

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioner met in Regular Session on Monday, February 25, 2008 at 4:00 pm. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston. Also present were Mr. John Owings, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Troyer, Director, Knox County Finance, Mr. Bruce Wuethrich, Director, Engineering and Public Works and news media.

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

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IN RE: ROLL CALL:

Mrs. Martha Beeler, Administrative Assistant to George Stooksbury, Knox County Clerk called the roll.

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IN RE: ZONING REQUESTS:

IN RE: AMENDMENTS TO THE AGENDA:

Commissioner Leuthold moved to defer the following items to the March Board of Commissioners meeting:

Defer to the March Board of Commissioners meeting 12-D-07-SP – Request of Dutchtown Land Partners, LLC for a Northwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial). Property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of N. Cedar Bluff Road. Fifth Commission District.

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Defer to the March Board of Commissioners meeting 12-J-07-RZ – Request of Dutchtown Land Partners, LLC for rezoning from A (Agricultural) to CB (Business and Manufacturing). Property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of N. Cedar Bluff Road. Fifth Commission District.

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Defer to the March Board of Commissioners meeting 6-A-06-SP – Appeal by W. C. Development, Owner, of MPC denial of Northwest County Sector Plan Amendment from LDR (Low Density Residential) and SLPA

(Slope Protection Area) to C (Commercial) and SLPA (Slope Protection Area). Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

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Defer to the March Board of Commissioners meeting 6-H-06- RZ – Appeal by W. C. Development of MPC denial of rezoning from PR (Planned Residential) to CA (General Business). Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ZONING REQUESTS:

Request of J. D. Robison for rezoning from A (Agricultural) to RB (General Residential) 11-Q-05-RZ was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

Without objection, Commissioner Strickland moved this request to the end of the agenda.

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Request of Bill Hicks and Bob Moore for a Northwest City Sector Plan Amendment from O (Office) to C (Commercial) 12-A-07-SP was before the Board of Commissioners. Property located on the southeast side of Old Callahan Drive, northeast of Clinton Highway. Sixth Commission District.

Mr. Bob Moore, applicant, was present and spoke on behalf of the request.

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

Commissioner Lambert moved to approve 12-A-07-SP - Request of Bill Hicks and Bob Moore for a Northwest City Sector Plan Amendment from O (Office) to C (Commercial) as per Metropolitan Planning Commission’s Recommendation: Approve C (Commercial). Commissioner Moore seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion

carried 19-0-0-0. Property located on the southeast side of Old Callahan Drive, northeast of Clinton Highway. Sixth Commission District.

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Request of Bill Hicks and Bob Moore for rezoning from RB (General Residential) to CB (Business and Manufacturing) 12-A-07-RZ was before the Board of Commissioners. Property located on the southeast side of Old Callahan Drive, northeast of Clinton Highway. Sixth Commission District.

Mr. Bob Moore, applicant, was present and spoke on behalf of the request.

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

Commissioner Lambert moved to approve 12-A-07- RZ - Request of Bill Hicks and Bob Moore for rezoning from RB (General Residential) to CB (Business and Manufacturing) as per Metropolitan Planning Commission's Recommendation: Approve CB (Business and Manufacturing). Commissioner Moore seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Old Callahan Drive, northeast of Clinton Highway. Sixth Commission District.

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Request of New Concept Development for rezoning from RA (Low Density Residential) to PR (Planned Residential) 12-H-07-RZ was before the Board of Commissioners. Property located on the southeast side of George Williams Road, northeast side of I-40, southwest of Hidden Glen Lane. Fifth Commission District.

Without objection, Commissioner Strickland moved this request to the end of the agenda.

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Request of Butler Homes and Construction, LLC for a Southwest County Sector Plan Amendment from LDR (Low Density Residential) and SLPA (Slope Protection Area) to MDR (Medium Density Residential) and SLPA (Slope Protection Area) 12-E-07-SP was before the Board of Commissioners. Property located on the northwest side of Gleason Drive, northeast of Ebenezer Road. Fifth Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Strickland asked if there was any opposition to the request.

Mr. Phillip Irwin, area resident, was present and spoke in opposition to the request.

Mr. John King, Attorney, representing applicant, was present and spoke on behalf of the request.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

Mr. David Campbell, Consulting Engineer, was present and spoke on the matter.

Ms. Laura Carroll, area resident, was present and spoke in opposition to the request.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Leuthold moved to deny 12-E-07-SP - Request of Butler Homes and Construction, LLC for a Southwest County Sector Plan Amendment from LDR (Low Density Residential) and SLPA (Slope Protection Area) to MDR (Medium Density Residential) and SLPA (Slope Protection Area) as per Metropolitan Planning Commission's Recommendation: Deny MDR (Medium Density Residential).

Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Gleason Drive, northeast of Ebenezer Road. Fifth Commission District.

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Request of Butler Homes and Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) 12-P-07-RZ was before the Board of Commissioners. Property located on the northwest side of Gleason Drive, northeast of Ebenezer Road. Fifth Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Phillip Irwin, area resident, was present and spoke in opposition to the request.

Mr. John King, Attorney, representing Butler Homes and Construction, LLC was present and spoke on behalf of the request.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

Mr. David Campbell, Consulting Engineer, was present and spoke on the matter.

Ms. Laura Carroll, area resident, was present and spoke in opposition to the request.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Hammond moved to approve 12-P-07-RZ - Request of Butler Homes and Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) at a density of 4 units per acre. Commissioner Briggs seconded the motion.

Commissioner Lambert moved as a substitute motion to approve 12-P-07-RZ - Request of Butler Homes and Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) at a density of 5 units per acre. Commissioner Smith seconded the motion and upon roll call vote Commissioners Ivan Harmon, Davis, Daniels, Lambert, Smith, Moore and Wright voted aye. Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Hammond, Leuthold, Briggs, Rountree, Ballard, DeFreeze and Pinkston voted no. The substitute motion failed 7-12-0-0.

Commissioner Mark Harmon moved as a substitute motion to approve 12-P-07-RZ - Request of Butler Homes and Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) at a density of 3 units per acre. Commissioner Norman seconded the motion and upon roll call vote Commissioners Mark Harmon, Campen, Norman, Leuthold and DeFreeze voted aye. Commissioners McKenzie, Strickland, Ivan Harmon, Davis, Daniels, Hammond, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, and Pinkston voted no. The substitute motion failed 5-14-0-0.

Commissioner Lambert moved as a substitute motion approve 12-P-07-RZ - Request of Butler Homes and Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) at a density of 4.9 units per acre. Commissioner Moore seconded the motion and upon roll call vote Commissioners Ivan Harmon, Lambert, Smith, Moore and Wright voted aye. Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Ballard, DeFreeze and Pinkston voted no. The substitute motion failed 5-14-0-0.

Upon roll call vote on the original motion to approve 12-P-07-RZ - Request of Butler Homes and Construction, LLC for rezoning from A (Agricultural) to PR (Planned Residential) at a density of 4 units per acre, Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree,

Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-1-0-0. Commissioner Lambert voted no.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland introduced Boy Scout Troop 55 for attending the meeting.

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Request of Benchmark Companies for a Northwest County Sector Plan Amendment from A/RR (Agricultural)/Rural Residential) to LDR (Low Density Residential) 12-J-07-SP was before the Board of Commissioners. Property located on the west side of Fretz Road, north of Hatmaker Lane. Sixth Commission District.

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

Commissioner Moore moved to approve 12-J-07-SP - Request of Benchmark Companies for a Northwest County Sector Plan Amendment from A/RR (Agricultural)/Rural Residential) to LDR (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve LDR (Low Density Residential). Commissioner Rountree seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 17-1-0-1. Commissioner Mark Harmon voted no. Commissioner Lambert was absent from the vote. Property located on the west side of Fretz Road, north of Hatmaker Lane. Sixth Commission District.

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Request of Benchmark Companies for rezoning from A (Agricultural) to PR (Planned Residential) 12-W-07-RZ was before the Board of Commissioners. Property located on the west side of Fretz Road, north of Hatmaker Lane. Sixth Commission District.

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

Commissioner Moore moved to approve 12-W-07-RZ - Request of Benchmark Companies for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: PR (Planned Residential) at a density up to 5 dwelling units per acre. Commissioner Rountree seconded the motion and upon roll call vote

Commissioners McKenzie, Strickland, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 17-1-0-1. Commissioner Mark Harmon voted no. Commissioner Lambert was absent from the vote. Property located on the west side of Fretz Road, north of Hatmaker Lane. Sixth Commission District.

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Request of MJM Development for rezoning from A (Agricultural) and PR (Planned Residential) @ 3 DU/AC to PR (Planned Residential) @ 4 DU/AC 12-N-07-RZ was before the Board of Commissioners. Property located on the north side of Stanley Road, southwest of Clinton Highway. Sixth Commission District.

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

Commissioner Rountree moved to approve 12-N-07-RZ - Request of MJM Development for rezoning from A (Agricultural) and PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density of up to 3.3 dwelling units per acre. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the north side of Stanley Road, southwest of Clinton Highway. Sixth Commission District.

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Request of Samuel J. Furrow for a Southwest County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 1-A-08-SP was before the Board of Commissioners. Property located on the southwest side of Cogdill Road, southeast of Parkside Drive. Fifth Commission District.

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

Commissioner Leuthold moved to approve 1-A-08-SP - Request of Samuel J. Furrow for a Southwest County Sector Plan Amendment from LDR (Low Density Residential) to O (Office) as per Metropolitan Planning Commission's Recommendation: Approve O (Office). Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon,

Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the southwest side of Cogdill Road, southeast of Parkside Drive. Fifth Commission District.

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Request of Samuel J. Furrow for rezoning from A (Agricultural) to CA (General Business) 1-C-08-RZ was before the Board of Commissioners. Property located on the southwest side of Cogdill Road, southeast of Parkside Drive. Fifth Commission District.

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

Commissioner Leuthold moved to approve as per Metropolitan Planning Commission's Recommendation: Request of Samuel J. Furrow for rezoning from A (Agricultural) to OB (K) Office, Medical, and Related Services) subject to 4 conditions:

1. No access to site from Cogdill Road or Alex Lane.
2. Install a Type 'A' dense landscape screen within the entire length of the 60' rear residential building setback area.
3. Include photometric lighting plan with development plans.
4. No exterior loudspeakers in development.

Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the southwest side of Cogdill Road, southeast of Parkside Drive. Fifth Commission District.

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Request of CTL Summit Limited for rezoning from PR (Planned Residential) @ 1-3.5 DU/AC to PR (Planned Residential) @ up to 5 DU/AC 1-D-08-RZ was before the Board of Commissioners. Property located on the northwest side of Nubbin Ridge Road, northeast of Ferncliff Way. Fifth Commission District.

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

Commissioner Briggs moved to approve 1-D-08-RZ - Request of CTL Summit Limited for rezoning from PR (Planned Residential) @ 1-3.5 DU/AC to PR (Planned Residential) @ up to 5 DU/AC as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned

Residential) at a density up to 5 dwelling units per acre. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the northwest side of Nubbin Ridge Road, northeast of Ferncliff Way. Fifth Commission District.

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Request of Goddard Properties for rezoning from A (Agricultural) to RA (Low Density Residential) 1-K-08-RZ was before the Board of Commissioners. Property located on the southeast side of Crenshaw Road, west side of W. Martin Mill Pike. Ninth Commission District.

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

Commissioner Pinkston moved to approve 1-K-08-RZ - Request of Goddard Properties for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve RA (Low Density Residential). Commissioner Ballard seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the southeast side of Crenshaw Road, west side of W. Martin Mill Pike. Ninth Commission District.

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Request of Douglas Hill for rezoning from OB (Office, Medical, and Related Services) and RA (Low Density Residential) to CA (General Business) 1-Q-08-RZ was before the Board of Commissioners. Property located on the north side of E. Raccoon Valley Road, east of I-75, Seventh Commission District.

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

Commissioner Smith moved to approve 1-Q-08-RZ - Request of Douglas Hill for rezoning from OB (Office, Medical, and Related Services) and RA (Low Density Residential) to CA (General Business) as per Metropolitan Planning Commission's Recommendation: Approve CA General Business. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen,

Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the north side of E. Raccoon Valley Road, east of I-75, Seventh Commission District.

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Request of Heartland Development for a South County Sector Plan Amendment from A/RR (Agricultural/Rural Residential) and SLPA (Slope Protection Area) to LDR (Low Density Residential and SLPA (Slope Protection Area) 1-D-08-SP was before the Board of Commissioners. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

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

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. David Harbin, Engineer, was present and spoke on behalf of the request.

Commissioner Pinkston moved to defer to the March Board of Commissioners meeting 1-D-08-SP - Request of Heartland Development for a South County Sector Plan Amendment from A/RR (Agricultural/Rural Residential) and SLPA (Slope Protection Area) to LDR (Low Density Residential and SLPA (Slope Protection Area). Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

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Request of Heartland Development for rezoning from PR (Planned Residential) @ up to 1 DU/AC to PR (Planned Residential) @ up to 2 DU/AC 1-S-08-RZ was before the Board of Commissioners. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

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

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. David Harbin, Engineer, was present and spoke on behalf of the request.

Commissioner Pinkston moved to defer to the March Board of Commissioners meeting 1-S-08-RZ - Request of Heartland Development for rezoning from PR (Planned Residential) @ up to 1 DU/AC to PR (Planned Residential) @ up to 2 DU/AC. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

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Request of TTC Halls, LLC for a North County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 1-C-08-SP was before the Board of Commissioners. Property located on the northeast side of Norris Freeway, southeast of Whitworth Drive. Seventh Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Bud Cullum, petitioner, was present and spoke on behalf of the request.

Commissioner Strickland asked if there was any opposition to the request.

Mr. John King, Attorney, representing a client who owns property in the area, was present and spoke in opposition to the request.

Commissioner Moore moved to approve 1-C-08-SP - Request of TTC Halls, LLC for a North County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) as per Metropolitan Planning Commission's Recommendation: Approve C (Commercial). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 17-1-0-1. Commissioner Mark Harmon voted no. Commissioner Lambert was absent from the vote. Property located on the northeast side of Norris Freeway, southeast of Whitworth Drive. Seventh Commission District.

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Request of TTC Halls, LLC for rezoning from A (Agricultural) to SC (Shopping Center) 1-V-08-RZ was before the Board of Commissioners. Property located on the northeast side of Norris Freeway, southeast of Whitworth Drive. Seventh Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Bud Cullum, petitioner, was present and spoke on behalf of the request.

Commissioner Strickland asked if there was any opposition to the request.

Mr. John King, Attorney, representing a client who owns property in the area, was present and spoke in opposition to the request.

Commissioner Moore moved to approve 1-V-08-RZ - Request of TTC Halls, LLC for rezoning from A (Agricultural) to SC (Shopping Center) as per Metropolitan Planning Commission's Recommendation: Approve SC (Shopping Center). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 17-1-0-1. Commissioner Mark Harmon voted no. Commissioner Lambert was absent from the vote. Property located on the northeast side of Norris Freeway, southeast of Whitworth Drive. Seventh Commission District.

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IN RE: ZONING APPEALS:

Appeal by Arthur Seymour, Jr., Attorney for Signco Inc., of TTCDA approval of condition to require indirect illumination or backlit lighting for sign 07.045.0 was before the Board of Commissioners. Property located on the northwest side of Hardin Valley Road, southwest of Charlevoix Road. Sixth Commission District.

Mr. Arthur Seymour, Jr., Attorney, was present and spoke on behalf of the appeal.

Commissioner Leuthold moved to defer back to TTCDA 07.045.0 appeal by Arthur Seymour, Jr., Attorney for Signco Inc., of TTCDA approval of condition to require indirect illumination or backlit lighting for sign. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Ballard, Wright and DeFreese voted aye. The motion carried 16-0-2-1. Commissioner Moore abstained from the vote. Commissioner

Pinkston recused himself from the vote. Commissioner Lambert was absent from the vote. Property located on the northwest side of Hardin Valley Road, southwest of Charlevoix Road. Sixth Commission District.

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Request of J. D. Robison for rezoning from A (Agricultural) to RB (General Residential) 11-Q-05-RZ was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

Commissioner Leuthold moved to defer to the March Board of Commissioners meeting 11-Q-05-RZ - Request of J. D. Robison for rezoning from A (Agricultural) to RB (General Residential). The motion was seconded and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Lambert was absent from the vote. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

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Request of New Concept Development for rezoning from RA (Low Density Residential) to PR (Planned Residential) 12-H-07-RZ was before the Board of Commissioners. Property located on the southeast side of George Williams Road, northeast side of I-40, southwest of Hidden Glen Lane. Fifth Commission District.

Without objection, Commissioner Strickland deferred to the March Board of Commissioners meeting 12-H-07-RZ - Request of New Concept Development for rezoning from RA (Low Density Residential) to PR (Planned Residential). Property located on the southeast side of George Williams Road, northeast side of I-40, southwest of Hidden Glen Lane. Fifth Commission District.

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IN RE: ROLL CALL:

Mrs. Angie Nesbitt, Minutes Clerk to Knox County Clerk George Stooksbury called the roll, those members present were Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston.

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IN RE: DEVOTIONAL:

Reverend Catherine Nance, Concord United Methodist Church gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Scout Troop 500 from District 8 led the Pledge of Allegiance to the Flag.

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IN RE: CONSIDERATION OF RE-ORGANIZATION OF THE KNOX COUNTY COMMISSION:

Consideration of re-organization of the Knox County Commission was before the Board of Commissioners.

Mr. George Stooksbury, Knox County Clerk opened the floor for nominations for Chairman of Knox County Commission.

Upon roll call for nominations for a Chairman of the Board of Commissioners, Commissioner McKenzie nominated Commissioner Thomas “Tank” Strickland, Commissioner Strickland passed, Commissioner Mark Harmon passed, Commissioner Campen passed, Commissioner Norman passed, Commissioner Ivan Harmon passed, Commissioner Davis passed, Commissioner Daniels passed, Commissioner Hammond passed, Commissioner Leuthold passed, Commissioner Briggs passed, Commissioner Rountree passed, Commissioner Lambert passed, Commissioner Smith passed, Commissioner Moore passed, Commissioner Ballard passed, Commissioner Wright passed, Commissioner DeFreese passed, and Commissioner Pinkston passed.

Commissioner Leuthold moved that nominations cease and that Commissioner Thomas “Tank” Strickland be elected Chairman of the Board of Commissioner. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Commissioner Thomas “Tank” Strickland was elected Chairman of the Board of Commissioners.

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Upon roll call for nominations of a Vice-Chairman of the Board of Commissioners McKenzie passed, Commissioner Strickland passed, Commissioner Mark Harmon nominated Commissioner Mike Hammond, Commissioner Campen passed, Commissioner Norman passed, Commissioner Ivan Harmon passed, Commissioner Davis passed, Commissioner Daniels passed, Commissioner Hammond passed, Commissioner Leuthold passed, Commissioner Briggs passed,

Commissioner Rountree passed, Commissioner Lambert passed, Commissioner Smith passed, Commissioner Moore passed, Commissioner Ballard passed, Commissioner Wright passed, Commissioner DeFreese passed and Commissioner Pinkston passed.

Commissioner Daniels moved that nominations cease and that Commissioner Mike Hammond be elected Vice – Chairman of the Board of Commissioners. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Commissioner Mike Hammond was elected Vice-Chairman for the Board of Commissioners.

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IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Strickland amended the agenda as follows:

Add R-08-2-103 – Resolution of the Commission of Knox County, Tennessee honoring Lois Kilgore Kelly upon the occasion of her 100th Birthday Celebration on the consent agenda.

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Commissioner Leuthold moved to defer to the March Board of Commissioners meeting R-08-2-901 – Resolution of the Commission of Knox County, Tennessee ratifying and adopting an amendment to the Knox County Retirement and Pension Board Plans. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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Add R-08-2-102 – Resolution of the Commission of Knox County, Tennessee, congratulating Coach Bruce Pearl and the University of Tennessee Volunteers for their victory over the Memphis Tigers and becoming No. 1 in Men’s Basketball for the first time in school history to the consent agenda.

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Add R-08-2-909 – Resolution of the Commission of Knox County, Tennessee, to sponsor nine forums designed to educate the public regarding the nine proposed Charter Amendments and their impact on Knox County Government to the regular agenda.

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Add R-08-2-910 – Resolution of the Commission of Knox County, Tennessee, suspending the Knox County Commission rules in order to consider a Knox County Charter Amendment regarding Knox County employees serving as a member of the Knox County Commission to the regular agenda.

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Add R-08-2-911 – Resolution of the Commission of Knox County, Tennessee amending Section 6 of the Knox County Code of Ethics to the regular agenda.

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Withdraw from the agenda R-08-2-904 – Resolution of the Commission, of Knox County, Tennessee approving requesting a report regarding the Knox County Greenwaste facility located at 8707 Joe Daniel Road on the suggested recommendations identified by CH2M Hill, a timeline as to when these recommendations will be implemented and a timeline as to when the nuisance odor will be eliminated.

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Withdraw from the agenda R-08-2-905 – Resolution of the Commission of Knox County, Tennessee asking the Knox County Department of Parks and Recreation and the Knox County Engineering and Public Works Department to develop a policy regarding political signage as it relates to Knox County property.

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Withdraw from the agenda R-08-2-906 – Resolution of the Commission of Knox County, Tennessee requesting the Knox County Law Director to investigate whether county or office policies were violated by Kay Frazier in the Knox County Register of Deeds office and if Cathy Quist, Clerk of Circuit, General Sessions and Juvenile Courts, allowed her employees paid leave to campaign.

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Withdraw from the agenda R-08-2-908 – Resolution of the Commission of Knox County, Tennessee requesting and encouraging the Legislature of the State of Tennessee requesting and encouraging the Legislature of the State of Tennessee to permit the Tennessee Responsible Vendor Act of 2006, as codified at T.C.A. §57-5-601 ET SEQ., to sunset.

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Add under acceptance of new county roads: J. Emerson Way, District 7.

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Add R-08-2-912 – Resolution of the Commission of Knox County, Tennessee, to urge the General Assembly to enact Senate Bill 277/House Bill, 9 to allocate excess lottery funds to establish a matching grant program for Capital Outlay Projects for K-12 educational facilities.

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Defer to the March Board of Commissioners meeting R-08-2-403 – Resolution of the Commission of Knox County, Tennessee requesting the Industrial Development Board of the County of Knox to prepare an Economic Impact Plan in connection with a commercial retail development located at 2211 Steele Road.

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Withdraw from the agenda R-08-2-404 – Resolution of the Commission of Knox County, Tennessee appropriating \$32,117.21 for an Assistant Plans Examiner position in the Knox County Codes Administration and Inspection Department.

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Defer to the March Board of Commissioners meeting O-08-2-110 – Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 26, Article IV. Vacant, Deteriorated or Blighted properties by amending Sec. 26-97, Sec. 26-98, Sec. 26-99 (A) and Sec. 26-101 (Ord. No. O-94-11-101 § 2, 3, 4 and 6 adopted 12-19-94) on first reading.

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Defer to the March Board of Commissioners meeting or when ready to present R-08-2-902 – Resolution of the Commission of Knox County, Tennessee requesting a discussion of the State Street property.

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Add to the regular agenda Mr. John Troyer, Knox County Finance Director to discuss the projection of revenues for this year and discussion on the Greenwaste facility.

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IN RE: CONSENT ITEMS:

Tax Refunds: No funds received.

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Notary Public Applications: 204 received.

Commissioner Leuthold moved to approve the consent items. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree,

Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye.
The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING CONTRACTS WITH ADAMS AND SONS, INC., J. B. ARNOLD COMPANY, BRABSTON TRUCKING AND EXCAVATING, INC., AND STOOKSBURY CONSTRUCTION, INC., FOR EXCAVATION SERVICES: R-08-2-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Adams and Sons, Inc., J. B. Arnold Company, Brabston Trucking and Excavating, Inc., and Stooksbury Construction, Inc., for excavation services was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-203 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Adams and Sons, Inc., J. B. Arnold Company, Brabston Trucking and Excavating, Inc., and Stooksbury Construction, Inc., for excavation services. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE NAMING THE TOPSIDE ROAD BRIDGE THE LUCILLE NEWMAN MEMORIAL BRIDGE: R-08-2-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee naming the Topside Road Bridge the Lucille Newman Memorial Bridge was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee naming the Topside Road Bridge the Lucille Newman Memorial Bridge. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen,

Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$160,000.00 AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE BENTON COUNTY FIRE PROTECTION DISTRICT #2 FOR THE PURCHASE OF 320 HAND HELD AND MOBILE 800 MHZ RADIOS: R-08-2-201: PLEASE NOTE: THIS ITEM WAS PULLED FROM THE CONSENT AGENDA AND HEARD ON THE REGULAR AGENDA LATER IN THE MEETING:

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CHANGE ORDER IN THE AMOUNT OF \$2,076,283.00 FOR THE CEDAR BLUFF ELEMENTARY CONSTRUCTION PROJECT: R-08-2-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a change order in the amount of \$2,076,283.00 for the Cedar Bluff Elementary construction project was before the Board of Commissioners.

Mr. Doug Dillingham, Supervisor of New Facilities and Construction, Knox County Schools, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve R-08-2-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a change order in the amount of \$2,076,283.00 for the Cedar Bluff Elementary construction project. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENT ONE TO GRANT Z-08-21319-00 BETWEEN THE STATE OF TENNESSEE, BOARD OF PROBATION AND PAROLE AND THE KNOX COUNTY COMMUNITY ALTERNATIVE TO PRISON PROGRAM: R-08-2-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment one to Grant Z-08-21319-00 between the State of Tennessee, Board of Probation and Parole and the Knox County Community Alternative to Prison Program was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment one to Grant Z-08-21319-00 between the State of Tennessee, Board of Probation and Parole and the Knox County Community Alternative to Prison Program. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE PURCHASE OF RIGHT OF WAY ON TWO TRACTS FOR THE COPELAND AND HEISKELL ROAD IMPROVEMENT PROJECT: R-08-2-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the purchase of right of way on two tracts for the Copeland and Heiskell Road improvement project was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the purchase of right of way on two tracts for the Copeland and Heiskell Road improvement project. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORM WATER FACILITIES BY EAGLE BEND DEVELOPMENT, LLC FOR PROPERTY LOCATED AT BOSTON LANE: R-08-2-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of storm water

facilities by Eagle Bend Development, LLC for property located at Boston Lane was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of storm water facilities by Eagle Bend Development, LLC for property located at Boston Lane. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING UNCLAIMED BALANCE OF ACCOUNTS REMITTED TO STATE TREASURER UNDER UNCLAIMED PROPERTY ACT: R-08-2-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$853,023.70 WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY FOR THE PROVISION OF PASS-THROUGH FUNDING TO FUND COSTS RELATED TO HOMELAND SECURITY PREPAREDNESS ACTIVITIES ASSOCIATED WITH IMPLEMENTING THE TENNESSEE STATE HOMELAND SECURITY STRATEGY AND THE NATIONAL PREPAREDNESS GOAL, IN ACCORDANCE TO THE U.S.

**DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT
OF 2007: R-08-2-907:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$853,023.70 with the Tennessee Emergency Management Agency for the provision of pass-through funding to fund costs related to Homeland Security Preparedness Activities associated with implementing the Tennessee State Homeland Security Strategy and the National Preparedness Goal, in accordance to the U.S. Department of Homeland Security Appropriations Act of 2007 was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$853,023.70 with the Tennessee Emergency Management Agency for the provision of pass-through funding to fund costs related to Homeland Security Preparedness Activities associated with implementing the Tennessee State Homeland Security Strategy and the National Preparedness Goal, in accordance to the U.S. Department of Homeland Security Appropriations Act of 2007. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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

Consideration of the Acceptance of new county roads was before the Board of Commissioners.

- A. Amber Glades Lane in the Amber Wood, Unit 1. (District 5)
- B. Peach View Drive in the Amber Wood, Unit 1. (District 5)
- C. Amsterdam Lane in the Rhodes Hill Subdivision, Unit 1. (District 7)
- D. Cornell Lane in the Rhodes Hill Subdivision, Unit 1. (District 7)
- E. Vasser Lane in the Rhodes Hill Subdivision, Unit 1. (District 7)
- F. Chapel Lane in the Rhodes Hill Subdivision, Unit 1. (District 7)
- G. Mountain Vista in the Emory Vista Subdivision, Unit 1. (District 6)
- H. Cathedral Lane in the October Woods Subdivision, Unit 2. (District 8)

- I. Nativity Lane in the October Woods Subdivision, Unit 2. (District 8)
- J. Emerson Way, District 7.

Commissioner Ivan Harmon moved to approve the above acceptance of new county roads. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF THE PREVIOUS MEETING ON JANUARY 28, 2008:

Consideration of approval of minutes of the previous meeting on January 28, 2008 was before the Board of Commissioners. Commissioner Leuthold moved to approve the minutes of the previous meeting on January 28, 2008. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Mark Harmon moved to hear R-08-2-911 next on the agenda. Commissioner Moore seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING SECTION 6 OF THE KNOX COUNTY CODE OF ETHICS: R-08-2-911:

Consideration of a Resolution of the Commission of Knox County, Tennessee amending Section 6 of the Knox County Code of Ethics was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Moore moved to approve R-08-2-911 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending Section 6 of the Knox County Code of Ethics with the following amendment: The Knox County Commission has determined that the composition of the Knox County Ethics Committee should include a Knox County Board of Education member so that "Section 6, Ethics Complaints" of the Knox County Code of Ethics should be, and is hereby, amended by deleting the number "nine (9)" and substituting in lieu thereof the number "ten (10)". In paragraph 4. One (1) (county-wide) Constitutional County Office of Knox County and one (1) Knox County Board of Education member appointed mutually by the Knox County Mayor and the Knox County Commission. The Knox County Board of Education member shall be nominated by the Knox County Board of Education and confirmed by the Knox County Commission and the Knox County Mayor. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENT OF THOMAS DEAKINS TO THE KNOX COUNTY ETHICS COMMITTEE: R-08-2-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Thomas Deakins to the Knox County Ethics Committee was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Leuthold moved to approve R-08-2-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Thomas Deakins to the Knox County Ethics Committee. Commissioner Moore seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING MEMBERS TO THE HEALTH INSURANCE APPEALS BOARD: R-08-2-111:

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing members to the Health Insurance Appeals Board was before the Board of Commissioners.

Commissioner Leuthold moved to defer R-08-2-111 to the March Board of Commissioners meeting and have the Knox County Law Director send a letter to the Insurance Association asking for a member of financial management experience. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING MEMBERS TO THE KNOX COUNTY PERSONNEL BOARD: R-08-2-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing members to the Knox County Personnel Board was before the Board of Commissioners.

Commissioner Mark Harmon moved to approve R-08-2-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing members to the Knox County Personnel Board with the following amendment: Defer to the March Board of Commissioners meeting and to seek applicants. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE REAPPOINTMENT OF DR. JOHN LACEY, M.D. TO THE KNOX COUNTY BOARD OF HEALTH: R-08-2-113:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Dr. John Lacey, M.D. to the Knox County Board of Health was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-2-113 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Dr. John Lacey, M.D. to the Knox County Board of Health. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE REAPPOINTMENT OF MONTE BIGGS, M.D. TO THE KNOX COUNTY BOARD OF HEALTH: R-08-2-114:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Monte Biggs, M.D. to the Knox County Board of Health was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-2-114 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Monte Biggs, M.D. to the Knox County Board of Health. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE REAPPOINTMENT OF DIANNE C. DRAKE, PHARM.D. TO THE KNOX COUNTY BOARD OF HEALTH: R-08-2-115:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Dianne C. Drake, Pharm.D. to the Knox County Board of Health was before the Board of Commissioners. Commissioner Pinkston moved to approve R-08-2-115 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Dianne C. Drake, Pharm.D. to the Knox County Board of Health. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE REAPPOINTMENT TO PATRICIA M. WILLIAMS, RN, MPH TO THE KNOX COUNTY BOARD OF HEALTH: R-08-2-116:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Patricia M. Williams, RN, MPH to the Knox County Board of Health was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-2-116 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the reappointment of Patricia M. Williams, RN, MPH to the Knox County Board of Health. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: DRIVES AND ROADS:

No Drives and Roads received.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland amended the agenda to hear from Mr. Todd Napier, Development Corporation.

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Mr. Todd Napier, Development Corporation, was present and spoke on the Tax Increment Financing.

Mr. Herbert H. Slatery III, Attorney, Industrial Development Board, was present and spoke on the matter.

No action was taken.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT OF \$18,760.00 WITH MGT OF AMERICA, INC. FOR COST ALLOCATION PLAN SERVICES: R-08-2-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$18,760.00 with MGT of America, Inc. for Cost Allocation Plan Services was before the Board of Commissioners.

Mr. John Troyer, Director, Knox County Finance, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve R-08-2-801 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$18,760.00 with MGT of America, Inc. for Cost Allocation Plan Services. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH LEWIS H. JONES, CPA FOR PROFESSIONAL AUDITING SERVICES FOR THE KNOX COUNTY MEDICAL EXAMINER’S OFFICE: R-08-2-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Lewis H. Jones, CPA for Professional Auditing Services for the Knox County Medical Examiner’s office was before the Board of Commissioners.

Mr. John Troyer, Director, Knox County Finance, was present and spoke on the matter.

Mr. Mike Arms, Chief of Staff, Knox County Mayor’s Office, was present and spoke on the matter.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Pinkston moved to approve R-08-2-803 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Lewis H. Jones, CPA for Professional Auditing Services for the Knox County Medical Examiner’s office with the amendment as follows: Mr. Richard Walls, Knox County Internal Auditor will assist. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-1-0. Commissioner Mark Harmon abstained from the vote.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland amended the agenda to hear the following Resolutions R-08-2-103 and R-08-2-102:

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING LOIS KILGORE KELLY ON THE 100TH BIRTHDAY: R-08-2-103:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Lois Kilgore Kelly on the 100th birthday was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-103 -

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Lois Kilgore Kelly on the 100th birthday. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE CONGRATULATING COACH BRUCE PEARL AND THE UNIVERSITY OF TENNESSEE VOLUNTEERS FOR THEIR VICTORY OVER THE MEMPHIS TIGERS AND BECOMING NO. 1 IN MEN'S BASKETBALL FOR THE FIRST TIME IN SCHOOL HISTORY: R-08-2-102:

Consideration of a Resolution of the Commission of Knox County, Tennessee congratulating Coach Bruce Pearl and the University of Tennessee Volunteers for their victory over the Memphis Tigers and becoming No. 1 in men's basketball for the first time in school history was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-2-102 -

Consideration of a Resolution of the Commission of Knox County, Tennessee congratulating Coach Bruce Pearl and the University of Tennessee Volunteers for their victory over the Memphis Tigers and becoming No. 1 in men's basketball for the first time in school history. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland heard R-08-2-201 next on the agenda.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROPRIATING \$160,000.00 AND APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE BENTON COUNTY FIRE PROTECTION DISTRICT #2 FOR THE PURCHASE OF 320 HAND HELD AND MOBILE 800 MHZ RADIOS: R-08-2-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$160,000.00 and approving a Memorandum of Understanding with the Benton County Fire Protection District #2 for the purchase of 320 hand held and mobile 800 MHZ radios was before the Board of Commissioners.

Mr. Bob Thomas, Assistant Superintendent, was present and spoke on the matter.

Commissioner Leuthold moved to approve R-08-2-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee appropriating \$160,000.00 and approving a Memorandum of Understanding with the Benton County Fire Protection District #2 for the purchase of 320 hand held and mobile 800 MHZ radios. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE SECOND AMENDMENT TO THE LEASE AGREEMENT FOR THE PROFESSIONAL MANAGEMENT AND OPERATION OF CONCORD MARINA, PENDING TVA APPROVAL: R-08-2-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the second amendment to the lease agreement for the professional management and operation of Concord Marina, pending TVA approval was before the Board of Commissioners.

Mr. Doug Bataille, Director, Knox County Parks and Recreation, was present and spoke on the matter.

Mr. Ed Neely, Cedar Bluff Farragut Optimist, was present and spoke on the matter.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Mr. Darby Campbell, Developer, was present and spoke on the matter.

Mr. Ed Campbell, Developer, was present and spoke on the matter.

Mr. Jim McKeevers, concerned resident, was present and spoke on the matter.

Mr. Cecil Presnell, concerned resident, was present and spoke on the matter.

Commissioner Moore moved to approve R-08-2-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the second amendment to the lease agreement for the professional management and operation of Concord Marina, pending TVA approval. Commissioner Hammond seconded the motion.

Commissioner Lambert moved as a substitute motion to withdraw from the agenda with a non-binding intent and to re-negotiate the contract on R-08-2-903 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving the second amendment to the lease agreement for the professional management and operation of Concord Marina, pending TVA approval. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard and Wright voted aye. The motion carried 16-3-0-0. Commissioners Mark Harmon, DeFreese and Pinkston voted no.

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IN RE: ORDINANCES ON FIRST READING:

IN RE: Commissioner Hammond moved to have a separate motion on Ordinances on first reading O-08-2-101, O-08-2-102, O-08-2-103, O-08-2-104, O-08-2-105, O-08-2-106, O-08-2-107, O-08-2-108 and O-08-2-109 as follows: Have a workshop on March 12, 2008 at 8:00 a.m. should all nine (9) ordinances be approved on second reading, hold a minimum of 9 public forums to be hosted by the Commissioners of each individual district with the time and place to be determined before early voting begins. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

Discussion from the following individuals on first reading Ordinances O-08-2-101, O-08-2-102, O-08-2-103, O-08-2-104, O-08-2-105, O-08-2-106, O-08-2-107, O-08-2-108 and O-08-2-109:

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Mr. Don Parnell, Member of Knox Charter Petition Steering Committee, was present and spoke on the matter.

Mr. Tom McAdams, Attorney, was present and spoke on the matter.

Ms. Kathy Hamilton, representing Knox County One Question, was present and spoke on the matter.

Ms. Lynn Fugate, facilitated the public meetings, was present and spoke on the matter.

Mr. Laurens Tullock, representing Knox County One Question, was present and spoke on the matter.

Mr. Bradley Mays, concerned resident, was present and spoke on the matter.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO DESIGNATE THE NUMBER OF QUALIFIED VOTERS REQUIRED TO SIGN PETITIONS FOR CHARTER AMENDMENTS (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) O-08-2-101: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to designate the number of qualified voters required to sign petitions for Charter Amendments (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Ms. Kathy Hamilton, representing Knox County One Question, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-101 – Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to designate the number of qualified voters required to sign petitions for Charter Amendments (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04). Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond,

Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE II, ARTICLE VI, AND ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADD TWO AT-LARGE COUNTY COMMISSION MEMBER SEATS, TO CHANGE THE NUMBER OF COMMISSION SEATS PER DISTRICT TO ONE PER DISTRICT, AND TO ALIGN THE BOARD OF EDUCATION DISTRICTS AND COMMISSION DISTRICTS (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) O-08-2-102: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II, Article VI, and Article IX of the Knox County Charter to add two At-Large County Commission member seats, to change the number of Commission seats per District to one per District, and to align the Board of Education Districts and Commission Districts (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Mr. Tom McAdams, Attorney, was present and spoke on the matter.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Mr. Laurens Tullock, representing Knox County One Question, was present and spoke on the matter.

Mr. Don Parnell, Member of Knox Charter Petition Steering Committee, was present and spoke on the matter.

Mr. John Schmid, former Knox County Commissioner, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II, Article VI, and Article IX of the Knox County Charter to add two At-Large County Commission member seats, to change the number of Commission seats per District to one per District, and to align the Board of Education Districts and Commission Districts (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04). Commissioner Ballard seconded the motion.

Commissioner Lambert moved as a substitute motion to approve as written O-08-2-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II, Article VI, and Article IX of

the Knox County Charter to add two At-Large County Commission member seats, to change the number of Commission seats per District to one per District, and to align the Board of Education Districts and Commission Districts (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading with the following amendment: Remove the language that is written that goes to non-partisan primary and remove language that align School Board and the Commission Districts. Commissioner Briggs seconded the substitute motion and upon roll call vote Commissioners Davis, Leuthold, Lambert and Smith voted aye. Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Daniels, Hammond, Briggs, Rountree, Moore, Ballard, Wright, DeFreese and Pinkston voted no. The substitute motion failed 4-15-0-0.

Upon roll call of the original motion to approve O-08-2-102 – Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II, Article VI, and Article IX of the Knox County Charter to add two At-Large County Commission member seats, to change the number of Commission seats per District to one per District, and to align the Board of Education Districts and Commission Districts (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading, Commissioners Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Ballard and Wright voted aye. Commissioners McKenzie, Strickland, Lambert, Moore, Defreese and Pinkston voted no. The original motion carried 13-6-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADOPT CONFLICTS OF INTEREST POLICIES FOR ADMINISTRATIVE MATTERS FOR COUNTY OFFICERS AND EMPLOYEES (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) O-08-2-103: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to adopt conflicts of interest policies for administrative matters for County officers and employees (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-103 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to adopt conflicts of interest policies for administrative matters for County officers and employees (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04). Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 18-0-1-0. Commissioner Leuthold recused himself from the vote.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO REPEAL ENACTMENTS INCONSISTENT WITH THE ADOPTION OF CHARTER AMENDMENTS (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) O-08-2-104: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to repeal enactments inconsistent with the adoption of Charter Amendments (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Mr. Tom McAdams, Attorney, was present and spoke on the matter.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-104 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to repeal enactments inconsistent with the adoption of Charter Amendments (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Campen,

Norman, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Ballard and Wright voted aye. Commissioners McKenzie, Ivan Harmon, Davis, Lambert, Moore, DeFreese and Pinkston voted no. The motion failed 12-7-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE III AND IV OF THE KNOX COUNTY CHARTER TO RESTRUCTURE THE EXECUTIVE BRANCH OF KNOX COUNTY GOVERNMENT EFFECTIVE SEPTEMBER 1, 2010 (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-84) O-08-2-105: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article III and IV of the Knox County Charter to restructure the Executive Branch of Knox County Government effective September 1, 2010 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-84) on first reading was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Mr. Tom McAdams, Attorney, was present and spoke on the matter.

Mr. Mike Ragsdale, Knox County Mayor, was present and spoke on the matter.

Mr. Laurens Tullock, representing Knox County One Question, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-105 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article III and IV of the Knox County Charter to restructure the Executive Branch of Knox County Government effective September 1, 2010 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-84). Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Campen, Norman, Daniels, Hammond, Briggs, Rountree, Smith, Ballard and Wright voted aye. Commissioners Strickland, Ivan Harmon, Davis, Lambert, Moore, DeFreese and Pinkston voted no. The motion failed 11-7-1-0. Commissioner Leuthold recused himself from the vote.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ESTABLISH AN

INDEPENDENT OFFICE OF INSPECTOR GENERAL (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) O-08-2-106: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Mr. Laurens Tullock, representing Knox County One Question, was present and spoke on the matter.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Mr. Richard Walls, Knox County Internal Auditor, was present and spoke on the matter.

Mr. Bradley Mays, concerned resident, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-106 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) Commissioner Rountree seconded the motion.

Commissioner Lambert moved as a substitute motion to approve on first reading O-08-2-106 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) with the following amendment: Make this an elected position. The substitute motion failed for lack of a second.

Commissioner Lambert moved as a substitute motion to approve on first reading O-08-2-106 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) with the following amendment: Make this an elected position and make it an eight (8) year term. (make it two (2) terms, and total of sixteen (16) years. This would not abolish the Internal Auditor. The salary would be set as to what the Judges are making. Commissioner Moore seconded the motion and upon roll call vote Commissioners Ivan Harmon, Davis, Daniels, Leuthold, Lambert, Moore, Ballard, Wright, DeFreese and Pinkston voted

aye. Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Hammond, Briggs, Rountree and Smith voted no. The substitute motion failed 10-9-0-0.

Commissioner Leuthold moved as a substitute motion to approve on first reading O-08-2-106 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) with the following amendment: Abolish the Internal Auditor's position. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Davis, Leuthold, Smith and Wright voted aye. Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Daniels, Hammond, Briggs, Rountree, Lambert, Moore, Ballard, DeFreese and Pinkston voted no. The substitute motion failed 4-15-0-0.

Upon roll call of the original motion to approve on first reading O-08-2-106 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) Commissioners McKenzie, Mark Harmon, Campen, Norman, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Smith, Ballard and Wright voted aye. Commissioners Strickland, Ivan Harmon, Lambert, Moore, DeFreese and Pinkston voted no. The motion carried 13-6-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADOPT A NEPOTISM POLICY FOR COUNTY OFFICERS AND EMPLOYEES (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) O-08-2-107: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to adopt a nepotism policy for County officers and employees (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Mr. Don Parnell, Member of Knox Charter Petition Steering Committee, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-107 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to adopt a nepotism policy for County officers and employees (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: AMENDMENT TO THE AGENDA:

Commissioner Mark Harmon moved to suspend the rules to hear O-08-2-108 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II of the Knox County Charter to add qualifications for County Commission members (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Davis, Daniels, Hammond, Briggs, Rountree, Smith, Ballard, Wright and DeFreese voted aye. Commissioners Ivan Harmon, Lambert, Moore and Pinkston voted no. The motion carried 14-4-1-0. Commissioner Lambert recused himself from the vote.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE II OF THE KNOX COUNTY CHARTER TO ADD QUALIFICATIONS FOR COUNTY COMMISSION MEMBERS (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) 0-08-2-108: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II of the Knox County Charter to add qualifications for County Commission members (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-108 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II of the Knox County Charter to add

qualifications for County Commission members (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04).

Commissioner Hammond seconded the motion.

Commissioner Lambert moved as a substitute motion to approve on first reading O-08-2-108 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II of the Knox County Charter to add qualifications for County Commission members (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) with the following amendment: Add spouses. Commissioner Davis seconded the motion and upon roll call vote Commissioners Davis, Lambert and Wright voted aye. Commissioners McKenzie, Strickland, Mark Harmon, Norman, Daniels, Hammond, Briggs, Smith, Ballard, DeFreese and Pinkston voted no. The substitute motion failed 3-11-5-0. Commissioners Campen, Ivan Harmon, Leuthold, Rountree and Moore recused themselves from the vote.

Upon roll call of the original motion to approve on first reading O-08-2-108 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article II of the Knox County Charter to add qualifications for County Commission members (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) Commissioners McKenzie, Mark Harmon, Campen, Norman, Davis, Daniels, Hammond, Briggs, Rountree, Smith, Ballard, Wright and DeFreese voted aye. Commissioners Strickland, Ivan Harmon, Lambert, Moore and Pinkston voted no. The original motion carried 13-5-1-0. Commissioner Leuthold recused himself from the vote.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADOPT CONFLICTS OF INTEREST POLICIES FOR VOTING FOR COUNTY OFFICERS AND EMPLOYEES (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-6-04) O-08-2-109: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to adopt conflicts of interest policies for voting for County officers and employees (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04) on first reading was before the Board of Commissioners.

Mr. Laurens Tullock, representing Knox County One Question, was present and spoke on the matter.

Mr. Tom McAdams, Attorney, was present and spoke on the matter.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve on first reading O-08-2-109 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article IX of the Knox County Charter to adopt conflicts of interest policies for voting for County officers and employees (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-6-04). Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Davis, Daniels, Hammond, Briggs, Rountree, Smith, Ballard, Wright and DeFreese voted aye. Commissioners Ivan Harmon, Lambert, Moore and Pinkston voted no. The motion carried 14-4-1-0. Commissioner Leuthold recused himself from the vote.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland amended the agenda to withdraw from the agenda R-08-2-909 – Resolution of the Commission of Knox County, Tennessee to sponsor nine forums designed to educate the public regarding the nine proposed Charter Amendments and their impact on Knox County Government.

Withdraw from the agenda R-08-2-910 – Resolution of the Commission of Knox County, Tennessee suspending the Knox County Commission rules in order to consider a Knox County Charter Amendment regarding Knox County employees serving as a member of the Knox County Commission.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO URGE THE GENERAL ASSEMBLY TO ENACT SENATE BILL 277/HOUSE BILL 9 TO ALLOCATE EXCESS LOTTERY FUNDS TO ESTABLISH A MATCHING GRANT PROGRAM FOR CAPITAL OUTLAY PROJECTS FOR K-12 EDUCATIONAL FACILITIES: R-08-2-912:

Consideration of a Resolution of the Commission of Knox County, Tennessee to urge the General Assembly to enact Senate Bill 277/House Bill 9 to allocate excess lottery funds to establish a matching grant program for capital outlay projects for K-12 Educational Facilities was before the Board of Commissioners.

Commissioner Smith moved to approve R-08-2-912 - Consideration of a Resolution of the Commission of Knox County, Tennessee to urge the

General Assembly to enact Senate Bill 277/House Bill 9 to allocate excess lottery funds to establish a matching grant program for capital outlay projects for K-12 Educational Facilities. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: PUBLIC FORUM:

Mr. Bradley Mayes, concerned resident, was present and spoke on the Greenwaste Facility composting permit.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland amended the agenda to hear from the Rules Committee.

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IN RE: CONSIDERATION OF A CHANGE IN THE RULES OF THE KNOX COUNTY COMMISSION REGARDING THE MEETING SCHEDULE OF KNOX COUNTY COMMISSION:

Consideration of a Change in the rules of the Knox County Commission regarding the meeting schedule of Knox County Commission was before the Board of Commissioners.

Commissioner Ivan Harmon moved to move Knox County Intergovernmental and Knox County Finance Committee meeting back to regular time Intergovernmental Committee at 8:30 a.m. and Finance Committee at 10:00 a.m. Commissioner Strickland seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: Consideration of a change in the Rules of Knox County Commission including an “Other Business” section on the Knox County Commission agenda.

Without objection, Commissioner Strickland deferred to the March Board of Commissioners meeting consideration of a change in the Rules of Knox County Commission including an “Other Business” section on the Knox County Commission.

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IN RE: PUBLIC FORUM:

Mr. Lynn Mayes, concerned resident, was present and spoke on R-08-2-904 (which was withdrawn from the agenda) Resolution of the Commission of Knox County, Tennessee approving requesting a report regarding the Knox County Greenwaste facility located at 8707 Joe Daniel Road on the suggested recommendations identified by CH2M Hill, a timeline as to when these recommendations will be implemented and a timeline as to when the nuisance odor will be eliminated.

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IN RE: AMENDMENT TO THE AGENDA:

At this time Mr. Tom Salter, Director, Knox County Solid Waste, was present and spoke on the matter.

Mr. Dwight VandeVate, Director, Governmental Affairs, was present and spoke on the matter.

Mr. David Draper, Attorney, representing Natural Resources, was present and spoke on the matter.

Mr. John Troyer, Director, Knox County Finance, was present and spoke on the matter.

Mr. Richard Walls, Knox County Internal Auditor, was present and spoke on the matter.

Mr. John Owings, Knox County Law Director, was present and spoke on the matter.

No action was taken.

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IN RE: ADJOURNMENT:

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

THOMAS STRICKLAND, CHAIRMAN

