



# City of Franklin

109 3rd Ave S  
Franklin, TN 37064  
(615)791-3217

## Meeting Minutes - Draft

### Franklin Municipal Planning Commission

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Thursday, May 26, 2016

7:00 PM

Board Room

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#### CALL TO ORDER

**Present** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

#### MINUTES

1. April 28, 2016 FMPC Minutes

**Attachments:** [4-28-16 FMPC Minutes](#)

**Commissioner Lindsey moved, seconded by Commissioner Harrison to approve the April 28, 2016, Minutes as presented. The motion carried by the following vote:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

**Chairing:** 0

#### CITIZEN COMMENTS ON ITEMS NOT ON THE AGENDA

#### ANNOUNCEMENTS

#### VOTE TO PLACE NON-AGENDA ITEMS ON THE AGENDA

#### CONSENT AGENDA

##### Approval of the Consent Agenda

**A motion was made by Commissioner Harrison, seconded by Commissioner McLemore, to approve items 2 through 3, items 5 through 11, items 13 through 16, items 21 through 22, and items 24 through 27 on the Initial Consent Agenda. The motion carried by the following vote:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

#### Approval of the Consent Agenda

A motion was made by Commissioner Harrison, seconded by Commissioner Orr, to approve item number 4 on the Secondary Consent Agenda. The motion carried by the following vote:

**Aye:** 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

**Recused:** 1 - Commissioner Gregory

Chairing: 0

#### Approval of the Consent Agenda

A motion was made by Commissioner Harrison, seconded by Commissioner Allen, to approve item number 23 on the Tertiary Consent Agenda. The motion carried by the following vote:

**Aye:** 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, and Commissioner Lindsey

**Recused:** 1 - Commissioner Hathaway

Chairing: 0

#### SITE PLAN SURETIES

2. Alexander Plaza PUD Subdivision, site plan, (Kroger Site Renovations); release the maintenance agreement for water and sewer improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
3. Battle Ground Academy Subdivision, site plan, (Fieldhouse and Mary Campbell Visual Arts Center); release the maintenance agreement for drainage improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
4. Berry Farms Town Center PUD Subdivision, site plan, section 1, revision 1; release the maintenance agreement for landscaping Phase 1A, landscaping Phase 1B, landscaping Phase 1C, landscaping Phase 1D, landscaping parking screen and landscaping Lewisburg Avenue street trees improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**

5. Creekstone Commons PUD Subdivision, site plan, section 2; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
6. Creekstone Commons PUD Subdivision, site plan, section 3; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
7. Eddy Lane Industrial Office Subdivision, site plan; release the maintenance agreement for landscaping Phase 1A improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
8. Generals Retreat PUD Subdivision, site plan; accept the drainage/detention, sidewalk and streets improvements, release the performance agreement and establish a maintenance agreement for one year. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
9. Hurstbourne Park PUD Subdivision, site plan, sections 1 – 3; release the maintenance agreement for landscaping (section 1) improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
10. Nissan North America Subdivision, site plan, revision 2 (Parking Addition); extend the performance agreement for drainage improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
  
11. Silver Grace PUD Subdivision, site plan, section 1; release the maintenance agreement for landscaping Phase A improvements; extend the performance agreement for landscaping Phase B and landscaping Phase C improvements for six months. (CONSENT AGENDA)  
**This Planning Item was approved.**



12. Stream Valley PUD Subdivision, site plan, section 3; release the maintenance agreement for landscaping Phase 1 improvements.  
(CONSENT AGENDA)

*Ms. Kortas stated that a citizen had wanted to pull Item 12 but had not understood when to do so.*

*Attorney Corn stated that since that part of the Consent Agenda had already passed, the citizen would not be allowed to pull the item unless the Planning Commission voted unanimously that she could.*

*Alderman Petersen moved, seconded by Mr. Orr that Item 12 be heard, and the motion passed unanimously (9-0).*

*Ms. Kortas stated that staff was recommending to release the maintenance agreement for landscaping phase one improvements.*

*Ms. Candace Crumrine, of 609 Streamside Lane, Stream Valley Subdivision, stated that there was some confusion as to what was part of the maintenance release. As a neighborhood, Stream Valley, has gone through much effort to pull things together over the timeframe. They have been trying to work with the Homeowners Association (HOA), the Aldermen, and Mr. Gerth, the City's Community Development Administrator. Quite frankly, the homeowners do not think that their voices are being heard to where things are changing for the better. They had a couple of improvements in things that are not related to the trees in the front, so she wanted to thank the Planning Commission for that. Some of the main concerns are the common areas, so they are trying to understand if someone could work with them and communicate with the neighborhood and not the HOA, which is funded by the developer, because they do not really get anything done with the HOA. It would be helpful if they could form that communication. They had many photos that they could deliver to all of the non-representatives of Franklin and not something that she would pay for moving forward.*

*Ms. Allen asked what the concerns were for Stream Valley.*

*Ms. Crumrine stated that there were a few of the common area trees that had actually died. There were also weeds, dirt and rock in some of the area and not grass. It is very unsightly. It brings something down that one thought they were investing in, and she would not have purchased in Stream Valley had she known this. They would like for someone in the City to speak up for them with the developer and the neighborhood so that they can get some things fixed. There are runoffs that are infested and unsightly with the green covering. This is not what would be seen in Berry Farms, Westhaven, or Tollgate in Thompson's Station..*

*Alderman Petersen asked if the Planning Commission was just voting on the specific landscaping that was covered under item 12.*

*Ms. Kortas stated that it was for the site plan, section 3, to release the maintenance agreement for landscaping Phase 1 improvements.*

*Ms. Crumrine stated that there were two trees that she could recall that were on Streamside Lane between Stream Valley Boulevard and a little bump-out that Pulte was looking to connect to.*

*Chair Hathaway asked if it would be appropriate to defer the release.*

*Ms. Kortas stated that this was up to the Planning Commission. She stated that the City's Landscape Architect was at Stream Valley on May 9, 2016, to do the inspection.*

*Chair Hathaway asked for citizen comments.*

*Mr. Ryan Anderson, of 829 Shade Tree Lane, stated that he wanted to reiterate what Ms. Crumrine had stated that the HOA and the developer had really not lived up to the expectation of what the homeowners believed they purchased. He was confused on the action items that the Planning Commission was going to be voting on at this meeting. He did not believe that what he was prepared to speak on related to this. Any improvement in trees would be welcomed. He thought they would have to come back in the future to discuss the major items, such as retention ponds that are breeding mosquitoes, large sections of sidewalk that were put in and did not have sodding or build-up of dirt around it so there were 2-three-inch gaps between the edge of the sidewalk and the surrounding landscape, maintenance of green spaces, maintenance of the carriage trail that he lives on, which has hackberry trees that are not being maintained. They are paying Franklin taxes and paying HOA fees, which are \$60.00 a month, and there is presently no return on the investment.*

*Chair Hathaway asked if there was an applicant, but there was not.*

*Mr. Franks moved, seconded by Mr. Orr to defer item 12 to the June 23, 2016, Planning Commission meeting.*

*Ms. Kortas stated that item 12 could not be deferred for just one month that it would have to be a minimum of a six month extension. Since the applicant has already fulfilled the mandatory one year maintenance, they can request to come to the June 23, 2016, Planning Commission meeting.*

*Mr. Franks changed his motion to extend the maintenance agreement for six months.*

**Commissioner Franks moved, seconded by Commissioner Orr, to extend the maintenance agreement for six months. The motion carried by the following votes:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

**Chairing:** 0

13. Westhaven PUD Subdivision, site plan, section 18; extend the performance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**
14. Westhaven PUD Subdivision, site plan, section 20, revision 4, lots 848, 1158 and 1159 (Golf Clubhouse); release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)  
**This Planning Item was approved.**

15. Westhaven PUD Subdivision, site plan, section 21, revision 1; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

16. Westhaven PUD Subdivision, site plan, section 32, lots 4033 and 5051; release the maintenance agreement for landscaping improvements. (CONSENT AGENDA)

This Planning Item was approved.

#### REZONINGS AND DEVELOPMENT PLANS

17. Consideration of Ordinance 2016 - 19, To Be Entitled: "An Ordinance To Rezone 5.03 Acres From Specific Development-Residential District (SD-R 2.82) To Specific Development-Residential District (SD-R 2.92) And Rezone 218.58 Acres From Specific Development - Residential - SD-R (2.82) District To Specific Development - Residential - SD-R (2.92) District For The Property Located Along Carothers Parkway, East Of Interstate 65, And South Of South Carothers Road."

**Attachments:** [Ord 2016-19 6021 Lockwood Glen Rezoning Res Map.pdf](#)  
[Lockwood Glen PUD Subdivision, rezoning \(Residential\) - submittal 003 Plans.pdf](#)  
[Ordinance 2016-19 Rezone the King Parcel into the Lockwood Glen Law Approved](#)  
[Updated Ord 2016-19 6021 Lockwood Glen Rezoning Res Map Updated.pdf](#)  
[Lockwood Glen 2nd reading date move request](#)

*Mr. Baumgartner stated that Lockwood Glen was originally approved in 2008. The existing property owner at 4373 South Carothers Road decided not to sell the property to Crescent Lockwood at that time and has since opted to sell his property. This additional piece would become part of the Lockwood Glen Subdivision. Approval of Ordinance 2016-19 was recommended to the Board of Mayor and Aldermen (BOMA).*

*Chair Hathaway asked for citizen comments. There were none.*

*Mr. Khris Pascarella, of Pearl Street Partners, stated that they were in agreement with the Conditions of Approval. He requested approval of Ordinance 2016-19 to the BOMA.*

*Mr. Martin stated that the proper way to make the motion would be to say, "Approval of 2016-19 is recommended to the BOMA."*

**Commissioner Harrison moved, seconded by Commissioner McLemore that Ordinance 2016-19 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway



Chairing: 0

18. \*Consideration Of Ordinance 2016 - 20, To Be Entitled: "An Ordinance To Rezone 8.68 Acres From Specific Development-Residential District (SD-R 2.82) District To Neighborhood Commercial District (NC) For The Property Located South Of South Carothers Road And East Of Carothers Parkway."; Establishing a Public Hearing for August 9, 2016. (05/26/16 FMPC 9-0) FIRST OF THREE READINGS

**Attachments:** [Ord 2016-20 6022 Lockwood Glen Rezoning CommMap.pdf](#)  
[Lockwood Glen PUD Subdivision, rezoning \(Commercial\) - submittal 003 Plans.pdf](#)  
[Ord 2016-20 Lockwood Glen Rezoning Commercial Law Approved](#)  
[Lockwood Glen 2nd reading date move request](#)

*Mr. Baumgartner stated that Lockwood Glen was originally approved in 2008. The City staff and the developers have been working together to request that these properties be zoned Neighborhood Commercial for the use of the residents moving into this corridor. The Planning staff requested the applicant to look into the creation of Neighborhood Commercial zoning districts in this area and the applicant has agreed. This will match the recently rezoned properties across South Carothers to the southeast that were rezoned to Neighborhood Commercial. Staff also recommends, that should the surplus right-of-way land at the intersection of Carothers Parkway and South Carothers Road be abandoned, this land should also be rezoned to the Neighborhood Commercial zoning district. Approval of Ordinance 2016-20 was recommended to the BOMA.*

*Chair Hathaway asked for citizen comments. There were none.*

*Mr. Khris Pascarella, of Pearl Street Partners, stated that they were in agreement with the Conditions of Approval. He requested approval of Ordinance 2016-20 to the BOMA.*

**Commissioner Allen moved, seconded by Commissioner Orr that Ordinance 2016-20 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

Chairing: 0

19. Consideration of Resolution 2016-28, To Be Entitled: "A Resolution Approving A Revised Development Plan For Lockwood Glen PUD Subdivision, For The Property Located South Of South Carothers Road And East Of Cartothers Parkway, 4373 South Carothers Road."; Establishing a Public Hearing for August 9, 2016. (05/26/16 FMPC 9-0)

**Attachments:** [Resolution 2016-28 Law Approved Lockwood Glen DP Rev 1.pdf](#)

[6120 Lockwood Glen PUD Subd, DP, Rev 1 Conditions of Approval 01.pdf](#)

[Full Dev Plan Rev 05.05.16.pdf](#)

[Development Plan Only Sheet.pdf](#)

[Arch Elevations Sheet.pdf](#)

[Lockwood Glen 2nd reading date move request](#)

[Res-2016-28 6020 Lockwood Glen DP Rev 1 Map.pdf](#)

*Mr. Baumgartner stated that the Lockwood Glen Development Plan was approved in February 2008 (COF# 1619). The purpose of this revision was to include the King Parcel into the development and remove the bottom portions of the development to be rezoned to Neighborhood Commercial to the southeast of the development. Approval of Resolution 2016-28 was recommended to the BOMA.*

*Chair Hathaway asked for citizen comments. There were none.*

*Mr. Khris Pascarella, of Pearl Street Partners, stated that they were in agreement with the Conditions of Approval. He requested approval of Resolution 2016-28 to the BOMA.*

*Alderman Petersen asked if part of the shared driveway had been taken care of, and Mr. Pascarella stated that it had.*

**Commissioner Harrison moved, seconded by Commissioner Lindsey that Resolution 2016-28 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

**Chairing:** 0



20. Consideration of Resolution 2016-25, to Be Entitled: "A Resolution Approving a Revised Development Plan for the Berry Farms Town Center PUD Subdivision, for the Property Located East of Lewisburg Pike and North of Goose Creek Bypass"; Establishing a Public hearing for July 12, 2016 (05/26/16 FMPC 9-0)

Attachments: [Town Center Pattern Book pg 19 24 and 27 revisions.pdf](#)  
[MAP\\_BFTC\\_RESOLUTION2016-025.pdf](#)  
[Conditions of Approval 01](#)  
[2016-25 RES LAW APPROVED Berry Farms PUD Revision with attachments](#)

*Ms. Gregory recused herself from item 20.*

*Mr. King stated that the Berry Farms Town Center PUD Subdivision was at the northeast quadrant of Goose Creek and I-65. The applicant was proposing to clarify some language contained in the pattern book (pages 23, 29 & 32) by clarifying and adding uses. He showed on the screen and discussed the differences between the proposed pattern book and the pattern book that was previously approved by the BOMA. The applicant was adding selected uses identified in the City of Franklin Zoning Ordinance, not originally included in the original pattern book. This was being done so that the applicant's pattern book and the City of Franklin's Zoning Ordinance were in compliance with each other. Approval of Resolution 2016-25 was recommended to the BOMA.*

*Chair Hathaway asked for citizen comments. There were none.*

*Mr. Harrison moved, seconded by Mr. Franks to add an amendment to Resolution 2016-25 to add the conditions of approval. The motion passed unanimously (9-0).*

*Alderman Petersen asked if the list of Civic Institutional Uses and the list of Commercial Uses were being added.*

*Mr. King stated that they were being added.*

**Commissioner Harrison moved, seconded by Commissioner Franks that Resolution 2016-25 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 8 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

**Recused:** 1 - Commissioner Gregory

**Chairing:** 0

#### SITE PLANS, PRELIMINARY PLATS, AND FINAL PLATS

21. Amelia Park PUD Subdivision, Final Plat, Section 4, 47 Lots (45 Residential 2 Open Space) located off Clovercroft Road. (Consent Agenda)

**Attachments:** [6118 Amelia Park PUD Subd, FP, Sec 4 Conditions of Approval 01.pdf](#)  
[6118 Amelia Park PUD Subd, FP, Sec 4 Map.pdf](#)  
[Final Plat Section 4 Plans.pdf](#)

This Planning Item was approved.

22. Echelon PUD Subdivision, final plat, section 2, creating 47 single-family lots and five open-space lots on 16.56 acres, located at 0 South Carothers Road. (Consent Agenda)

**Attachments:** [6119 Echelon PUD Subdivision, FP, Sec 2 Conditions of Approval 01](#)  
[6119 MAP Echelon PUD Subd, FP, Sec 2](#)  
[PLAT Echelon PUD Subdivision Final Plat Section 2](#)

This Planning Item was approved.

23. Poe Subdivision, Revision 1, Lots 3 & 4, final plat, revision of setback lines on 0.45 acres, located at 226 and 230 11th Avenue South (Consent Agenda)

**Attachments:** [6112 PoeSubd Conditions of Approval 01.pdf](#)  
[MAP 6112 Poe SubD.pdf](#)  
[Poe Subdivision - Revision to Lots 3 4 5-08-16.pdf](#)

This Planning Item was approved.

24. Riverbluff Subdivision, Final Plat, Section 1, Revision 1, Resubdivision of Lots 75-81 on 1.60 acres located east of Lewisburg Pike (Consent Agenda)

**Attachments:** [6055 Riverbluff Subd Rev 1, Revision Lots 75-81 Conditions of Approval 01.pdf](#)  
[6055 Riverbluff Subd, FP, Sec 1, Rev 1 resub of lots Map.pdf](#)  
[Riverbluff Subdivision, Revision 1, Revision To Lots 75-81 - submittal 003.pdf](#)

This Planning Item was approved.

25. Stream Valley PUD Subdivision, Section 9, Lot 296, Revision 1, final plat, revision of lot line between lots 296 and 295, located at 304 and 305 Oberlin Court(Consent Agenda)

**Attachments:** [6113-StreamValley\\_Sec9Conditions of Approval\\_01.pdf](#)  
[MAP\\_6113\\_SVSec9.pdf](#)  
[Stream Valley, Section 9 Final Plat, Revision 1 - submittal 002.pdf](#)

**This Planning Item was approved.**

26. Synergy Bank Addition, final plat, Revision 2, relocating easements and buffers associated with the Synergy Bank development on a 2.03 acre parcel, located at 722 Columbia Avenue (Consent Agenda)

**Attachments:** [6114\\_Synergy\\_Conditions of Approval\\_01.pdf](#)  
[MAP\\_6114SynergyBank.pdf](#)  
[Synergy-Bank-Rev-2-Plat-Signed-PDF.pdf](#)

**This Planning Item was approved.**

27. Williamson County Ag Expo Park, Site Plan, ADA Parking addition, creation of 48 accessible parking spaces adjacent to the existing expo building located at 4215 Long Lane (Consent Agenda)

**Attachments:** [6117\\_AgExpo\\_Conditions of Approval\\_01.pdf](#)  
[map\\_6117AGExpoCenter.pdf](#)  
[AG Site Layout.pdf](#)  
[2016-05-04 Ag Center ADA Parking Addition Full Set.pdf](#)

**This Planning Item was approved.**

#### ZONING ORDINANCE TEXT AMENDMENTS



28. \*Consideration of Ordinance 2016-005, To Be Entitled: "An Ordinance To Amend Various Chapters Of The City Of Franklin, Tennessee, Zoning Ordinance Pertaining To The Approval Of Development Plans, Site Plans And Vested Property Rights."; Establishing a Public Hearing for July 12, 2016 (05/26/16 FMPC 9-0) FIRST OF THREE READINGS

Attachments: [Ordinance 2016-005 Vested Property Right Ordinance Law Approved](#)  
[2](#)  
[Powerpoint Ordinance 2016-005 Vested Property Rights 4-8-16](#)

*Mr. Svoboda stated that property right is established under the provisions of the Vested Property Rights Amendment (VPRA). The development standards in effect on the date of approval of the plan will remain the development standards applicable to a project throughout the established vesting period.*

*The VPRA enabled local governments to adopt an Ordinance that specifically identifies the types of plans approved by the local government that will cause a property right to vest and to identify what constitutes approval of those plans. The purposes of Ordinance 2016-005 are to amend the following:*

- Chapter 1 to add a new Section for Vested Property Rights to specifically identify the types of plans approved by the City of Franklin on, or after, January 1, 2015, that will cause a vested property right to be established and identify what constitutes approval of those plans.*
- Chapter 2 to revise the Specific Development Review Procedures in Chapter 2 for Planned Unit Developments (PUDs) and Site Plans in order to add the VPRA standards pertaining to Vesting Periods and Time Limits and to update the procedures for amendments.*
- Chapter 8 to add definitions for several words/phrases referred to in the VPRA.*

*Approval of Ordinance 2016-005 was recommended to the BOMA.*

*Mr. Franks asked Attorney Com if the adoption of Ordinance 2016-005 would coincide, 100 percent, with the State of Tennessee statue. Attorney Com stated that it would.*

**Commissioner McLemore moved, seconded by Commissioner Harrison that Ordinance 2016-005 be recommended to the Board of Mayor and Aldermen for approval. The motion carried by the following vote:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

**Chairing:** 0

**NON-AGENDA ITEMS**

**ANY OTHER BUSINESS**

**ADJOURN**

*There being no further business, the meeting adjourned at 7:30 p.m.*

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*Chair Mike Hathaway*

**A motion was made by Commissioner Harrison, seconded by Commissioner Orr, to adjourn. The motion carried by the following vote:**

**Aye:** 9 - Commissioner Harrison, Commissioner Petersen, Commissioner McLemore, Commissioner Franks, Commissioner Gregory, Commissioner Allen, Commissioner Orr, Commissioner Lindsey, and Commissioner Hathaway

**Chairing:** 0

