

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, October 27, 2008 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston. Commission Scott Moore was ousted from Knox County Commission on October 14, 2008. Also present were Mr. Bill Lockett, Knox County Law Director, Mr. Joe Jarret, Knox County Chief Deputy Law Director, Mr. Bruce Wuethrich, Director, Engineering and Public Works, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Troyer, Director, Knox County Finance 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. Kim Ellis, Minutes Clerk to Knox County Clerk called the roll.

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**IN RE: DEVOTIONAL:**

Commissioner Finbarr Saunders gave the devotional.

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**IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:**

Commissioner Tony Norman led the Pledge of Allegiance to the Flag.

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**IN RE: AMENDMENTS TO THE AGENDA:**

Without objection, Commissioner Strickland amended the agenda as follows:

Add discussion on outside counsel.

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Add discussion on reports the Commissioners receive on fees being waived by the Criminal and Sessions Court Judges.

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Add R-08-10-112 – Resolution of the Commission of Knox County, Tennessee extending the terms of Rex Davis, Thomas Deakins, Mike Duncan, Mike Hammond, Paul Pinkston, Frank Shanklin, Sr., Dr. Ron Stewart, Julia Tucker and Kim Waller on the Knox County Ethics Committee until the Knox County Commission’s regular November 2008 meeting.

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Add discussion of Veterans Day Parade.

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Add R-08-10-913 – Resolution of the Commission of Knox County, Tennessee establishing a graduated fee schedule for the administration and enforcement of Knox County’s Dirty Lot Ordinance.

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Add R-08-10-914 – Resolution of the Commission of Knox County, Tennessee requesting the Metropolitan Planning Commission (MPC) to review for rezoning property located at 7315 and 7347 Norris Freeway from Shopping Center and Floodway to Agricultural and Floodway and remove from the consent agenda.

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Defer to the November Board of Commissioners meeting R-08-10-501 – Resolution of the Commission of Knox County, Tennessee approving an agreement with the Helen Ross McNabb Center, Inc., to provide \$200,000.00 for the construction of sixteen (16) one-bedroom efficiency apartments for the chronically homeless.

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Defer to the November Board of Commissioners meeting R-08-10-904 – Resolution of the Commission of Knox County, Tennessee requiring paid lobbyists to register each calendar year with the Knox County Clerk.

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**IN RE: CONSENT ITEMS:**

Consideration of consent items was before the Board of Commissioners.

Tax Refunds: No tax refunds received.

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Notary Public Applications:

178 notary public applications received.

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**REPORTS OF OFFICIALS (QUARTERLY)**

- A. County Mayor
- B. County Law Director
- C. Superintendent of Schools
- D. Trustee
- E. Medical Examiner
- F. Sheriff
- G. Public Libraries

H. Old Records

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**REPORTS OF COUNTY AGENCIES:**

- A. Department of Human Services
- B. Department of Child and Family Services
- C. Department of Air Quality Management
- D. Metropolitan Planning Commission
- E. Sheriff's Merit System
- F. Pre-Trial Release
- G. Jail Inspection Committee
- H. Alternative Sentencing Program
- I. Ambulance Review Commission

Commissioner Ivan Harmon moved to approve the above consent items. The motion was seconded and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: EDUCATION CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT OF \$130,851.75 WITH PCS REVENUE CONTROL SYSTEMS, INC. FOR A FOOD SERVICE BACK OFFICE MANAGEMENT SYSTEM: R-08-10-201:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$130,851.75 with PCS Revenue Control Systems, Inc. for a Food Service Back Office Management System was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$130,851.75 with PCS Revenue Control Systems, Inc. for a Food Service Back Office Management System. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING \$2,500.00 OR LESS IN DONATIONS FOR THE PUBLIC FIRE EDUCATION FALL FESTIVAL: R-08-10-401:**

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting \$2,500.00 or less in donations for the Public Fire Education Fall Festival was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting \$2,500.00 or less in donations for the Public Fire Education Fall Festival. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY CHEROKEE ASSOCIATES, LLC FOR PROPERTY LOCATED AT 6400 ASHEVILLE HIGHWAY: R-08-10-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Cherokee Associates, LLC for property located at 6400 Asheville Highway was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Cherokee Associates, LLC for property located at 6400 Asheville Highway. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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

**COVENANTS FOR PERMANENT MAINTENANCE OF  
STORMWATER FACILITIES BY OAKLEIGH GP FOR PROPERTY  
LOCATED AT 8124 MILLERTOWN PIKE: R-08-10-403:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Oakleigh GP for property located at 8124 Millertown Pike was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Oakleigh GP for property located at 8124 Millertown Pike. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING  
COVENANTS FOR PERMANENT MAINTENANCE OF  
STORMWATER FACILITIES BY PAM & CARLEY KECK, INC. FOR  
PROPERTY LOCATED AT 7100 REMAGEN LANE: R-08-10-404:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Pam & Carley Keck, Inc. for property located at 7100 Remagen Lane was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Pam & Carley Keck, Inc. for property located at 7100 Remagen Lane. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN  
AGREEMENT WITH BREAKTHROUGH CORPORATION TO  
PROVIDE \$50,000.00 FOR INFRASTRUCTURE FOR THE**

**RESIDENTIAL LOTS AT 1805 MARYVILLE PIKE FOR PERSONS WITH AUTISM: R-08-10-503:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Breakthrough Corporation to provide \$50,000.00 for infrastructure for the residential lots at 1805 Maryville Pike for persons with autism was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-503 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Breakthrough Corporation to provide \$50,000.00 for infrastructure for the residential lots at 1805 Maryville Pike for persons with autism. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$921,700.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR THE WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM: R-08-10-601:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$921,700.00 with the Tennessee Department of Health for the Women, Infants, and Children (WIC) Program was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$921,700.00 with the Tennessee Department of Health for the Women, Infants, and Children (WIC) Program. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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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 \$27,500.00 WITH THE**

**TENNESSEE DEPARTMENT OF HEALTH FOR COMMUNITY PREVENTION INITIATIVE (CPI) SERVICE: R-08-10-602:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$27,500.00 with the Tennessee Department of Health for Community Prevention Initiative (CPI) Service was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$27,500.00 with the Tennessee Department of Health for Community Prevention Initiative (CPI) Service. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENT ONE TO GRANT CONTRACT #GG-09-25157-00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR GRANT IN AID FUNDING: R-08-10-603:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment One to grant contract #GG-09-25157-00 with the Tennessee Department of Health for Grant In Aid Funding was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment One to grant contract #GG-09-25157-00 with the Tennessee Department of Health for Grant In Aid Funding. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE KNOX COUNTY HEALTH DEPARTMENT AND THE KNOX COUNTY**

**SCHOOL SYSTEM FOR CONTINUING THE “IN SCHOOL HEALTH PROGRAM” FOR FY 2008-2009: R-08-10-604:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding between the Knox County Health Department and the Knox County School System for continuing the “In School Health Program” for FY 2008-2009 was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-604 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding between the Knox County Health Department and the Knox County School System for continuing the “In School Health Program” for FY 2008-2009. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE BY-LAWS OF THE THREE RIDGES GOLF BOARD, APPOINTING MEMBERS TO THE THREE RIDGES GOLF BOARD AND DISSOLVING THE KNOX COUNTY GREENS COMMITTEE: R-08-10-701:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the By-Laws of the Three Ridges Golf Board, appointing members to the Three Ridges Golf Board and dissolving the Knox County Greens Committee was before the Board of Commissioners.

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

Commissioner Leuthold moved to approve R-08-10-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the By-Laws of the Three Ridges Golf Board, appointing members to the Three Ridges Golf Board and dissolving the Knox County Greens Committee. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A STATE OF TENNESSEE DEPARTMENT OF AGRICULTURAL ENHANCEMENT PROGRAM GRANT FOR PURCHASE OF TREES AT SCHUMPERT PARK: R-08-10-702:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a State of Tennessee Department of Agricultural Enhancement Program Grant for purchase of trees at Schumpert Park was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-702 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a State of Tennessee Department of Agricultural Enhancement Program Grant for purchase of trees at Schumpert Park. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$1,000.00 FROM PRO2SERVE FOR THE "READ WITH ME" PROGRAM: R-08-10-801:**

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting grant funds in the amount of \$1,000.00 from Pro2Serve for the "Read with Me" program was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting grant funds in the amount of \$1,000.00 from Pro2Serve for the "Read with Me" program. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH DURACAP ASPHALT PAVING COMPANY, INC. FOR PAVING SERVICES: R-08-10-803:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Duracap Asphalt Paving Company, Inc. for Paving Services was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Duracap Asphalt Paving Company, Inc. for Paving Services. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE 2008-2009 JUVENILE ACCOUNTABILITY BLOCK GRANT (JABG) IN THE AMOUNT OF \$34,087.00: R-08-10-901:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2008-2009 Juvenile Accountability Block Grant (JABG) in the amount of \$34,087.00 was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2008-2009 Juvenile Accountability Block Grant (JABG) in the amount of \$34,087.00. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MASTER AGREEMENT FOR LICENSED SOFTWARE WITH MANATRON, INC. FOR THE KNOX COUNTY PROPERTY ASSESSOR'S OFFICE: R-08-10-902:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a master agreement for licensed software with Manatron, Inc. for the Knox County Property Assessor's Office was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-902 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a master agreement for licensed software with Manatron, Inc. for the Knox County Property Assessor's Office. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ASKING THE KNOX COUNTY INTERNAL AUDITOR, IN COLLABORATION WITH THE PUBLIC BUILDING AUTHORITY (PBA), TO CONDUCT AN ANALYSIS OF PARKING IN THE CITY COUNTY BUILDING AND THE DWIGHT KESSEL GARAGE AND REPORT BACK TO THE KNOX COUNTY COMMISSION AT ITS DECEMBER 2008 REGULAR MEETING: R-08-10-905:**

Consideration of a Resolution of the Commission of Knox County, Tennessee asking the Knox County Internal Auditor, in collaboration with the Public Building Authority (PBA), to conduct an analysis of parking in the City County Building and the Dwight Kessel Garage and report back to the Knox County Commission at its December 2008 regular meeting was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee asking the Knox County Internal Auditor, in collaboration with the Public Building Authority (PBA), to conduct an analysis of parking in the City County Building and the Dwight Kessel Garage and report back to the Knox County Commission at its December 2008 regular meeting. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THE KNOX COUNTY FINANCE DIRECTOR TO ESTABLISH A POLICY IN CONJUNCTION WITH THE STATE OMBUDSPERSON FOR THE**

**PREPARATION AND COST OF PROVIDING COPIES OF PUBLIC DOCUMENTS TO THE CITIZENRY: R-08-10-907:**

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Knox County Finance Director to establish a policy in conjunction with the State Ombudsperson for the preparation and cost of providing copies of public documents to the citizenry was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Knox County Finance Director to establish a policy in conjunction with the State Ombudsperson for the preparation and cost of providing copies of public documents to the citizenry.

Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO LEVY A \$50.00 PRIVILEGE TAX ON LITIGATION IN ACCORDANCE WITH PUBLIC CHAPTER NO. 1187 OF THE PUBLIC ACTS OF 2008: R-08-10-910:**

Consideration of a Resolution of the Commission of Knox County, Tennessee to levy a \$50.00 privilege tax on litigation in accordance with Public Chapter No. 1187 of the Public Acts of 2008 was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-910 - Consideration of a Resolution of the Commission of Knox County, Tennessee to levy a \$50.00 privilege tax on litigation in accordance with Public Chapter No. 1187 of the Public Acts of 2008. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ESTABLISHING A GRADUATED FEE SCHEDULE FOR THE ADMINISTRATION AND ENFORCEMENT OF KNOX COUNTY'S DIRTY LOT ORDINANCE: R-08-10-913:**

Consideration of a Resolution of the Commission of Knox County, Tennessee establishing a graduated fee schedule for the administration and enforcement of Knox County's Dirty Lot Ordinance was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-08-10-913 - Consideration of a Resolution of the Commission of Knox County, Tennessee establishing a graduated fee schedule for the administration and enforcement of Knox County's Dirty Lot Ordinance. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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

Consideration of acceptance of new County Roads was before the Board of Commissioners.

1. Marina View Lane in the Southpointe Subdivision, Unit 1, District 9.
2. South Creek Road in the Southpointe Subdivision, Unit 1, District 9.
3. South Lake Blvd in the Southpointe Subdivision, Unit 1, District 9.
4. South View Circle in the Southpointe Subdivision, Unit 1, District 9.
5. Stonewood Creek Drive in the Stonewood Creek Subdivision, Unit 2, District 8.
6. Fannhouse View Lane in the Stonewood Creek Subdivision, Unit 2, District 8.

Commissioner Leuthold moved to approve the above acceptance of new County Roads. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF PREVIOUS MEETINGS ON SEPTEMBER 5, 2008 (SPECIAL SESSION); AND SEPTEMBER 22, 2008 (REGULAR SESSION):**

Consideration of approval of minutes of previous meetings on September 5, 2008 (Special Session) and September 22, 2008 (Regular Session) was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve the minutes of the previous meetings on September 5, 2008 (Special Session) and September 22, 2008 (Regular Session). Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: ELECTIONS AND APPOINTMENTS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENTS OF DAVID COLLINS AND BEN PETHEL TO THE TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY (TTCDA) BOARD OF COMMISSIONERS: R-08-10-110:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointments of David Collins and Ben Pethel to the Tennessee Technology Corridor Development Authority (TTCDA) Board of Commissioners was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-10-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointments of David Collins and Ben Pethel to the Tennessee Technology Corridor Development Authority (TTCDA) Board of Commissioners. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING AMY BROYLES, BRAD ANDERS AND DAVE WRIGHT TO THE KNOX COUNTY CODE COMMISSION: R-08-10-111:**

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Amy Broyles, Brad Anders and Dave Wright to the Knox County Code Commission was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve R-08-10-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Amy Broyles, Brad Anders and Dave Wright to the Knox County Code Commission. Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: DRIVES AND ROADS:**

Consideration of closure of right of way along Hardin Valley Road was before the Board of Commissioners on second reading. Property owners: Weigels Corporation.

Commissioner Pinkston moved to approve consideration of closure of right of way along Hardin Valley Road on second reading. Property owners: Weigels Corporation. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: AMENDMENT TO THE AGENDA:**

Without objection, Commissioner Strickland introduced the Delta Sigma Theta Sorority who attended the Commission meeting.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT WITH THE CITY OF KNOXVILLE FOR THE REHABILITATION OF THE FORMER 5<sup>TH</sup> AVENUE MOTEL INTO MINVILLA MANOR: R-08-10-502:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with the City of Knoxville for the rehabilitation of the former 5<sup>th</sup> Avenue Motel into MinVilla Manor was before the Board of Commissioners.

Mr. John Lawler, Director, Ten Year Plan Office, was present and spoke on the matter.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Mr. David Arning, Coordinator, Ten Year Plan Office, was present and spoke on the matter.

Mr. Erik Hoglund, Director, Community Development, was present and spoke on the matter.

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

Commissioner Pinkston moved to approve R-08-10-502 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with the City of Knoxville for the rehabilitation of the former 5<sup>th</sup> Avenue Motel into MinVilla Manor with the following amendment: Reallocation of these funds, \$250,000.00 is contingent upon recipient's agreement not to seek additional government funds for any other permanent supportive housing projects within a two (2) mile radius of MinVilla. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Lambert, Smith, Brown and Pinkston voted aye. The motion carried 15-2-0-0. Commissioners Anders and Wright voted no.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PURCHASE AGREEMENT IN THE AMOUNT OF \$6,000,000.00 WITH HILLCREST HEALTHCARE COMMUNITIES, INC. FOR REAL PROPERTY LOCATED AT 5321 AND 5325 BEVERLY PARK CIRCLE, 6801 MIDDLEBROOK PIKE (WHICH INCLUDES 2820 LAKE BROOK BLVD.) AND 1758 HILLWOOD DRIVE: R-08-10-802:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a purchase agreement in the amount of \$6,000,000.00 with Hillcrest Healthcare Communities, Inc. for real property located at 5321 and 5325 Beverly Park Circle, 6801 Middlebrook Pike (which includes 2820 Lake Brook Blvd.) and 1758 Hillwood Drive was before the Board of Commissioners.

Ms. Carolyn Pointer, CEO, Hillcrest, was present and spoke on the matter.

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

Mr. Bill Mason, Board Member, Hillcrest, was present and spoke on the matter.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.



Mr. Arthur Seymour, Jr., Attorney, Hillcrest was present and spoke on the matter.

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

Ms. Deloris Moyer, Nursing Home Administrator, previously employed by Hillcrest, was present and spoke on the matter.

Commissioner Leuthold moved to defer to the November Board of Commissioners meeting R-08-10-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a purchase agreement in the amount of \$6,000,000.00 with Hillcrest Healthcare Communities, Inc. for real property located at 5321 and 5325 Beverly Park Circle, 6801 Middlebrook Pike (which includes 2820 Lake Brook Blvd.) and 1758 Hillwood Drive and asked the Mr. Bill Lockett, Knox County Law Director to meet with Hillcrest and negotiate the terms of a deed restrictions and the mix of patients and taking care the Medicare patients. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REGARDING AN APPLICATION FOR TAX INCREMENT FINANCING (TIF) FILED WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF KNOX BY COVENTRY CREEK, LLC: R-08-10-903:**

Consideration of a Resolution of the Commission of Knox County, Tennessee regarding an application for Tax Increment Financing (TIF) filed with the Industrial Development Board of the County of Knox by Coventry Creek, LLC was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-08-10-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee regarding an application for Tax Increment Financing (TIF) filed with the Industrial Development Board of the County of Knox by Coventry Creek, LLC. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. Commissioner Mark Harmon voted no. The motion carried 16-1-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUIRING ALL KNOX COUNTY DEPARTMENTS, INCLUDING FEE OFFICES, TO PROVIDE TO THE KNOX COUNTY PURCHASING DIVISION A LIST OF CELL PHONES, BLACKBERRIES AND OTHER TELECOMMUNICATION DEVICES, THE COST OF THOSE DEVICES AND PROVIDER CONTRACTS: R-08-10-906:**

Consideration of a Resolution of the Commission of Knox County, Tennessee requiring all Knox County Departments, including Fee Offices, to provide to the Knox County Purchasing Division a list of cell phones, blackberries and other telecommunication devices, the cost of those devices and provider contracts was before the Board of Commissioners.

Commissioner Hammond moved to approve R-08-10-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee requiring all Knox County Departments, including Fee Offices, to provide to the Knox County Purchasing Division a list of cell phones, blackberries and other telecommunication devices, the cost of those devices and provider contracts with the following amendment: Send to the audit committee the information. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Briggs, Anders, Lambert, Smith, Wright and Brown voted aye. Commissioners Leuthold and Pinkston recused themselves from the vote. The motion carried 15-0-2-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE EXTENDING THE 120 DAY MORATORIUM ON ELECTRONIC BILLBOARDS TO 6 MONTHS, EXPIRING MARCH 31, 2009: R-08-10-908:**

Consideration of a Resolution of the Commission of Knox County, Tennessee extending the 120-Day Moratorium on Electronic Billboards to 6 months, expiring March 31, 2009 was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Pinkston moved to approve R-08-10-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee extending the 120 Day Moratorium on Electronic Billboards to 6 months, expiring March 31, 2009 with the following amendment: Have a

Moratorium on all billboards digital and new and have a study on the conversion to electronic billboards and also a study on whether or not to build anymore billboards. (Except existing billboards) Commissioner Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Brown and Pinkston voted aye. Commissioners Lambert, Smith and Wright voted no. The motion carried 14-3-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO CREATE A TASK FORCE TO ADDRESS ISSUES RELATED TO THE TRANSFER OF DEVELOPMENT RIGHTS: R-08-10-909:**

Consideration of a Resolution of the Commission of Knox County, Tennessee to create a task force to address issues related to the transfer of Development Rights was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-10-909 - Consideration of a Resolution of the Commission of Knox County, Tennessee to create a task force to address issues related to the transfer of Development Rights with the following names to the Task Force:

1. Daphne Hull (District 1)
2. Bob Wolfenbarger (District 2)
3. Lynn Redmon (District 3)
4. James Bletner (District 4)
5. John Schoonmaker (District 5)
6. Kenny Phillips (District 6)
7. Chris Eppers (District 7)
8. Lisa Starbuck (District 8)
9. Victoria DeFreese (District 9)

Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Brown and Pinkston voted aye. Commissioner Wright voted no. The motion carried 16-1-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE KNOX COUNTY COMMISSION RULES TO PROVIDE A PROCEDURE FOR REORGANIZATION OF THE KNOX COUNTY COMMISSION: R-08-10-911:**

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County Commission Rules to provide a procedure for reorganization of the Knox County Commission was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-10-911 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County Commission Rules to provide a procedure for reorganization of the Knox County Commission. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE KNOX COUNTY COMMISSION RULES TO ALLOW FOR THE FINANCE COMMITTEE MEETING TO BEGIN AT 8:30 A.M. AND THE INTERGOVERNMENTAL COMMITTEE MEETING TO BEGIN AT 10:30 A.M. BOTH ON THE MONDAY ONE WEEK PRIOR TO THE COMMISSION MEETING: R-08-10-912:**

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County Commission Rules to allow for the Finance Committee meeting to begin at 8:30 a.m. and the Intergovernmental Committee meeting to begin at 10:30 a.m. both on the Monday one week prior to the Commission meeting was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-10-912 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County Commission Rules to allow for the Finance Committee meeting to begin at 8:30 a.m. and the Intergovernmental Committee meeting to begin at 10:30 a.m. both on the Monday one week prior to the Commission meeting with the amendment of the Rules Committee: The Intergovernmental will meet at 10:30 a.m. instead of 10:00 a.m. Commissioner Ivan Harmon seconded the motion.

Commissioner Lambert moved as a substitute motion and to deny R-08-10-912 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County Commission Rules to allow for the Finance Committee meeting to begin at 8:30 a.m. and the Intergovernmental Committee meeting to begin at 10:30 a.m. both on the Monday one week prior to the Commission meeting. Commissioner Smith

seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. Commissioner Ivan Harmon voted no. The substitute motion carried 16-1-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE EXTENDING THE TERMS OF REX DAVIS, THOMAS DEAKINS, MIKE DUNCAN, MIKE HAMMOND, PAUL PINKSTON, FRANK SHANKLIN, SR., DR. RON STEWART, JULIA TUCKER AND KIM WALLER ON THE KNOX COUNTY ETHICS COMMITTEE UNTIL THE KNOX COUNTY COMMISSION'S REGULAR NOVEMBER 2008 MEETING: R-08-10-112:**

Consideration of a Resolution of the Commission of Knox County, Tennessee extending the terms of Rex Davis, Thomas Deakins, Mike Duncan, Mike Hammond, Paul Pinkston, Frank Shanklin, Sr., Dr. Ron Stewart, Julia Tucker and Kim Waller on the Knox County Ethics Committee until the Knox County Commission's regular November 2008 meeting was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-08-10-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee extending the terms of Rex Davis, Thomas Deakins, Mike Duncan, Mike Hammond, Paul Pinkston, Frank Shanklin, Sr., Dr. Ron Stewart, Julia Tucker and Kim Waller on the Knox County Ethics Committee until the Knox County Commission's regular November 2008 meeting. The motion was seconded and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: ORDINANCES OF FIRST READING:**

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX COUNTY CODE CHAPTER 18, ARTICLE 1, IN GENERAL, SECTION 18-1 LITIGATION TAXES TO LEVY A \$50.00 PRIVILEGE TAX ON LITIGATION IN ACCORDANCE WITH PUBLIC CHAPTER NO. 1187 OF PUBLIC ACTS OF 2008 (ORD. NO. O-92-3-103, §§ 1-6, ADOPTED**

**6-1-92; ORD. NO. O-95-8-101, ADOPTED 9-25-95; ORD. NO. O-00-6-102, §§ 1-2, ADOPTED 7-24-00): O-08-10-101: FIRST READING:**

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code Chapter 18, Article 1, in General, Section 18-1 litigation taxes to levy a \$50.00 privilege tax on litigation in accordance with Public Chapter No. 1187 of Public Acts of 2008 (Ord. No. O-92-3-103, §§ 1-6, adopted 6-1-92; Ord. No. O-95-8-101, adopted 9-25-95; Ord. No. O-00-6-102, §§ 1-2, adopted 7-24-00) was before the Board of Commissioners on first reading.

Commissioner Pinkston moved to approve O-08-10-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code Chapter 18, Article 1, in General, Section 18-1 litigation taxes to levy a \$50.00 privilege tax on litigation in accordance with Public Chapter No. 1187 of Public Acts of 2008 (Ord. No. O-92-3-103, §§ 1-6, adopted 6-1-92; Ord. No. O-95-8-101, adopted 9-25-95; Ord. No. O-00-6-102, §§ 1-2, adopted 7-24-00) on first reading.

Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THE METROPOLITAN PLANNING COMMISSION (MPC) TO REVIEW FOR REZONING PROPERTY LOCATED AT 7315 AND 7347 NORRIS FREEWAY FROM SHOPPING CENTER AND FLOODWAY TO AGRICULTURAL AND FLOODWAY: R-08-10-914:**

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Metropolitan Planning Commission (MPC) to review for rezoning property located at 7315 and 7347 Norris Freeway from Shopping Center and Floodway to Agricultural and Floodway was before the Board of Commissioners.

Mr. Nathan Silvus, one of the owners of the property, was present and spoke on the matter.

Mr. John Buckingham, Attorney, representing property owners in the area of this property, was present and spoke on the matter.

Mr. Scott Frith, Board of Directors of Legacy Park was present and spoke on the matter.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Mr. Arthur Seymour, Attorney representing property owner, was present and spoke on the matter.

Commissioner Norman moved to approve R-08-10-914 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Metropolitan Planning Commission (MPC) to review for rezoning property located at 7315 and 7347 Norris Freeway from Shopping Center and Floodway to Agricultural and Floodway. The motion was seconded.

Commissioner Smith moved as a substitute motion to defer to the November Board of Commissioners meeting R-08-10-914 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Metropolitan Planning Commission (MPC) to review for rezoning property located at 7315 and 7347 Norris Freeway from Shopping Center and Floodway to Agricultural and Floodway. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0.

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**IN RE: ZONING REQUESTS:**

Mrs. Kim Ellis, Minutes Clerk to Knox County Clerk call the roll those responding were Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston.

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**IN RE: AMENDMENTS TO THE AGENDA:**

Without objection, Commissioner Strickland amended the Zoning Agenda as follows:

Defer to the November Board of Commissioners meeting 8-L-08-RZ –Request of Site, Inc., for rezoning from A (Agricultural) & F (Floodway) to PR (Planned Residential) & F (Floodway). Property located southeast side Dixon Springs Lane, southwest of E. Emory Road. 7<sup>th</sup> Commission District

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Defer to the December Board of Commissioners meeting 9-C-08-RZ Request of J. L. Turner for rezoning from A (Agricultural) to PR (Planned Residential). Property located north side Ebenezer Oaks Lane, east of Ebenezer Road. 4<sup>th</sup> Commission District.

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**IN RE: ZONING REQUESTS:**

Request of Knox County 911 for street name change from the Dale to Rivendell Way 9-A-08-SNC was before the Board of Commissioners. Street located between Choto Road and deadend. 5<sup>th</sup> Commission District.

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

Commissioner Hammond moved to approve 9-A-08-SNC - Request of Knox County 911 for street name change from the Dale to Rivendell Way. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Street located between Choto Road and deadend. 5<sup>th</sup> Commission District.

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Request of Knox County 911 for street name change from the Great Wood to Great Wood Way 9-B-08-SNC was before the Board of Commissioners. Street located between the Dale (Rivendell Way) and deadend. 5<sup>th</sup> Commission District.

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

Commissioner Hammond moved to approve 9-B-08-SNC - Request of Knox County 911 for street name change from the Great Wood to Great Wood Way. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Street located between the Dale (Rivendell Way) and deadend. 5<sup>th</sup> Commission District.

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Request of Knox County 911 for street name change from The Glen to Shady Glen Way 9-C-08-SNC was before the Board of Commissioners. Street located between The Dale (Rivendell Way) and deadend. 5<sup>th</sup> Commission District.



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

Commissioner Hammond moved to approve 9-C-08-SNC - Request of Knox County 911 for street name change from The Glen to Shady Glen Way. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Street located between The Dale (Rivendell Way) and deadend. 5<sup>th</sup> Commission District.

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Request of Knox County 911 for street name change from the Cove To Sunny Cove Way 9-D-08-SNC was before the Board of Commissioners. Street located between the Dale (Rivendell Way) and deadend. 5<sup>th</sup> Commission District.

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

Commissioner Hammond moved to approve 9-D-08-SNC - Request of Knox County 911 for street name change from the Cove To Sunny Cove Way. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Street located between the Dale (Rivendell Way) and deadend. 5<sup>th</sup> Commission District.

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Request of Dick Bales for rezoning from A (Agricultural) to PR (Planned Residential) 8-D-08-RZ was before the Board of Commissioners. Property located northwest side E. Governor John Sevier Highway, southwest of Old French Road. 9<sup>th</sup> Commission District.

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

Commissioner Pinkston moved to approve 8-D-08-RZ - Request of Dick Bales for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density up to 2 dwelling units per acre consistent with the current Sector Plan. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston

voted aye. The motion carried 17-0-0-0. Property located northwest side E. Governor John Sevier Highway, southwest of Old French Road. 9<sup>th</sup> Commission District.

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Request of Tennessee Investments, LLC for a Northwest County Sector Plan Amendment from A/RR (Agricultural/Rural Residential) Residential to LDR (Low Density Residential) 8-H-08-SP was before the Board of Commissioners. Property located west side Fretz Road, north of Hatmaker Lane. 6<sup>th</sup> Commission District.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Leuthold moved to withdraw from the agenda 8-H-08-SP - Request of Tennessee Investments, LLC for a Northwest County Sector Plan Amendment from A/RR (Agricultural/Rural Residential) Residential to LDR (Low Density Residential). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Property located west side Fretz Road, north of Hatmaker Lane. 6<sup>th</sup> Commission District.

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Request of Tennessee Investments, LLC for rezoning from A (Agricultural) to PR (Planned Residential) 8-M-08-RZ was before the Board of Commissioners. Property located west side Fretz Road, north of Hatmaker Lane. 6<sup>th</sup> Commission District.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Leuthold moved to withdraw from the agenda 8-M-08-RZ - Request of Tennessee Investments, LLC for rezoning from A (Agricultural) to PR (Planned Residential). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Property located west side Fretz Road, north of Hatmaker Lane. 6<sup>th</sup> Commission District.

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Request of Earl Smith for Northwest County Sector Plan Amendment for LDR (Low Density Residential) & SLPA (Slope Protection Area) to O

(Office) & SLPA (Slope Protection Area) 9-A-08-SP was before the Board of Commissioners. Property located north side Middlebrook Pike, south and west of Grassy Meadow Boulevard. 6<sup>th</sup> Commission District.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Leuthold moved to withdraw from the agenda 9-A-08-SP - Request of Earl Smith for Northwest County Sector Plan Amendment for LDR (Low Density Residential) & SLPA (Slope Protection Area) to O (Office) & SLPA (Slope Protection Area). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Property located north side Middlebrook Pike, south and west of Grassy Meadow Boulevard. 6<sup>th</sup> Commission District.

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Request of Earl Smith for rezoning from PR (Planned Residential) to OA (Office Park) 9-A-08-RZ was before the Board of Commissioners. Property located north side Middlebrook Pike, south and west of Grassy Meadow Boulevard. 6<sup>th</sup> Commission District.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Commissioner Leuthold moved to withdraw from the agenda 9-A-08-RZ - Request of Earl Smith for rezoning from PR (Planned Residential) to OA (Office Park). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Property located north side Middlebrook Pike, south and west of Grassy Meadow Boulevard. 6<sup>th</sup> Commission District.

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Request of Rob Sanders for rezoning from PC (Planned Commercial)/TO (Technology Overlay) to CB (Business and Manufacturing)/TO (Technology Overlay) 9-B-08-RZ was before the Board of Commissioners. Property located northwest side Lexington Drive, southwest of Cogdill Road. 6<sup>th</sup> Commission District.

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

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Request of HS Development Co., LLC for rezoning from RA (Low Density Residential) to OA (Office Park) 8-B-08-RZ was before the Board of Commissioners. Property located southeast side Sony Lane, northeast of S. Peters Road. 5<sup>th</sup> Commission District.

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

Commissioner Leuthold moved to approve 8-B-08-RZ - Request of HS Development Co., LLC for rezoning from RA (Low Density Residential) to OA (Office Park) as per Metropolitan Planning Commission's Recommendation: Recommend that Knox County Commission Approve OA (Office Park) consistent with the Current Sector Plan. Commissioner Briggs seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Property located southeast side Sony Lane, northeast of S. Peters Road. 5<sup>th</sup> Commission District.

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**IN RE: ZONING APPEALS:**

Appeal by Charles Pilgrim of MPC Denial of rezoning from PR (Planned Residential) to OB (Office, Medical and Related Services) Consistent with MPC's Denial of the Southwest County Sector Plan Amendment to Office 8-F-08-RZ was before the Board of Commissioners. Property located west side Ebenezer Road, south of Bluegrass Road. 4<sup>th</sup> Commission District.

Mr. Mark Donaldson, Executive Director, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Charles Pilgrim, applicant, was present and spoke on the matter.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Commissioner Leuthold moved to withdraw from the agenda 8-F-08-RZ - Appeal by Charles Pilgrim of MPC Denial of rezoning from PR (Planned Residential) to OB (Office, Medical and Related Services). Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Wright, Brown and Pinkston voted aye. The motion carried 17-0-0-0. Property located west side Ebenezer Road, south of Bluegrass Road. 4<sup>th</sup> Commission District.

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Request of Rob Sanders for rezoning from PC (Planned Commercial)/TO (Technology Overlay) to CB (Business and Manufacturing)/TO (Technology Overlay) 9-B-08-RZ was before the Board of Commissioners. Property located northwest side Lexington Drive, southwest of Cogdill Road. 6<sup>th</sup> Commission District.

Without objection, Commissioner Strickland deferred to the November Board of Commissioners meeting 9-B-08-RZ - Request of Rob Sanders for rezoning from PC (Planned Commercial)/TO (Technology Overlay) to CB (Business and Manufacturing)/TO (Technology Overlay).

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**IN RE: PUBLIC FORUM:**

Mr. Bradley Mays, was present and spoke on Natural Resources.

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**IN RE: DISCUSSION OF OUTSIDE LEGAL COUNSEL:**

Discussion on outside legal counsel was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

No action was taken.

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**IN RE: DISCUSSION ON FEES WAIVED BY CRIMINAL AND GENERAL SESSION JUDGES:**

Discussion on fees waived by Criminal and General Session Judges was before the Board of Commissioners.

The Court Subcommittee will meet with the Judges between now and January 1, 2009 on fees being waived.

Without objection, Commissioner Strickland appointed Commissioners Anders, Brown and Smith to the Court Subcommittee. Commissioner Leuthold was appointed Chairman to the Court Subcommittee. Commissioners Lambert and Pinkston resigned from the Court Subcommittee.

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**IN RE: DISCUSSION ON VETERANS DAY PARADE:**

Discussion on Veterans Day Parade was before the Board of Commissioners.

The Parade is on November 11, 2008 at 11:00 a.m.

No action was taken.

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**IN RE: ADJOURNMENT:**

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

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CHAIRMAN THOMAS STRICKLAND