Ann Milsaps to the West Knox Utility District Board of Commissioners. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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6. Commissioner Ownby moved to defer the following item to the March 2013 Board of Commissioners meeting: Resolution R-13-1-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee, providing for the reduction of Knox County's debt by applying proceeds of sale of the County's surplus properties to reducing the county taxpayers' debt. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: DRIVES AND ROADS

No request received.

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IN RE: LINE ITEM TRANSFERS:

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

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

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IN RE: NOTARY PUBLIC APPLICATIONS:

184 Notary Public Applications received.

Commissioner Anders moved to approve the 184 Notary Public Applications. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: RESOLUTION

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONCERNING TAXES AND THE DISPOSAL OF REAL PROPERTY OWNED BY KNOX COUNTY – R-13-1-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee, concerning taxes and the disposal of real property owned by Knox County was before the Board of Commissioners.

Mr. Chad Tindell, Knox County Delinquent Tax Attorney for the Knox County Trustee's Office, was present and spoke on the matter.

Commissioner Anders moved to approve Resolution R-13-1-904 - Resolution of the Commission of Knox County, Tennessee, concerning taxes and the disposal of real property owned by Knox County. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING G. SCOTT SMITH (DISTRICT 4) TO THE KNOX COUNTY BOARD OF ZONING APPEALS TO SERVE THE REMAINING TERM OF WILLIAM DANIELS EXPIRING SEPTEMBER 30, 2013 – R-13-1-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee, appointing G. Scott Smith (District 4) to the Knox County Board of Zoning Appeals to serve the remaining term of William Daniels expiring September 30, 2013 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-110 - Resolution of the Commission of Knox County, Tennessee, appointing G. Scott Smith (District 4) to the Knox County Board of Zoning Appeals to serve the remaining term of William Daniels expiring September 30, 2013. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie,

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REAPPOINTING CHRISTOPHER ROWE, MARK BROWN AND HAROLD STEWART AS JUDICIAL MAGISTRATES FOR KNOX COUNTY – R-13-1-111:

Consideration of a Resolution of the Commission of Knox County, Tennessee, reappointing Christopher Rowe, Mark Brown and Harold Stewart as Judicial Magistrates for Knox County was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-111 - Resolution of the Commission of Knox County, Tennessee, reappointing Christopher Rowe, Mark Brown and Harold Stewart as Judicial Magistrates for Knox County. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONFIRMING THE KNOX COUNTY MAYOR'S APPOINTMENT OF GWENDOLYN BROWN TO SERVE THE UNEXPIRED TERM OF JIM CLAYTON ON THE BOARD OF DIRECTORS OF THE DEVELOPMENT CORPORATION OF KNOX COUNTY – R-13-1-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointment of Gwendolyn Brown to serve the unexpired term of Jim Clayton on the Board of Directors of The Development Corporation of Knox County was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-112 - Resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointment of Gwendolyn Brown to serve the unexpired term of Jim Clayton on the Board of Directors of The Development Corporation of Knox County. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RE-ESTABLISHING THE FINANCE COMMITTEE AS A STANDING COMMITTEE OF THE KNOX COUNTY COMMISSION – R-13-1-113:

Consideration of a Resolution of the Commission of Knox County, Tennessee, re-establishing the Finance Committee as a Standing Committee of the Knox County Commission was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-113 - Resolution of the Commission of Knox County, Tennessee, re-establishing the Finance Committee as a Standing Committee of the Knox County Commission. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, PROVIDING FOR THE RECORD THE TERM OF COMMISSIONER SAM MCKENZIE ON THE KNOX COUNTY RAILROAD AUTHORITY, WHICH TERM SHALL EXPIRE AUGUST 31, 2016, AND PROVIDING THE LENGTH OF ALL SUBSEQUENT TERMS OF MEMBERS APPOINTED TO THE RAILROAD AUTHORITY BY THE KNOX COUNTY COMMISSION – R-13-1-114:

Consideration of a Resolution of the Commission of Knox County, Tennessee, providing for the record the term of Commissioner Sam McKenzie on the Knox County Railroad Authority, which term shall expire August 31, 2016, and providing the length of all subsequent terms of members appointed to the Railroad Authority by the Knox County Commission was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-114 - Resolution of the Commission of Knox County, Tennessee, providing for the record the term of Commissioner Sam McKenzie on the Knox County Railroad Authority, which term shall expire August 31, 2016, and providing the length of all subsequent terms of members appointed to the Railroad Authority by the Knox County Commission. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH HELEN ROSS MCMABB CENTER FOR STUDENT ASSISTANCE COUNSELING SUPPORT SERVICES AT A COST OF \$155.00 PER DAY FOR A MAXIMUM OF 200 DAYS – R-13-1-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with Helen Ross McMabb Center for Student

Assistance Counseling Support Services at a cost of \$155.00 per day for a maximum of 200 days was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Helen Ross McMabb Center for Student Assistance Counseling Support Services at a cost of \$155.00 per day for a maximum of 200 days. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CONTRACTS WITH F.M. GEORGE SAFE, AND LOCK COMPANY; AND WM. S. TRIMBLE COMPANY, INC. TO PROVIDE KEYS, LOCKS AND LOCKING SYSTEMS AS NEEDED IN THE AMOUNT NOT TO EXCEED \$150,000.00 ANNUALLY R-13-1-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving contracts with F.M. George Safe, and Lock Company; and Wm. S. Trimble Company, Inc. to provide keys, locks and locking systems as needed in the amount not to exceed \$150,000.00 annually was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-202 - Resolution of the Commission of Knox County, Tennessee, approving contracts with F.M. George Safe, and Lock Company; and Wm. S. Trimble Company, Inc. to provide keys, locks and locking systems as needed in the amount not to exceed \$150,000.00 annually. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CONTRACTS WITH K&F CONSTRUCTION, INC., SKILLED SERVICES QUALITY CONSTRUCTION, LLC, SHELTON GENERAL CONTRACTORS, AND STOOKSBURY CONSTRUCTION, INC. TO PROVIDE GENERAL AND MISCELLANEOUS CONSTRUCTION SERVICES AS NEEDED IN THE AMOUNT NOT TO EXCEED \$500,000.00 ANNUALLY – R-13-1-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving contracts with K&F Construction, Inc., Skilled Services Quality Construction, LLC, Shelton General Contractors, and Stooksbury

Construction, Inc. to provide general and miscellaneous construction services as needed in the amount not to exceed \$500,000.00 annually was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-203 - Resolution of the Commission of Knox County, Tennessee, approving contracts with K&F Construction, Inc., Skilled Services Quality Construction, LLC, Shelton General Contractors, and Stooksbury Construction, Inc. to provide general and miscellaneous construction services as needed in the amount not to exceed \$500,000.00 annually. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$639,643.00 WITH HENLEY ROOFING COMPANY, INC. FOR A ROOF REPLACEMENT AT WEST VALLEY MIDDLE SCHOOL – R-13-1-204:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$639,643.00 with Henley Roofing Company, Inc. for a roof replacement at West Valley Middle School was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-204 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$639,643.00 with Henley Roofing Company, Inc. for a roof replacement at West Valley Middle School. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$2,311,874.00 WITH K&F CONSTRUCTION, INC. FOR THE CONSTRUCTION OF AN ADDITION TO BELLE MORRIS ELEMENTARY SCHOOL – R-13-1-205:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$2,311,874.00 with K&F Construction, Inc. for the construction of an addition to Belle Morris Elementary School was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-205 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$2,311,874.00 with K&F Construction, Inc. for the construction of an addition to Belle Morris Elementary School. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE TENNESSEE DEPARTMENT OF EDUCATION IN THE AMOUNT OF \$319,879.19 (NO LOCAL MATCH REQUIRED) FOR THE IMPLEMENTATION OF THE SAFE AND SUPPORTIVE SCHOOLS GRANT PROJECT FOR THE PERIOD OF OCTOBER 1, 2012 THROUGH SEPTEMBER 30, 2013 – R-13-1-206:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the Tennessee Department of Education in the amount of \$319,879.19 (no local match required) for the implementation of the Safe and Supportive Schools Grant Project for the period of October 1, 2012 through September 30, 2013 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-206 - Resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the Tennessee Department of Education in the amount of \$319,879.19 (no local match required) for the implementation of the Safe and Supportive Schools Grant Project for the period of October 1, 2012 through September 30, 2013. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH FEDEX FREIGHT, INC. FOR PROPERTY LOCATED AT 2645 ASBURY ROAD – R-13-1-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with FedEx Freight, Inc. for property located at 2645 Asbury Road was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-401 - Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with FedEx Freight, Inc. for property located at 2645 Asbury Road. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH DOMINION WELLSRING POWELL, LLC FOR PROPERTY LOCATED AT 7545 THUNDER LANE – R-13-1-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Dominion Wellspring Powell, LLC for property located at 7545 Thunder Lane was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-402 - Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Dominion Wellspring Powell, LLC for property located at 7545 Thunder Lane. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH CROSSROADS APOSTOLIC CHURCH FOR PROPERTY LOCATED AT 4111 MCCLOUD ROAD – R-13-1-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Crossroads Apostolic Church for property located at 4111 McCloud Road was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-403 - Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management

Practices with Crossroads Apostolic Church for property located at 4111 McCloud Road. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE USE OF \$135,000.00 FROM THE ENGINEERING DEPARTMENT'S SUBDIVISION FORECLOSURE ACCOUNT FOR DRAINAGE AND ROAD REPAIRS IN SILVERSTONE SUBDIVISION – R-13-1-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the use of \$135,000.00 from the Engineering Department's Subdivision Foreclosure Account for drainage and road repairs in Silverstone Subdivision was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-404 - Resolution of the Commission of Knox County, Tennessee, approving the use of \$135,000.00 from the Engineering Department's Subdivision Foreclosure Account for drainage and road repairs in Silverstone Subdivision. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT CONTRACT WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY FOR THE 2012 HOMELAND SECURITY GRANT PASS-THROUGH FUNDING IN THE AMOUNT OF \$386,851.59 (NO LOCAL MATCH REQUIRED) FOR THE DISTRICT 2 HOMELAND SECURITY FIRST RESPONDER TRAINING PROGRAM FOR KNOX COUNTY AND THE FIFTEEN (15) CONTIGUOUS COUNTIES COMPRISING DISTRICT 2 HOMELAND SECURITY – R-13-1-501:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant contract with the Tennessee Emergency Management Agency for the 2012 Homeland Security Grant pass-through funding in the amount of \$386,851.59 (no local match required) for the District 2 Homeland Security First Responder Training Program for Knox County and the fifteen (15) contiguous counties comprising District 2 Homeland Security was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-501 - Resolution of the Commission of Knox County, Tennessee, approving a grant

contract with the Tennessee Emergency Management Agency for the 2012 Homeland Security Grant pass-through funding in the amount of \$386,851.59 (no local match required) for the District 2 Homeland Security First Responder Training Program for Knox County and the fifteen (15) contiguous counties comprising District 2 Homeland Security. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT AND AMENDMENT THERETO BETWEEN THE KNOX COUNTY HEALTH DEPARTMENT AND ABT ASSOCIATES TO COLLABORATE ON THE EVALUATION OF THE SAFER SEX INTERVENTION AS PART OF THE TEEN HEALTH EMPOWERMENT STUDY CONDUCTED FOR THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES WHICH AGREEMENT PROVIDE THAT KNOX COUNTY HEALTH DEPARTMENT WILL RECEIVE A TOTAL OF \$50,000.00 FOR THEIR EFFORTS IN SUPPORTING THE STUDY – R-13-1-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement and amendment thereto between the Knox County Health Department and ABT Associates to collaborate on the Evaluation of the Safer Sex Intervention as part of the Teen Health Empowerment Study conducted for the U.S. Department of Health and Human Services which agreement provide that Knox County Health Department will receive a total of \$50,000.00 for their efforts in supporting the study was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-601 - Resolution of the Commission of Knox County, Tennessee, approving an agreement and amendment thereto between the Knox County Health Department and ABT Associates to collaborate on the Evaluation of the Safer Sex Intervention as part of the Teen Health Empowerment Study conducted for the U.S. Department of Health and Human Services which agreement provide that Knox County Health Department will receive a total of \$50,000.00 for their efforts in supporting the study. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

AGRICULTURE ENHANCEMENT PROGRAM GRANT IN THE AMOUNT OF \$1,500.00 (NO LOCAL MATCH REQUIRED) TO PROMOTE THE FARMERS MARKET AT NEW HARVEST PARK – R-13-1-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Tennessee Agriculture Enhancement Program Grant in the amount of \$1,500.00 (no local match required) to promote the Farmers Market at New Harvest Park was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-701 - Resolution of the Commission of Knox County, Tennessee, approving a Tennessee Agriculture Enhancement Program Grant in the amount of \$1,500.00 (no local match required) to promote the Farmers Market at New Harvest Park.

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH BB&T TO PROVIDE BANKING SERVICES FOR KNOX COUNTY – R-13-1-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with BB&T to provide banking services for Knox County was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-902 - Resolution of the Commission of Knox County, Tennessee, approving a contract with BB&T to provide banking services for Knox County. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown, Hammond and Shouse voted aye. Commissioner Smith recused himself from the vote. The motion carried 10-0-1-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, 1) APPROVING THE COMPENSATION OF THE OFFICE OF KNOX COUNTY LAW DIRECTOR TO REPRESENT THE KNOX COUNTY TRUSTEE'S OFFICE IN THE LEGAL ACTIVITY ASSOCIATED WITH THE COLLECTION OF DELINQUENT TAXES, EFFECTIVE FEBRUARY 1, 2013 AND; 2) APPROPRIATING THE AMOUNT OF \$85,000.00 FROM EXCESS FEES OF THE KNOX COUNTY TRUSTEE'S OFFICE BUDGET TO THE OFFICE OF KNOX COUNTY LAW DIRECTOR'S BUDGET – R-13-1-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee, 1) approving the compensation of the Office of Knox County Law Director to represent the Knox County Trustee's Office in the legal activity associated with the collection of delinquent taxes, effective February 1, 2013 and; 2) appropriating the amount of \$85,000.00 from excess fees of the Knox County Trustee's Office budget to the Office of Knox County Law Director's budget was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-13-1-903 - Resolution of the Commission of Knox County, Tennessee, 1) approving the compensation of the Office of Knox County Law Director to represent the Knox County Trustee's Office in the legal activity associated with the collection of delinquent taxes, effective February 1, 2013 and; 2) appropriating the amount of \$85,000.00 from excess fees of the Knox County Trustee's Office budget to the Office of Knox County Law Director's budget. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: ACCEPTANCE OF NEW KNOX COUNTY ROADS:

Consideration of acceptance of the following new Knox County roads was before the Board of Commissioners:

- A. Fredericksburg Boulevard, Jefferson Park Subdivision, Unit I and II, District 6.
- B. Monument Boulevard, Jefferson Park Subdivision, Unit I, District 6.
- C. Charlottesville Boulevard, Jefferson Park Subdivision, Unit I, District 6.
- D. Rivanna Lane, Jefferson Park Subdivision, Unit I, District 6.
- E. Apple Valley Drive, Jefferson Park Subdivision, Unit 1, District 6.
- F. Apomattox Lane, Jefferson Park Subdivision, Unit III, District 6.
- G. Rushmore Lane, Jefferson Park Subdivision, Unit III, District 6.
- H. Copperstone Lane, Copperstone Subdivision, District 6.
- I. Watergrove Drive, Copperstone Subdivision, District 6.

Commissioner Smith moved to approve the above acceptance of new Knox County roads. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE CONVEYANCE OF FEE SIMPLE TITLE TO THE KNOX COUNTY BOARD OF EDUCATION FOR REAL PROPERTIES AT THE NEW SOUTHWEST ELEMENTARY SCHOOL, BRICKEY-MC CLOUD ELEMENTARY SCHOOL, AMHERST ELEMENTARY SCHOOL AND GIBBS ELEMENTARY SCHOOL – R-13-1-207:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the conveyance of fee simple title to the Knox County Board of Education for real properties at the new Southwest Elementary School, Brickey-McCloud Elementary School, Amherst Elementary School and Gibbs Elementary School was before the Board of Commissioners.

Commissioner McKenzie moved to defer to the March 2013 Board of Commissioners meeting Resolution R-13-1-207 - Resolution of the Commission of Knox County, Tennessee, approving the conveyance of fee simple title to the Knox County Board of Education for real properties at the new Southwest Elementary School, Brickey-McCloud Elementary School, Amherst Elementary School and Gibbs Elementary School. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING THE TRANSFER OF THREE (3) PROPERTIES LEASED TO HILLCREST HEALTHCARE COMMUNITIES, INC. AND LOCATED AT 5319/5321/5325 BEVERLY PARK CIRCLE, 1758 HILLWOOD DRIVE AND 6801 MIDDLEBROOK PIKE TO THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF KNOX, TENNESSEE, AND AUTHORIZING THE EXECUTION AND DELIVERY OF A MEMORANDUM OF UNDERSTANDING IN CONNECTION WITH SAID TRANSFER AND SUBSEQUENT TRANSFER OF SAID PROPERTIES TO HILLCREST HEALTHCARE COMMUNITIES, INC. IN RETURN FOR THE PAYMENT OF \$5,275,000.00 – R-13-1-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee, regarding the transfer of three (3) properties leased to Hillcrest Healthcare Communities, Inc. and located at 5319/5321/5325 Beverly Park Circle, 1758 Hillwood Drive and 6801 Middlebrook Pike to the Industrial Development Board of the County of Knox, Tennessee, and authorizing the execution and

delivery of a Memorandum of Understanding in connection with said transfer and subsequent transfer of said properties to Hillcrest Healthcare Communities, Inc. in return for the payment of \$5,275,000.00 was before the Board of Commissioners.

Mr. Chris Caldwell, Knox County Finance Director, Mr. Chris Trump, Counsel for the Industrial Development Board, Mr. Hugh Holt, Director for the Knox County Purchasing Department, Mr. Todd Napier, Industrial Development Board, were present and spoke on the matter.

Commissioner Anders moved to approve Resolution R-13-1-801 - Resolution of the Commission of Knox County, Tennessee, regarding the transfer of three (3) properties leased to Hillcrest Healthcare Communities, Inc. and located at 5319/5321/5325 Beverly Park Circle, 1758 Hillwood Drive and 6801 Middlebrook Pike to the Industrial Development Board of the County of Knox, Tennessee, and authorizing the execution and delivery of a Memorandum of Understanding in connection with said transfer and subsequent transfer of said properties to Hillcrest Healthcare Communities, Inc. in return for the payment of \$5,275,000.00. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, PROVIDING FOR THE REDUCTION OF KNOX COUNTY'S DEBT BY APPLYING PROCEEDS OF SALE OF THE COUNTY'S SURPLUS PROPERTIES TO REDUCING THE COUNTY TAXPAYERS' DEBT – R-13-1-901:

This item was deferred to the March 2013 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONCERNING TAXES AND THE DISPOSAL OF REAL PROPERTY OWNED BY KNOX COUNTY – R-13-1-904:

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

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IN RE: ORDINANCES OF FIRST READING:

No Ordinances on first reading received.

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IN RE: ORDINANCES ON SECOND READING:

No Ordinances on second reading received.

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IN RE: PUBLIC FORUM:

No one requested to speak.

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IN RE: OTHER BUSINESS:

**IN RE: DISCUSSION REGARDING AN EDUCATION COMMITTEE
CONSISTING OF COMMISSIONERS AND BOARD OF EDUCATION
MEMBERS:**

Discussion regarding an Education Committee consisting of Commissioners and Board of Education members was before the Board of Commissioners.

Commissioner Norman indicated the following Commissioners volunteered to serve on the Education Committee: Commissioners McKenzie, Broyles, Wright and Hammond.

No action was taken.

* * * * *

**IN RE: DISCUSSION REGARDING AN ARTICLE IN TENNESSEE
COUNTY NEWS RELATING TO EDUCATION:**

Discussion regarding an article in Tennessee County News relating to Education was before the Board of Commissioners.

No action was taken.

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IN RE: DISCUSSION REGARDING SCHOOLS:

Discussion regarding schools was before the Board of Commissioners.

No action was taken.

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IN RE: DISCUSSION REGARDING INSOLVENCY BOARD:

Discussion regarding Insolvency Board was before the Board of Commissioners.

No action was taken.

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**IN RE: DISCUSSION REGARDING THE DOUBLE PAYMENT FOR
PARKING RELATED TO THE SHERIFF'S DEPARTMENT:**

Discussion regarding the double payment for parking related to the Sheriff's Department was before the Board of Commissioners.

Mr. Chris Caldwell, Knox County Finance Director, and Mr. J.J. Jones, Knox County Sheriff, were present and spoke on the matter.

No action was taken.

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IN RE: REPORT FROM THE ETHICS AD HOC COMMITTEE:

Report from the Ethics Ad Hoc Committee was before the Board of Commissioners.

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

No action was taken.

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IN RE: DISCUSSION REGARDING THE AUDIT COMMITTEE:

Discussion regarding the Audit Committee was before the Board of Commissioners.

Mr. Chris Caldwell, Knox County Finance Director, was present and spoke on the matter.

No action was taken.

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IN RE: DISCUSSION REGARDING THE SAFETY CENTER:

Discussion regarding the Safety Center was before the Board of Commissioners.

Mr. J.J. Jones, Knox County Sheriff, Mr. Chris Caldwell, Knox County Finance Director, and Ms. Martha Buchanan, Health Officer and Director for the Knox County Health Department, were present and spoke on the matter.

No action was taken.

* * * * *

IN RE: SPREAD OF RECORD THE KNOX COUNTY MAYOR'S ORDER REAPPOINTING RUTH ANN MILSAPS TO THE WEST KNOX UTILITY DISTRICT BOARD OF COMMISSIONERS:

Spread of Record the Knox County Mayor's Order reappointing Ruth Ann Milsaps to the West Knox Utility District Board of Commissioners was before the Board of Commissioners.

No action was taken.

See order below.

ORDER OF THE KNOX COUNTY MAYOR
APPOINTING UTILITY DISTRICT COMMISSIONER

IN RE:)
)
COMMISSIONER APPOINTMENT)
FOR THE WEST KNOX)
UTILITY DISTRICT OF KNOX)
COUNTY, TENNESSEE)

Upon certification by the Board of Commissioners of the West Knox Utility District of Knox County, Tennessee, certifying an upcoming vacancy on said Board of Commissioners by the expiration of the term of Commissioner Ruth Ann Milsaps, 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 Ruth Ann Milsaps is hereby reappointed to the Board of Commissioners of the West Knox Utility District of Knox County, Tennessee, to serve a four (4) year term commencing January 1, 2013 and expiring December 31, 2016. Ms. Ruth Ann Milsaps took the oath of office on January 23, 2013. See Letter of Appointment and Oath, attached collectively as Exhibit A hereto.

(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 West Knox 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 24th day of January, 2013.



TIM BURCHETT
KNOX COUNTY MAYOR



OFFICE OF COUNTY MAYOR TIM BURCHETT

400 Main Street, Suite 615, Knoxville, TN 37902

December 21, 2012

Dan Hurst, President
West Knox Utility District Board of Commissioners
2328 Lovell Road
Knoxville, TN 37950-1370

Dear Mr. Hurst,

I appreciate your letter dated November 16, 2012. As always, the Board of Commissioners of the West Knox Utility District has provided me with three excellent candidates to fill the vacancy on your board.

While I am certain that each candidate would do an excellent job in representing the citizens of the West Knox Utility District, I would like to reappoint Ms. Ruth Ann Milsaps to the Board. She is a most successful businesswoman, a dedicated community servant and brings a high level of expertise in a wide variety of areas. She has also already provided outstanding service to the West Knox Utility District.

I appreciate your dedicated service to the citizens of West Knox County. I hope that 2013 is a year of continued success for the West Knox Utility District.

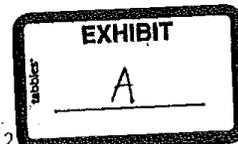
Please contact my office at 865-215-2005 to schedule Ms. Milsaps' oath of office ceremony. If I can be of any other assistance, please do not hesitate to contact me.

Best regards,

A handwritten signature in black ink, appearing to read "Tim Burchett".

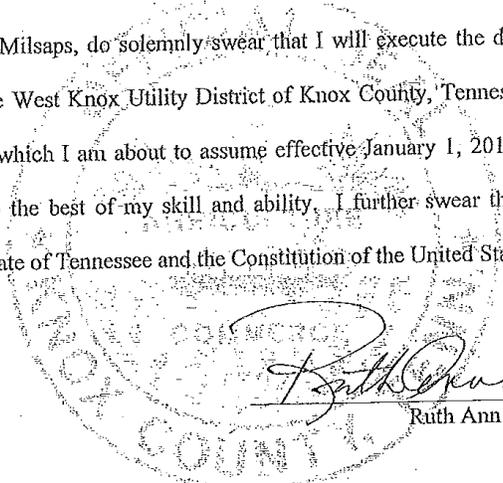
Tim Burchett,
Knox County Mayor

cc: Drexel Heidel
Robert Sterchi

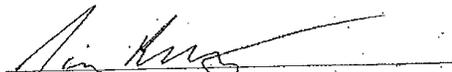


OATH OF OFFICE
OF RUTH ANN MILSAPS
AS COMMISSIONER OF
THE WEST KNOX UTILITY DISTRICT OF KNOX COUNTY, TENNESSEE

I, Ruth Ann Milsaps, do solemnly swear that I will execute the duties of the office of Commissioner of The West Knox Utility District of Knox County, Tennessee, to which I have been appointed, and which I am about to assume effective January 1, 2013, without prejudice, partiality, or favor to the best of my skill and ability. I further swear that I will support the Constitution of the State of Tennessee and the Constitution of the United States, so help me God.


Ruth Ann Milsaps
Ruth Ann Milsaps

Sworn to and subscribed before me
this 23 day of January, 2013


Tim Burchett, County Mayor

Term to expire December 31, 2016



IN RE: *ROLL CALL (4:45 P.M.)*

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

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IN RE: *HONORARY RESOLUTIONS:*

IN RE: *CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING DILLON MOORE OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-103:*

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Dillon Moore of Boy Scout Troop 500 for earning the rank of Eagle Scout was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-1-103 - Resolution of the Commission of Knox County, Tennessee, honoring Dillon Moore of Boy Scout Troop 500 for earning the rank of Eagle Scout. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye. Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1.

Eagle Scout Dillon Moore, along with members of Boy Scout Troop 500 and Mr. John Wech, Scout Master, were present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: *CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING IAN A. BEELER OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-104:*

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Ian A. Beeler of Boy Scout Troop 500 for earning the rank of Eagle Scout was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-1-104 - Resolution of the Commission of Knox County, Tennessee, honoring Ian A. Beeler of Boy Scout Troop 500 for earning the rank of Eagle Scout. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye. Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1.

Eagle Scout Ian A. Beeler, along with members of Boy Scout Troop 500 and Mr. John Wech, Scout Master, were present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING KYLE P. HALSTEAD OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-105:

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Kyle P. Halstead of Boy Scout Troop 500 for earning the rank of Eagle Scout was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-1-105 - Resolution of the Commission of Knox County, Tennessee, honoring Kyle P. Halstead of Boy Scout Troop 500 for earning the rank of Eagle Scout.

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

Eagle Scout Kyle P. Halstead, along with members of Boy Scout Troop 500 and Mr. John Wech, Scout Master, were present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING AUSTIN T. HANCOCK OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-106:

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Austin T. Hancock of Boy Scout Troop 500 for earning the rank of Eagle Scout was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-1-106 - Resolution of the Commission of Knox County, Tennessee, honoring Austin T. Hancock of Boy Scout Troop 500 for earning the rank of Eagle Scout.

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

Eagle Scout Austin T. Hancock, along with members of Boy Scout Troop 500 and Mr. John Wech, Scout Master, were present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING JEREMY P. KINNEY OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-107:

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Jeremy P. Kinney of Boy Scout Troop 500 for earning the rank of Eagle Scout was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-1-107 - Resolution of the Commission of Knox County, Tennessee, honoring Jeremy P. Kinney of Boy Scout Troop 500 for earning the rank of Eagle Scout.

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

Eagle Scout Jeremy P. Kinney, along with members of Boy Scout Troop 500 and Mr. John Wech, Scout Master, were present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING NATHANAEL G. SANDERS OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-108:

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Nathanael G. Sanders of Boy Scout Troop 500 for earning the rank of Eagle Scout was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-1-108 – Resolution of the Commission of Knox County, Tennessee, honoring Nathanael G. Sanders of Boy Scout Troop 500 for earning the rank of Eagle Scout.

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

Eagle Scout Nathanael G. Sanders, along with members of Boy Scout Troop 500 and Mr. John Wech, Scout Master, were present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING NATHANIAL W. WECH OF BOY SCOUT TROOP 500 FOR EARNING THE RANK OF EAGLE SCOUT – R-13-1-109:

Consideration of a Resolution of the Commission of Knox County, Tennessee, honoring Nathaniel W. Wech of Boy Scout Troop 500 for earning the rank of Eagle Scout was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-1-109 - Resolution of the Commission of Knox County, Tennessee, honoring Nathaniel W. Wech of Boy Scout Troop 500 for earning the rank of Eagle Scout. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye. Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1.

Eagle Scout Nathaniel W. Wech, along with members of Boy Scout Troop 500 and Mr. John Wech, Scout Master, were present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: ZONING REQUEST

1. Consideration of the request of E-911 for street name change from unnamed joint permanent easement to Jones Creek Way was before the Board of Commissioners. Street located between Jack Jones Road and deadend. (9th Commission District)

Commissioner Anders moved to approve zoning request RZ-13-1-101 Request of E-911 for street name change from unnamed joint permanent easement to Jones Creek Way. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye. Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1. Street located between Jack Jones Road and deadend. (9th commission District) MPC's file number: 11-A-12-SNC.

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2. Consideration of the request of Judy Duff for street name change from Gem Apparel Lane to Bronco Lane was before the Board of Commissioners. Street located between Northwest Park Drive and Breezewood Lane. (6th Commission District)

Commissioner Anders moved to approve zoning request RZ-13-1-102 Request of Judy Duff for street name change from Gem Apparel Lane to Bronco Lane. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye. Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1. Street located between Northwest Park Drive and Breezewood Lane. (6th Commission District) MPC's file number: 12-B-12-SNC.

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3. Consideration of the request of Francis De La Rocha for rezoning from I Industrial Zone to CA General Business Zone was before the Board of Commissioners. Property located on the southwest side of Lovell Road, southeast of I-40/75. (5th Commission District)

No one was present to represent the request.

This item was deferred to the end of the meeting. (See Page _____)

* * * * *

4. Consideration of the request of the Knox County Commission for Northeast County Sector Plan Amendment from AG Agricultural/RR Rural Residential and NC Neighborhood Commercial Zone to RC Rural Commercial Zone was before the Board of Commissioners. Property located on the northeast side of Tillett Lane, northeast of Corryton Road. (8th Commission District)

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

Commissioner Wright moved to defer to the February 2013 Board of Commissioners meeting the request of the Knox County Commission for Northeast County Sector Plan Amendment from AG Agricultural/RR Rural Residential and NC Neighborhood Commercial Zone to RC Rural Commercial Zone.

Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye. Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1. Property located on the northeast side of Tillett Lane, northeast of Corryton Road. (8th Commission District)

* * * * *

5. Consideration of the request of Jack Walker for rezoning from RB General Residential Zone to CR Rural Commercial Zone was before the Board of Commissioners. Property located on the northeast side of Tillett Lane, northeast of Corryton Road. (8th Commission District)

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

Commissioner Wright moved to defer to the February 2013 Board of Commissioners meeting the request of Jack Walker for rezoning from RB General Residential Zone to CR Rural Commercial Zone. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye.

Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1. Property located on the northeast side of Tillett Lane, northeast of Corryton Road. (8th Commission District)

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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-13-1-101 – (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.

The following individuals were present and spoke on the matter: Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Bill Pierce, Knox County Plans Examiner, Mr. Daniel Sanders, Knox County Deputy Law Director, Mr. Danny Amanns, Outdoor Displays, Mr. Jim Theussen, concerned citizen, Mr. Martin Daniel, concerned citizen, Ms. Margot Kline, Community Homeowner Associations, Mr. Jim Durop, Mr. Russell Amanns, Outdoor Displays, and Mr. Dale Fisher, Modern Outdoor Advertising.

Commissioner Briggs moved to withdraw from the agenda and send back to MPC 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) on first reading. Commissioner Anders seconded the motion.

Commissioner McKenzie moved as a substitute motion to defer to the April 2013 Board of Commissioners meeting Ordinance O-13-1-101 - 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 Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Briggs, Anders, Brown and Shouse

voted aye. Commissioners Ownby, Smith and Wright voted no. Commissioner Hammond was absent from the meeting. The substitute motion carried 7-3-0-1.

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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) TO REGULATE OR PROHIBIT ELECTRONIC MESSAGE CENTER SIGNS IN ALL ZONE DISTRICTS (AMENDING ORDINANCE O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) – O-13-1-102 – (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) to regulate or prohibit 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 April 2013 Board of Commissioners meeting Ordinance O-13-1-102 - 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) to regulate or prohibit electronic message center signs in all zone districts (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) on first reading.

Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Briggs, Anders, Brown and Shouse voted aye. Commissioners Ownby, Smith and Wright voted no. Commissioner Hammond was absent from the meeting. The motion carried 7-3-0-1.

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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 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-13-1-103 (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 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.

The following individuals were present and spoke on the matter: Mr. Daniel Sanders, Knox County Deputy Law Director, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Danny Amanns, Outdoor Displays, Mr. Greg Isaacs, Attorney representing Outdoor Industry and Lamar Advertising, Mr. Mike Campbell, concerned citizen, Ms Joyce Feld, President for Scenic Knoxville, and Mr. Brian Conley, Vice-President for Lamar Advertising.

Commissioner Briggs moved to approve Ordinance O-13-1-103 - 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 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) on first reading. Commissioner Broyles seconded the motion.

Commissioner Anders moved to defer to the April 2013 Board of Commissioners meeting Ordinance O-13-1-103 - 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 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) on first reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners Anders, Smith and Wright voted aye. Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Brown and Shouse voted no. Commissioner Hammond was absent from the meeting. The substitute motion failed 3-7-0-1.

Upon roll call vote of the original motion to approve Ordinance O-13-1-103 - 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 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) on first reading, Commissioners McKenzie, Broyles, Norman, Briggs, Brown and Shouse voted aye. Commissioners Ownby, Anders, Smith and Wright voted no. Commissioner Hammond was absent from the meeting. The motion carried 6-4-0-1.

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IN RE: ZONING REQUEST – (CONTINUED):

6. Consideration of the request of Francis De La Rocha for rezoning from I Industrial Zone to CA General Business Zone was before the Board of Commissioners. Property located southwest side of Lovell Road, southeast of I-40/75. (5th Commission District)

Commissioner Anders moved to approve zoning request RZ-13-1-103 Request of Francis De La Rocha for rezoning from I Industrial Zone to CA General Business Zone as per MPC’s recommendation. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Shouse voted aye. Commissioner Hammond was absent from the meeting. The motion carried 10-0-0-1. Property located southwest side of Lovell Road, southeast of I-40/75. (5th Commission District) MPC’s file number: 12-B-12-RZ.

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IN RE: ADJOURNMENT:

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

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KNOX COUNTY BOARD OF COMMISSIONERS

TONY NORMAN, CHAIRMAN