

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, March 26, 2012 at 1:45 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. Joe Jarret, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Dean Rice, Chief of Staff for the Knox County Mayor, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Hammond, Chairman, presided.

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

* * * * *

IN RE: ROLL CALL – (1:45 P.M.):

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

* * * * *

IN RE: AMENDMENTS TO THE AGENDA:

1. Without objection, Commissioner Hammond amended the agenda to add the following item to be heard at this time: Resolution R-12-3-101 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the women who have served on the Knox County Commission.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE WOMEN WHO HAVE SERVED ON THE KNOX COUNTY COMMISSION – R-12-3-101:

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the women who have served on the Knox County Commission was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-3-101 - Resolution of the Commission of Knox County, Tennessee, honoring the women who have served on the Knox County Commission. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

The following former female Knox County Commissioners were present to accept the resolution and expressed appreciation to the commission for

the resolution: Commissioners Diane Jordan, Sharon Cawood, Elaine Davis and Michelle Carringer.

* * * * *

IN RE: PUBLIC FORUM:

1. Mr. Paul Johnson and Mr. Steve Murray, concerned citizens, were present and spoke concerning trucks on Hickory Creek Road.

Mr. Dwight VanDeVate, Director for Knox County Engineering and Public Works, was present and spoke on the matter.

* * * * *

2. Ms. Mary Kay Sullivan, concerned citizen, was present and spoke concerning the Knox County School Budget.

* * * * *

3. Mr. Paul DeLeon, concerned citizen, was present and spoke concerning the Knox County School Budget.

* * * * *

IN RE: ROLL CALL – (2:05 P.M.):

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

* * * * *

IN RE: DEVOTIONAL:

Commissioner Shouse gave the devotional.

* * * * *

IN RE: PLEDGE OF ALLEGIANCE:

Commissioner Brown led the Pledge of Allegiance to the Flag.

* * * * *

IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes from the previous meeting held on February 27, 2012 (Regular Session) was before the Board of Commissioners.

Commissioner Anders moved to approve the minutes from the previous meeting held on February 27, 2012 (Regular Session). Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

* * * * *

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

2. Commissioner Hammond amended the agenda to remove the following item from the Consent Calendar: Resolution R-12-3-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting and encouraging appropriate officials at TVA to reconsider and revise its existing policies regarding the clear cutting removal of all trees and other

vegetation, fifteen feet and higher, located within the total width and length of its property easements which contain transmission lines.

* * * * *

3. Commissioner Hammond amended the agenda to add the following item: Discussion regarding the Knox County School Budget.

* * * * *

4. Commissioner Smith moved to amend the agenda to add the following items: Resolution R-12-3-110 - Consideration of a resolution of the Commission of Knox County, Tennessee, appointing an interim Knox County Law Director to serve the unexpired term of Knox County Law Director through August 31, 2012 (This item was withdrawn later at the day's meeting, See Amendments to the Agenda, Page _____); Resolution R-12-3-114 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of Commissioner Jeff Ownby to the Knox County Charter Review Committee; Resolution R-12-3-301 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment Three to a three-year grant agreement with the Tennessee Board of Probation and Parole for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP) to increase the maximum liability of the State under the grant by \$15,273.02 (\$7,636.51 per year for the remaining two years of the grant) for the purpose of providing a 1.6% salary increase for CAPP employees; Resolution R-12-3-606 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Health for tuberculosis control, prevention and treatment services to increase the maximum liability of the State under the grant by \$135,500.00 for a new total grant amount of \$461,500.00; Resolution R-12-3-904 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that the delegation support legislation making the sale of synthetic marijuana and designer stimulants a felony charge per Title 39 of the Tennessee Code; and Resolution R-12-3-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting and encouraging appropriate officials at TVA to reconsider and revise its existing policies regarding the clear cutting removal of all trees and other vegetation, fifteen feet and higher, located within the total width and length of its property easements which contain transmission lines. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

* * * * *

5. Commissioner Smith moved to amend the agenda to withdraw the following items: Resolution R-12-3-110 - Consideration of a resolution of the Commission of Knox County, Tennessee, appointing an interim Knox County Law Director to serve the unexpired term of Knox County Law Director through August 31, 2012; Resolution R-12-3-113 - Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Commissioner Mike Hammond to replace Commissioner Tony Norman on the Charter Review Committee; Resolution R-12-3-903 - Consideration of a resolution of the Commission of Knox County, Tennessee, directing the Chairman of the County Commission to send a letter to the Governor and the Knox County Legislative Delegation requesting that the Governor and appropriate members of the Legislative Delegation direct the Tennessee Bureau of Investigation to release to the aforementioned those portions of the investigative file regarding ex-Judge Richard Baumgartner not available to the general public with the ultimate goal of enacting legislation that serves to remove the Public Records Act exemption for closed Tennessee Bureau of Investigation files in matters considered to be of great public importance. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

* * * * *

6. Commissioner Smith moved to amend the agenda to defer the following item: Resolution R-12-3-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property located at 700 Womens Basketball Hall of Fame Drive to be through a competitive request for proposals (RFP) process. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

The length for the deferral was not stated at the meeting.

* * * * *

7. Commissioner Smith moved to amend the agenda to table the following item to the September 2012 Board of Commissioners meeting: Ordinance O-12-3-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 2 and Article 3 of the Knox County Zoning Ordinance regarding the regulation of signs, billboards, electronic message centers and other advertising structures in Knox County (amending Ordinance O-90-9-103, adopted September 10, 1990, as amended) (First Reading). Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: DRIVES AND ROADS:

No request received.

* * * * *

IN RE: LINE ITEM TRANSFERS:

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

Commissioner McKenzie moved to approve all request for Line Item Transfers. 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.

* * * * *

IN RE: NOTARY PUBLIC APPLICATIONS:

174 Notary Public Applications received.

Commissioner McKenzie moved to approve the 174 Notary Public Applications. 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.

* * * * *

IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE REAPPOINTMENTS OF DIANNA C. DRAKE, PHARM.D. AND PATRICIA M. WILLIAMS, RN, MPH TO THE KNOX COUNTY BOARD OF HEALTH – R-12-3-112:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the reappointments of Dianna C. Drake, PharM.D. and Patricia M. Williams, RN, MPH to the Knox County Board of Health was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-112 - Resolution of the Commission of Knox County, Tennessee, approving the reappointments of Dianna C. Drake, PharM.D. and Patricia M. Williams, RN, MPH to the Knox County Board of Health. 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.

* * * * *

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

COMMISSIONER JEFF OWNBY TO THE KNOX COUNTY CHARTER REVIEW COMMITTEE – R-12-3-114:

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

Commissioner Smith moved to approve Resolution R-12-3-114 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Commissioner Jeff Ownby to the Knox County Charter Review Committee. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$106,300.00 WITH SYNOVIA, LLC FOR SCHOOL BUS COMMUNICATION EQUIPMENT SERVICES – R-12-3-201:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$106,300.00 with Synovia, LLC for school bus communication equipment services was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$106,300.00 with Synovia, LLC for school bus communication equipment services. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE AWARDING OF BID #1365 IN THE AMOUNT OF \$105,360.00 TO COUNTRY FORD, INC. FOR TWO (2) ¾ TON TRUCKS AND TWO (2) ONE TON TRUCKS FOR THE KNOX COUNTY SCHOOLS MAINTENANCE AND OPERATIONS DEPARTMENT – R-12-3-202:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the awarding of Bid #1365 in the amount of \$105,360.00 to Country Ford, Inc. for two (2) ¾ ton trucks and two (2) one ton trucks for the Knox County Schools Maintenance and Operations Department was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-202 - Resolution of the Commission of Knox County, Tennessee, approving the

awarding of Bid #1365 in the amount of \$105,360.00 to Country Ford, Inc. for two (2) ³/₄ ton trucks and two (2) one ton trucks for the Knox County Schools Maintenance and Operations Department. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A LEASE AGREEMENT WITH MACK R. WALKER FOR THE MASCOT BRANCH LIBRARY FOR A PERIOD OF FIVE (5) YEARS AT AN ANNUAL LEASE OF \$3,600.00 – R-12-3-203:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a lease agreement with Mack R. Walker for the Mascot Branch Library for a period of five (5) years at an annual lease of \$3,600.00 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-203 - Resolution of the Commission of Knox County, Tennessee, approving a lease agreement with Mack R. Walker for the Mascot Branch Library for a period of five (5) years at an annual lease of \$3,600.00. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE 2012 LIBRARY TECHNOLOGY GRANT AGREEMENT IN THE AMOUNT OF \$1,382.00 (REQUIRES A LOCAL MATCH OF \$1,382.00) WITH THE TENNESSEE STATE LIBRARY AND ARCHIVES TO IMPROVE WIRELESS ACCESS POINTS AND THE WIRELESS NETWORK – R-12-3-204:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2012 Library Technology Grant agreement in the amount of \$1,382.00 (requires a local match of \$1,382.00) with the Tennessee State Library and Archives to improve wireless access points and the wireless network was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-204 - Resolution of the Commission of Knox County, Tennessee, approving the 2012 Library Technology Grant agreement in the amount of \$1,382.00 (requires a local match of \$1,382.00) with the Tennessee State Library and Archives to improve wireless access points and the wireless network. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$328,700.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR IMMUNIZATION SERVICES – R-12-3-601:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$328,700.00 (no local match required) with the Tennessee Department of Health for immunization services was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-601 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$328,700.00 (no local match required) with the Tennessee Department of Health for immunization services. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$39,700.00 (REQUIRES A LOCAL MATCH OF \$16,100.00) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR TOBACCO USE PREVENTION AND CONTROL SERVICES – R-12-3-602:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$39,700.00 (requires a local match of \$16,100.00) with the Tennessee Department of Health for tobacco use prevention and control services was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-602 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$39,700.00 (requires a local match of \$16,100.00) with the Tennessee Department of Health for tobacco use prevention and control services. 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.

* * * * *

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

GRANT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS IN ORDER TO REDUCE FUNDING FROM THE STATE UNDER THIS GRANT BY \$44,100.00, FOR A NEW TOTAL GRANT AMOUNT OF \$535,400.00 (DECREASES KNOX COUNTY'S IN-KIND SERVICES MATCH BY \$4,400.00) – R-12-3-603:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Health for public health emergency preparedness in order to reduce funding from the state under this grant by \$44,100.00, for a new total grant amount of \$535,400.00 (decreases Knox County's in-kind services match by \$4,400.00) was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-603 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Health for public health emergency preparedness in order to reduce funding from the state under this grant by \$44,100.00, for a new total grant amount of \$535,400.00 (decreases Knox County's in-kind services match by \$4,400.00). 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$55,000.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR THE TENNESSEE BREAST AND CERVICAL CANCER EARLY DETECTION PROGRAM – R-12-3-604:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$55,000.00 (no local match required) with the Tennessee Department of Health for the Tennessee Breast and Cervical Cancer Early Detection Program was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-604 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$55,000.00 (no local match required) with the Tennessee Department of Health for the Tennessee Breast and Cervical Cancer Early Detection Program. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$348,300.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR THE HIV/AIDS CENTER OF EXCELLENCE PROGRAM – R-12-3-605:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$348,300.00 (no local match required) with the Tennessee Department of Health for the HIV/AIDS Center of Excellence Program was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-605 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$348,300.00 (no local match required) with the Tennessee Department of Health for the HIV/AIDS Center of Excellence Program. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT ONE TO A GRANT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR TUBERCULOSIS CONTROL, PREVENTION AND TREATMENT SERVICES TO INCREASE THE MAXIMUM LIABILITY OF THE STATE UNDER THE GRANT BY \$135,500.00 FOR A NEW TOTAL GRANT AMOUNT OF \$461,500.00 – R-12-3-606:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Health for tuberculosis control, prevention and treatment services to increase the maximum liability of the State under the grant by \$135,500.00 for a new total grant amount of \$461,500.00 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-606 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Health for tuberculosis control, prevention and treatment services to increase the maximum liability of the State under the grant by \$135,500.00 for a new total grant amount of \$461,500.00. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A PUBLIC ASSISTANCE GRANT AWARD IN THE AMOUNT OF \$638,947.76 (REQUIRES A LOCAL MATCH OF \$91,278.00) WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY FOR THE REIMBURSEMENT OF COSTS ASSOCIATED WITH COMPLETING REPAIRS AND/OR REPLACEMENT TO FACILITIES DAMAGED AS A RESULT OF SEVERE STORMS, STRAIGHT-LINE WINDS, TORNADOES AND FLOODING DURING THE PERIOD OF APRIL 25-28, 2011 – R-12-3-802:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a public assistance grant award in the amount of \$638,947.76 (requires a local match of \$91,278.00) with the Tennessee Emergency Management Agency for the reimbursement of costs associated with completing repairs and/or replacement to facilities damaged as a result of severe storms, straight-line winds, tornadoes and flooding during the period of April 25-28, 2011 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-802 - Resolution of the Commission of Knox County, Tennessee, approving a public assistance grant award in the amount of \$638,947.76 (requires a local match of \$91,278.00) with the Tennessee Emergency Management Agency for the reimbursement of costs associated with completing repairs and/or replacement to facilities damaged as a result of severe storms, straight-line winds, tornadoes and flooding during the period of April 25-28, 2011. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A PUBLIC ASSISTANCE GRANT AWARD IN THE AMOUNT OF \$169,921.53 (REQUIRES A LOCAL MATCH OF \$24,274.49) WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY FOR THE REIMBURSEMENT OF COSTS ASSOCIATED WITH COMPLETING REPAIRS AND/OR REPLACEMENT TO FACILITIES DAMAGED AS A RESULT OF SEVERE STORMS, STRAIGHT-LINE WINDS, TORNADOES AND FLOODING DURING THE PERIOD OF JUNE 18-24, 2011 – R-12-3-803:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a public assistance grant award in the amount of \$169,921.53 (requires a local match of \$24,274.49) with the Tennessee Emergency

Management Agency for the reimbursement of costs associated with completing repairs and/or replacement to facilities damaged as a result of severe storms, straight-line winds, tornadoes and flooding during the period of June 18-24, 2011 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-803 - Resolution of the Commission of Knox County, Tennessee, approving a public assistance grant award in the amount of \$169,921.53 (requires a local match of \$24,274.49) with the Tennessee Emergency Management Agency for the reimbursement of costs associated with completing repairs and/or replacement to facilities damaged as a result of severe storms, straight-line winds, tornadoes and flooding during the period of June 18-24, 2011. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, EXTENDING THE BILLBOARD MORATORIUM FOR AN ADDITIONAL SIX (6) MONTHS, EXPIRING SEPTEMBER 30, 2012 – R-12-3-804:

Consideration of a resolution of the Commission of Knox County, Tennessee, extending the billboard moratorium for an additional six (6) months, expiring September 30, 2012 was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-804 - Resolution of the Commission of Knox County, Tennessee, extending the billboard moratorium for an additional six (6) months, expiring September 30, 2012. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE REVISED GRANT BUDGET (REDUCING FUNDING FOR FISCAL YEAR 2012 BY \$35,172.52) FROM THE TENNESSEE OFFICE OF CRIMINAL JUSTICE PROGRAMS FOR THE OPERATION OF THE KNOX COUNTY DRUG COURT'S RESIDENTIAL TREATMENT PROGRAM – R-12-3-901:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the revised grant budget (reducing funding for fiscal year 2012 by \$35,172.52) from the Tennessee Office of Criminal Justice Programs for the operation of the Knox County Drug Court's Residential Treatment Program was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-901 - Resolution of the Commission of Knox County, Tennessee, approving the revised grant budget (reducing funding for fiscal year 2012 by \$35,172.52) from the Tennessee Office of Criminal Justice Programs for the operation of the Knox County Drug Court's Residential Treatment Program. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE CHAIRMAN OF THE KNOX COUNTY COMMISSION FORWARD A LETTER TO THE KNOX COUNTY LEGISLATIVE DELEGATION REQUESTING THAT THE DELEGATION SUPPORT LEGISLATION MAKING THE SALE OF SYNTHETIC MARIJUANA AND DESIGNER STIMULANTS A FELONY CHARGE PER TITLE 39 OF THE TENNESSEE CODE – R-12-3-904:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that the delegation support legislation making the sale of synthetic marijuana and designer stimulants a felony charge per Title 39 of the Tennessee Code was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-12-3-904 - Resolution of the Commission of Knox County, Tennessee, requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that the delegation support legislation making the sale of synthetic marijuana and designer stimulants a felony charge per Title 39 of the Tennessee Code. 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.

* * * * *

IN RE: ACCEPTANCE OF NEW KNOX COUNTY ROADS:

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

1. Harrison Glen Drive, Alderwood Subdivision, District 6.
2. Sweet Gate Drive, Alderwood Subdivision, District 6.

Commissioner Smith moved to recommend approval of the above acceptance of new county roads. 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.

* * * * *

IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING AN INTERIM KNOX COUNTY LAW DIRECTOR TO SERVE THE UNEXPIRED TERM OF KNOX COUNTY LAW DIRECTOR THROUGH AUGUST 31, 2012 – R-12-3-110:

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page _____)

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE APPOINTMENT OF RANDY SMITH TO THE KNOX COUNTY CHARTER REVIEW COMMITTEE – R-12-3-111:

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

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

Commissioner Norman moved to approve Resolution R-12-3-111 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Randy Smith to the Knox County Charter Review Committee. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING COMMISSIONER MIKE HAMMOND TO REPLACE COMMISSIONER TONY NORMAN ON THE CHARTER REVIEW COMMITTEE – R-12-3-113:

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page _____)

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT THREE TO A THREE-YEAR GRANT AGREEMENT WITH THE TENNESSEE BOARD OF PROBATION AND PAROLE FOR THE KNOX COUNTY SHERIFF'S OFFICE COMMUNITY ALTERNATIVES TO PRISON PROGRAM (CAPP)

TO INCREASE THE MAXIMUM LIABILITY OF THE STATE UNDER THE GRANT BY \$15,273.02 (\$7,636.51 PER YEAR FOR THE REMAINING TWO YEARS OF THE GRANT) FOR THE PURPOSE OF PROVIDING A 1.6% SALARY INCREASE FOR CAPP EMPLOYEES – R-12-3-301:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment Three to a three-year grant agreement with the Tennessee Board of Probation and Parole for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP) to increase the maximum liability of the state under the grant by \$15,273.02 (\$7,636.51 per year for the remaining two years of the grant) for the purpose of providing a 1.6% salary increase for CAPP employees was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-12-3-301 - Resolution of the Commission of Knox County, Tennessee, approving Amendment Three to a three-year grant agreement with the Tennessee Board of Probation and Parole for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP) to increase the maximum liability of the state under the grant by \$15,273.02 (\$7,636.51 per year for the remaining two years of the grant) for the purpose of providing a 1.6% salary increase for CAPP employees. 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.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, DETERMINING THE METHOD OF DISPOSAL OF PROPERTY LOCATED AT 700 WOMENS BASKETBALL HALL OF FAME DRIVE TO BE THROUGH A COMPETITIVE REQUEST FOR PROPOSALS (RFP) PROCESS – R-12-3-801:

This item was deferred. The length for the deferral was not stated at the meeting. (See Amendments to the Agenda, Page _____)

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ESTABLISHING A FOUR-YEAR PAYMENT IN LIEU OF TAX PROGRAM FOR A PROPOSED OFFICE AND DISTRIBUTION FACILITY PROJECT OF TB PROPERTIES, LLC AND KATOM RESTAURANT SUPPLY, INC. – R-12-3-902:

Consideration of a resolution of the Commission of Knox County, Tennessee, establishing a four-year payment in lieu of tax program for a proposed office and distribution facility project of TB Properties, LLC and KaTom Restaurant Supply, Inc. was before the Board of Commissioners.

The following individuals were present and spoke on the matter: Mr. Todd Napier, Industrial Development Board of Knox County, Mr. Bob Wolfenbarger, 8th District Preservation Association, Mr. Joe Jarret, Knox County Law Director, Ms. Lisa Starbuck, concerned citizen, Mr. Dean Rice, Chief of Staff for the Knox County Mayor, and Ms. Patricia Bible, KaTom Restaurant Supply, Inc.

Commissioner Anders moved to approve Resolution R-12-3-902 - Resolution of the Commission of Knox County, Tennessee, establishing a four-year payment in lieu of tax program for a proposed office and distribution facility project of TB Properties, LLC and KaTom Restaurant Supply, Inc. Commissioner Ownby seconded the motion.

Commissioner Broyles moved as a substitute motion to approve the pilot project, but not have it tied to a particular piece of property. Commissioner Norman seconded the motion and upon roll call vote Commissioners Broyles and Norman voted aye. Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Brown, Hammond and Shouse voted no. Commissioner Wright abstained from voting. The substitute motion failed 2-8-1-0.

Upon roll call vote of the original motion to approve Resolution R-12-3-902 - Resolution of the Commission of Knox County, Tennessee, establishing a four-year payment in lieu of tax program for a proposed office and distribution facility project of TB Properties, LLC and KaTom Restaurant Supply, Inc., Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Brown, Hammond and Shouse voted aye. Commissioners Broyles, Norman and Wright voted no. The motion carried 8-3-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, DIRECTING THE CHAIRMAN OF THE COUNTY COMMISSION TO SEND A LETTER TO THE GOVERNOR AND THE KNOX COUNTY LEGISLATIVE DELEGATION REQUESTING THAT THE GOVERNOR AND APPROPRIATE MEMBERS OF THE LEGISLATIVE DELEGATION DIRECT THE TENNESSEE BUREAU OF INVESTIGATION TO RELEASE TO THE AFOREMENTIONED THOSE PORTIONS OF THE INVESTIGATIVE FILE REGARDING EX-JUDGE RICHARD BAUMGARTNER NOT AVAILABLE TO THE GENERAL PUBLIC WITH THE ULTIMATE GOAL OF ENACTING LEGISLATION THAT SERVES TO REMOVE THE PUBLIC RECORDS ACT EXEMPTION FOR CLOSED TENNESSEE BUREAU OF INVESTIGATION FILES IN MATTERS CONSIDERED TO BE OF GREAT PUBLIC IMPORTANCE – R-12-3-903:

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page _____)

* * * * *

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

8. Commissioner Hammond amended the agenda to hear the following item at this time: Discussion regarding the Knox County School Budget.

* * * * *

IN RE: DISCUSSION REGARDING THE KNOX COUNTY SCHOOL BUDGET:

Discussion regarding the Knox County School Budget was before the Board of Commissioners.

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

No action was taken.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING AND ENCOURAGING APPROPRIATE OFFICIALS AT TVA TO RECONSIDER AND REVISE ITS EXISTING POLICIES REGARDING THE CLEAR CUTTING REMOVAL OF ALL TREES AND OTHER VEGETATION, FIFTEEN FEET AND HIGHER, LOCATED WITHIN THE TOTAL WIDTH AND LENGTH OF ITS PROPERTY EASEMENTS WHICH CONTAIN TRANSMISSION LINES – R-12-3-905:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting and encouraging appropriate officials at TVA to reconsider and revise its existing policies regarding the clear cutting removal of all trees and other vegetation, fifteen feet and higher, located within the total width and length of its property easements which contain transmission lines was before the Board of Commissioners.

The following individuals were present and spoke on the matter: Mr. Larry Silverstein and Ms. Debra VanMeter, concerned citizens, Ms. Juanita Braswell, President of the Deane Hill Alliance, Ms. Summer Henry and Mr. William Daniels, concerned citizens, Ms. Margot Kline, President of the Council of West Knox County Homeowners; and board member for Scenic Knoxville, Mr. Bert Robinson, representing TVA, Mr. Jason Rigg, representing TVA, and Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission.

Commissioner Ownby moved to approve Resolution R-12-3-905 - Resolution of the Commission of Knox County, Tennessee, requesting and encouraging appropriate officials at TVA to reconsider and revise its existing

policies regarding the clear cutting removal of all trees and other vegetation, fifteen feet and higher, located within the total width and length of its property easements which contain transmission lines. Commissioner Broyles seconded the motion and upon roll call vote Commissioners Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioners McKenzie and Brown voted no. The motion carried 9-2-0-0.

* * * * *

IN RE: ORDINANCES ON FIRST READING:

No Ordinances on first reading received.

* * * * *

IN RE: ORDINANCES ON SECOND READING:

No Ordinances on second reading received.

* * * * *

IN RE: PUBLIC FORUM:

No one requested to speak.

* * * * *

IN RE: OTHER BUSINESS:

IN RE: DISCUSSION REGARDING THE KNOX COUNTY SCHOOL BUDGET:

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

* * * * *

IN RE: ROLL CALL – (6:00 P.M.):

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

* * * * *

IN RE: ZONING REQUEST

1. Consideration of the request of Steven A. Buffalo for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the northwest side of Meredith Road, northeast of Hannahs Park Lane. (6th Commission District)

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

Commissioner Anders moved to approve zoning request RZ-12-3-101 Request of Steven A. Buffalo for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC's recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners Broyles, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioners

McKenzie, Norman and Brown were absent from the zoning session. The motion carried 8-0-0-3. MPC's file number: 2-C-12-RZ.

* * * * *

IN RE: ZONING APPEALS:

No rezoning appeals received.

* * * * *

IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE 2 AND ARTICLE 3 OF THE KNOX COUNTY ZONING ORDINANCE REGARDING THE REGULATION OF SIGNS, BILLBOARDS, ELECTRONIC MESSAGE CENTERS AND OTHER ADVERTISING STRUCTURES IN KNOX COUNTY (AMENDING ORDINANCE O-90-9-103, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) (FIRST READING) – O-12-3-101 – (FIRST READING):

This item was tabled to the September 2012 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

* * * * *

IN RE: ADJOURNMENT:

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

* * * * *

KNOX COUNTY BOARD OF COMMISSIONERS

MIKE HAMMOND, CHAIRMAN