

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, December 14, 2009 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, Carringer, Armstrong, Wright, Brown and Pinkston. Also present were Mr. Mike Ragsdale, Knox County Mayor, Mr. Mike Arms, Chief of Staff, Knox County Mayor’s Office, Mr. Dwight VandeVate, Director of Community Relations, 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. Grant Rosenberg, Director, Office of Neighborhoods, Mr. John Troyer, Director, Knox County Finance and news media.

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

* * * * *

IN RE: ROLL CALL:

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk called the roll.

* * * * *

IN RE: DEVOTIONAL:

Commissioner Bud Armstrong gave the devotional.

* * * * *

IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Greg Lambert led the Pledge of Allegiance to the Flag.

* * * * *

IN RE: AMENDMENTS TO THE AGENDA:

Commissioner Leuthold moved to amend the agenda as follows:

Remove from the consent agenda and add to the regular agenda R-09-12-105 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring radio personality Jack Ryan for his service to the Knox County Commission.

Defer to the January 25, 2010 Board of Commissioners meeting R-09-12-103 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring UT Lifestar Paramedic Rick Harrington upon the occasion of his receipt of the Lifetime Achievement Award from the Tennessee Regional II Emergency Medical Services Directors Association.

Defer to the January 25, 2010 Board of Commissioners meeting
R-09-12-104 – Consideration of a Resolution of the Commission of Knox
County, Tennessee honoring Kim White for earning the title Registered
Public-Safety Leader.

Add discussion regarding Mayor Ragsdale's trip to Kosovo.

Remove from the consent agenda and add to the regular agenda
R-09-12-101 – Consideration of a Resolution of the Commission of Knox
County, Tennessee honoring Chief Deputy Tom Spangler upon the occasion
of his retirement from the Knox County Sheriff's Office.

Remove from the consent agenda and add to the regular agenda
R-09-12-102 – Consideration of a Resolution of the Commission of Knox
County, Tennessee honoring Captain Ben Harkins upon the occasion of his
retirement from the Knox County Sheriff's Department.

Defer to the January 25, 2010 Board of Commissioners meeting
R-09-12-903 – Consideration of a Resolution of the Commission of Knox
County, Tennessee approving an upgrade to the Property Assessor's
Computer System.

Add to the education consent calendar R-09-12-203 – Consideration
of a Resolution of the Commission of Knox County, Tennessee authorizing
the conveyance of a Temporary Construction Easement at Brickey-McCloud
Elementary School to the Hallsdale-Powell Utility District for the
Stormwater Mitigation Project known as the Brickey Elementary School
Outdoor Classroom.

Add to the regular agenda R-09-12-701 – Consideration of a
Resolution of the Commission of Knox County, Tennessee accepting the
donation of a Greenway Trail Easement from The Wide Horizons
Development Company for the Sterchi Hills Greenway Trail.

Add to the regular agenda discussion regarding Quiet Zones at
Railroad Crossings.

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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSENT ITEMS:

Tax Refunds:

No tax refunds received.

* * * * *

Notary Public Applications: 106 applications received.

Commissioner Ivan Harmon moved to approve the above consent items. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING CONTRACTS WITH AGATE FOUNDATION AND PIERING, INC., SKILLED SERVICES QUALITY CONSTRUCTION LLC., MERIT CONSTRUCTION COMPANY, AND STOOKSBURY CONSTRUCTION FOR STRUCTURAL STABILIZATION SERVICES: R-09-12-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Agate Foundation and Piering, Inc., Skilled Services Quality Construction LLC., Merit Construction Company, and Stooksbury Construction for structural stabilization services was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-12-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Agate Foundation and Piering, Inc., Skilled Services Quality Construction LLC., Merit Construction Company, and Stooksbury Construction for structural stabilization services. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING PHASE II OF THE SELF-FUNDED ENERGY SUSTAINABILITY AND EFFICIENCY PROJECT FOR THE KNOX COUNTY SCHOOLS TO BE PERFORMED BY TRANE U.S. INC: R-09-12-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Phase II of the Self-Funded Energy Sustainability and Efficiency Project for the Knox County Schools to be performed by Trane U.S. Inc. was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-12-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Phase II of the Self-Funded Energy Sustainability and Efficiency Project for the Knox County Schools to be performed by Trane U.S. Inc. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE CONVEYANCE OF A TEMPORARY CONSTRUCTION EASEMENT AT BRICKEY-MCCLLOUD ELEMENTARY SCHOOL TO THE HALLSDALE-POWELL UTILITY DISTRICT FOR THE STORMWATER MITIGATION PROJECT KNOWN AS THE BRICKEY ELEMENTARY SCHOOL OUTDOOR CLASSROOM: R-09-12-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the conveyance of a Temporary Construction Easement at Brickey-McCloud Elementary School to the Hallsdale-Powell Utility District for the Stormwater Mitigation Project known as the Brickey Elementary School Outdoor Classroom was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-12-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the conveyance of a Temporary Construction Easement at Brickey-McCloud Elementary School to the Hallsdale-Powell Utility District for the Stormwater Mitigation Project known as the Brickey Elementary School Outdoor Classroom. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH THE LENOIR CITY UTILITIES BOARD FOR PROPERTY LOCATED AT 600 CORPORATE POINT WAY: R-09-12-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance Of Stormwater Facilities And Best Management Practices with the Lenoir City Utilities Board for property located at 600 Corporate Point Way was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance Of Stormwater Facilities And Best Management Practices with the Lenoir City Utilities Board for property located at 600 Corporate Point Way. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH WILLIAM MARK MUNDAY FOR PROPERTY LOCATED AT 2820 ASBURY ROAD:R-09-12-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance Of Stormwater Facilities And Best Management Practices with William Mark Munday for property located at 2820 Asbury Road was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance Of Stormwater Facilities And Best Management Practices with William Mark Munday for property located at 2820 Asbury Road. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH TIMBER OUTLETS INVESTMENTS, LLC FOR PROPERTY LOCATED AT 600 CORPORATE POINT WAY: R-09-12-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance Of Stormwater Facilities And Best Management Practices with Timber Outlets Investments, LLC for property located at 600 Corporate Point Way was before the Board of Commissioners.

Commissioners Anders moved to approve R-09-12-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants For Permanent Maintenance Of Stormwater Facilities And Best Management Practices with Timber Outlets Investments, LLC for property located at 600 Corporate Point Way. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PROFESSIONAL SERVICES PROPOSAL IN THE AMOUNT OF \$8,250.00 FROM WILBUR SMITH ASSOCIATES FOR THE DESIGN OF A TRAFFIC SIGNAL FOR DRY GAP PIKE/DANTE ROAD/FOUNTAIN CITY ROAD INTERSECTION IMPROVEMENT

PROJECT: R-09-12-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$8,250.00 from Wilbur Smith Associates for the design of a traffic signal for Dry Gap Pike/Dante Road/Fountain City Road Intersection Improvement Project was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$8,250.00 from Wilbur Smith Associates for the design of a traffic signal for Dry Gap Pike/Dante Road/Fountain City Road Intersection Improvement Project. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PROFESSIONAL SERVICES PROPOSAL IN THE AMOUNT OF \$83,800.00 FROM WILBUR SMITH ASSOCIATES RELATED TO THE DUTCHTOWN ROAD/PARK VILLAGE DRIVE IMPROVEMENT PROJECT:R-09-12-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$83,800.00 from Wilbur Smith Associates related to the Dutchtown Road/Park Village Drive Improvement Project was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$83,800.00 from Wilbur Smith Associates related to the Dutchtown Road/Park Village Drive Improvement Project. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PROFESSIONAL SERVICES PROPOSAL IN THE AMOUNT OF \$60,800.00 FROM WILBUR SMITH ASSOCIATES RELATED TO THE PARKSIDE DRIVE AND HAYFIELD ROAD INTERSECTION IMPROVEMENT PROJECT:R-09-12-406:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$60,800.00 from Wilbur Smith Associates related to the Parkside Drive and Hayfield Road Intersection Improvement Project was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-406 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$60,800.00 from Wilbur Smith Associates related to the Parkside Drive and Hayfield Road Intersection Improvement Project. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT IN THE AMOUNT OF \$760.00 FOR THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT ON BALL CAMP PIKE TO THE WEST KNOX UTILITY DISTRICT FOR A NEW SEWER LINE:R-09-12-407:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$760.00 for the conveyance of a permanent utility easement and temporary construction easement on Ball Camp Pike to the West Knox Utility District for a new sewer line was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-407 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$760.00 for the conveyance of a permanent utility easement and temporary construction easement on Ball Camp Pike to the West Knox Utility District for a new sewer line. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$165,800.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH OF EMERGENCY DENTAL SERVICES FOR UNINSURED ADULTS:R-09-12-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$165,800.00 with the Tennessee Department of Health of emergency dental services for uninsured adults was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$165,800.00 with the Tennessee Department of Health of emergency dental services for uninsured adults. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT IN AID CONTRACT IN THE AMOUNT OF \$196,000.00: R-09-12-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant in Aid Contract in the amount of \$196,000.00 was before the Board of Commissioners.

Commissioners Anders moved to approve R-09-12-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant in Aid Contract in the amount of \$196,000.00. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A LETTER OF AGREEMENT WITH ROBERT WOOD JOHNSON FOUNDATION FOR A GRANT IN THE AMOUNT OF \$360,000.00 FOR THE PURPOSE OF PROVIDING CHILDREN WITH EASY ACCESS TO PLACES FOR PHYSICAL ACTIVITY AND HEALTHY FOODS: R-09-12-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Letter of Agreement with Robert Wood Johnson Foundation for a grant in the amount of \$360,000.00 for the purpose of providing children with easy access to places for physical activity and healthy foods was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Letter of Agreement with Robert Wood Johnson Foundation for a grant in the amount of \$360,000.00 for the purpose of providing children with easy access to places for physical activity and healthy foods. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING THE DONATION OF A GREENWAY TRAIL EASEMENT FROM THE WIDE HORIZONS DEVELOPMENT COMPANY FOR STERCHI HILLS GREENWAY TRAIL:R-09-12-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting the donation of a Greenway Trail Easement from The Wide Horizons Development Company for Sterchi Hills Greenway Trail was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting the donation of a Greenway Trail Easement from The Wide Horizons Development Company for Sterchi Hills Greenway Trail. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE RESOLUTION ADOPTED BY THE TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY (TTCDA) RECOMMENDING THAT THE TENNESSEE GENERAL ASSEMBLY CONSIDER CHANGES TO CHAPTER 148, PRIVATE ACTS 1983 (AMENDED BY CHAPTER 229, PRIVATE ACTS 1984):R-09-12-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Resolution adopted by the Tennessee Technology Corridor Development Authority (TTCDA) recommending that the Tennessee General Assembly consider changes to Chapter 148, Private Acts 1983 (amended by Chapter 229, Private Acts 1984) was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Resolution adopted by the Tennessee Technology Corridor Development Authority (TTCDA) recommending that the Tennessee General Assembly consider changes to Chapter 148, Private Acts 1983 (amended by Chapter 229, Private Acts 1984). 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THAT THE KNOX COUNTY MAYOR INVESTIGATE A SIDE WITHIN THE SIXTH COMMISSION DISTRICT APPROPRIATE FOR THE PLACEMENT OF A SENIOR CENTER:R-09-12-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Mayor investigate a side within the Sixth Commission District appropriate for the placement of a Senior Center was before the Board of Commissioners.

Commissioner Anders moved to approve R-09-12-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Mayor investigate a side within

the Sixth Commission District appropriate for the placement of a Senior Center. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF ACCEPTANCE OF NEW COUNTY ROADS:

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

Ruby June Lane in Christain Springs Subdivision, District 8 (PLEASE NOTE: SHOULD READ AS FOLLOWS: Ruby June Lane in Christian Springs Subdivision, District 8.

Christain Springs Drive in Christain Springs Subdivision, District 8 (PLEASE NOTE: SHOULD READ AS FOLLOWS: Christian Springs Drive in Christian Springs Subdivision, District 8.

Anna Hulen Drive in Christain Springs Subdivision, District 8 (PLEASE NOTE; SHOULD READ AS FOLLOWS: Anna Hulen Drive in Christian Springs Subdivision, District 8.

Coral Springs Lane in Fox Vue Subdivision, District 5.

Dawson Creek Lane in Fox Vue Subdivision, District 5.

Misty Grove Lane in Fox Vue Subdivision, District 5.

Commissioner Anders moved to approve the above consideration of acceptance of new county roads. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes of the previous meeting was before the Board of Commissioners.

Commissioner Pinkston moved to approve the minutes of the previous meeting held on November 16, 2009. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: PUBLIC FORUM:

Mayor Mike Ragsdale, Knox County Mayor, was present and introduced Mr. Grant Standefer, representing Compassion Coalition.

Mr. Grant Standefer, representing Compassion Coalition, was present and presented the County Commission with a book “Salt and Light Guide Book.

* * * * *

Mayor Mike Ragsdale, Knox County Mayor was present and spoke on Economic Development and his visit to Kosovo; he also spoke on the Knox County Budget.

* * * * *

Mr. Mike Conrad area resident was present and spoke on stormwater in his area.

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

* * * * *

IN RE: RESOLUTIONS CONTINUED:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING CHIEF DEPUTY TOM SPANGLER UPON THE OCCASION OF HIS RETIREMENT FROM THE KNOX COUNTY SHERIFF’S OFFICE: R-09-12-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Chief Deputy Tom Spangler upon the occasion of his retirement from the Knox County Sheriff’s Office was before the Board of Commissioners.

Mrs. Kim Ellis read the resolution into the record.

Mr. J.J. Jones, Knox County Sheriff was present and spoke on the matter.

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

Mr. Tom Spangler was present and thanked the Commission for the resolution.

Commissioner Norman moved to approve R-09-12-101 – Consideration of a Resolution of the Commission of Knox County,

Tennessee honoring Chief Deputy Tom Spangler upon the occasion of his retirement from the Knox County Sheriff's Office. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING CAPTAIN BEN HARKINS UPON THE OCCASION OF HIS RETIREMENT FROM THE KNOX COUNTY SHERIFF'S OFFICE: R-09-12-102:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Captain Ben Harkins upon the occasion of his retirement from the Knox County Sheriff's Office was before the Board of Commissioners.

Mrs. Kim Ellis read the resolution into the record.

Mr. J.J. Jones, Knox County Sheriff was present and spoke on the matter.

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

Captain Ben Harkins was present and thanked the Commission for the resolution.

Commissioner Norman moved to approve R-09-12-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Captain Ben Harkins upon the occasion of his retirement from the Knox County Sheriff's Office. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING RADIO PERSONALITY JACK RYAN FOR HIS SERVICE TO THE KNOX COUNTY COMMUNITY: R-09-12-105:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring radio personality Jack Ryan for his service to the Knox County Community was before the Board of Commissioners.

Mrs. Kim Ellis read the resolution into the record.

Mr. Jack Ryan was present and thanked the Commission for the resolution.

Commissioner Norman moved to approve R-09-12-105 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring radio personality Jack Ryan for his service to the Knox County Community. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE VIII OF THE KNOX COUNTY CHARTER BY REPLACING SECTION 8.05, A PROVISION TO RECALL AN ELECTED OFFICIAL FROM OFFICE, WITH A NEW SECTION 8.05 (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUM OF 8-7-08): FIRST READING; O-09-12-102:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-7-08) was before the Board of Commissioners on first reading.

Mr. Erin Lonas, concerned resident, was present and spoke on the matter.

Mr. Greg Mackay, Administrator of Elections, was present and spoke on the matter.

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

Commissioner Briggs moved to divide the question and approve the entire Ordinance excluding Paragraph C (number of signatures) on O-09-12-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by

replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-7-08) on first reading. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

At this time Part C (number of signatures) on O-09-12-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-7-08) on first reading was before the Board of Commissioners.

Commissioner Leuthold moved to approve O-09-12-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-7-08) on first reading with the following amendment regarding Part C (number of signatures); Use 25% of the last gubernatorial election. Commissioner Anders seconded the motion.

Commissioner Broyles moved as a substitute motion to use 15% of the last gubernatorial election on Part C (number of signatures) on O-09-12-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-7-08). Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Saunders, Shouse, Hammond, Briggs, Smith and Wright voted aye. Commissioners Strickland, Norman, Leuthold, Anders, Lambert, Carringer, Armstrong, Brown and Pinkston voted no. The substitute motion failed 9-9-0-1. Commissioner Ivan Harmon abstained from the vote.

Commissioner Mark Harmon moved as a substitute motion to use 10% of the registered voters on (Part C number of signatures) on O-09-12-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by

replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-7-08). Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Saunders, Shouse, Briggs, Smith and Wright voted aye. Commissioners Broyles, Norman, Ivan Harmon, Hammond, Leuthold, Anders, Lambert, Carringer, Armstrong, Brown and Pinkston voted no. The substitute motion failed 8-11-0-0.

Upon roll call of the original motion to approve O-09-12-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County Charter as adopted 11-8-88, as amended through Referendum of 8-7-08) on first reading with the following amendment regarding (Part C number of signatures); Use 25% of the last gubernatorial election; Commissioners McKenzie, Strickland, Norman, Ivan Harmon, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Carringer, Armstrong, Brown and Pinkston voted aye. Commissioners Mark Harmon, Broyles, Saunders, Smith and Wright voted no. The substitute motion carried 14-5-0-0.

* * * * *

IN RE: ORDINANCES ON SECOND READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX
COUNTY CODE, CHAPTER 34, FLOODS, BY ADDING LEGAL
STATUS PROVISIONS (ORD. NO. O-07-2-102, §1 (EXH. A), ADOPTED
4-16-07): O-09-11-101: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 34, Floods, by adding Legal Status provision (Ord. No. O-07-2-102, §1 (Exh. A), adopted 4-16-07) was before the Board of Commissioners on second reading.

Commissioner Norman moved to approve O-09-11-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 34, Floods, by adding Legal Status provision (Ord. No. O-07-2-102, §1 (Exh. A), adopted 4-16-07) on second reading. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: OTHER BUSINESS:

Discussion regarding the hiring of a lobbyist for the legislative Session was before the Board of Commissioners.

Commissioner Hammond moved to recommend the Chairman of County Commission to appoint a committee to work with the Mayor's Office on the current lobbyist and report back to the full Commission at the January 2010 Commission meeting. The following members were appointed to the committee: Commissioners Broyles, Ivan Harmon, Hammond and Lambert. Commissioner Ivan Harmon seconded the motion.

* * * * *

Discussion regarding the Laura Cole property was before the Board of Commissioners.

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

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

No action was taken.

* * * * *

Discussion regarding MPC and Development considerations was before the Board of Commissioners.

Mr. Trey Benefield, Vice-Chair, Metropolitan Planning Commission, was present and spoke on the matter.

No action was taken.

* * * * *

Discussion regarding Quiet Zones at Railroad Crossings was before the Board of Commissioners.

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

Ms. Kathy Sliski, concerned resident, was present and spoke on the matter.

No action was taken.

* * * * *

IN RE: NO ZONING REQUESTS RECEIVED:

IN RE: NO ZONING APPEALS RECEIVED:

* * * * *

IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENTS TO ARTICLE 2, ARTICLE 4, AND ARTICLE 5 OF THE KNOX COUNTY ZONING ORDINANCE TO DEFINE THE TERMS "CONTRACTOR" AND "CONTRACTOR STORAGE YARDS", CREATE STANDARDS FOR USE-ON-REVIEW, AND ASSIGN AS PERMITTED USES AND USES-ON-REVIEW IN VARIOUS ZONE DISTRICTS (ORD. NO. O-90-9-130, ADOPTED 9-10-90, AS AMENDED O-90-12-101: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee approving amendments to Article 2, Article 4, and Article 5 of the Knox County Zoning Ordinance to define the terms "Contractor" and "Contractor Storage Yards", create standards for Use-on-review, and assign as permitted uses and uses-on-review in various zone districts (Ord. No. O-90-9-130, adopted 9-10-90, as amended was before the Board of Commissioners on first reading.

Commissioner Norman moved to approve O-90-12-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee approving amendments to Article 2, Article 4, and Article 5 of the Knox County Zoning Ordinance to define the terms "Contractor" and "Contractor Storage Yards", create standards for Use-on-review, and assign as permitted uses and uses-on-review in various zone districts (Ord. No. O-90-9-130, adopted 9-10-90, as amended on first reading. 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, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Strickland stated there would have to be two (2) Public Forums regarding O-09-12-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VIII of the Knox County Charter by replacing Section 8.05, a provision to recall an elected official from office, with a new section 8.05 (Knox County

Charter as adopted 11-8-88, as amended through Referendum of 8-7-08). He would set the dates and notify the Commissioners.

* * * * *

IN RE: ADJOURNMENT:

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

COMMISSIONER THOMAS STRICKLAND, CHAIRMAN