

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, November 16, 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, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston. Also present were Mr. Joe Jarret, Knox County Chief Deputy Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. John Troyer, Senior Director for Knox County Finance, Mr. Mike Ragsdale, Knox County Mayor, Mr. Mark Donaldson, Executive Director for MPC, and members of the news media.

Commissioner Strickland, Chairman, presided.

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

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IN RE: ROLL CALL:

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

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IN RE: DEVOTIONAL:

Commissioner Saunders gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Pinkston led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA:

1. Without objection, Commissioner Strickland amended the agenda to defer the following items to the December 2009 Board of Commissioners meeting: Resolution R-09-11-102 - 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; and Resolution R-09-11-103 - 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.

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2. Commissioner Strickland amended the agenda to add the following item: Resolution R-09-11-906 - Consideration of a resolution of the Commission of Knox County, Tennessee, amending the Knox County Vehicle Use Policy to provide a provision for the identification of Knox County vehicles.

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3. Commissioner Strickland amended the agenda to remove the following item from the consent calendar: Resolution R-09-11-104 - Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Lowell Giffen for his years of dedicated service to the people of Knox County.

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4. Commissioner Strickland amended the agenda to add the following item: Report from Mr. Mark Jones, Director for the Knox County Health Department, for an update regarding the H1N1 vaccination process.

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

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5. Commissioner Strickland amended the agenda to add the following items: Resolution R-09-11-105 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Knoxville News Sentinel reporter Rebecca Ferrar for her coverage of the affairs of Knox County Government; and Resolution R-09-11-702 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$2,500.00 with the Tennessee Department of Agriculture for the provision of increasing farm income in Tennessee.

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6. Commissioner Strickland amended the agenda to withdraw the following items: Resolution R-09-11-904 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a donation of \$500.00 towards the completion of the Gibbs Baseball field; and Resolution R-09-11-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a donation to Knox County Youth Action Council of \$1,000.00 from the Mayor's Discretionary Fund.

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IN RE: **CONSENT ITEMS:**

1. Tax Refunds:
No request received.

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2. Notary Public Applications:
89 Notary Public Applications received.

Commissioner Craig Leuthold moved to approve all Consent Items. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$311,298.00 WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR THE PROVISION OF ADULT EDUCATION – R-09-11-201:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$311,298.00 with the Tennessee Department of Labor and Workforce Development for the provision of Adult Education was before the Board of Commissioners.

Commissioner Saunders moved to approve Resolution R-09-11-201 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$311,298.00 with the Tennessee Department of Labor and Workforce Development for the provision of Adult Education. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$264,100.16 WITH BERNARD KING AND THOMPSON ENERGY SOLUTIONS, LLC FOR THE PROVISION OF FURNISHING SERVICES DESIGNED TO REDUCE ENERGY CONSUMPTION AT THE VARIOUS KNOX COUNTY SCHOOLS PREMISES AND TO GUARANTEE A SPECIFIED

**MINIMUM LEVEL OF ENERGY SAVINGS TO THE KNOX COUNTY
SCHOOLS MAINTENANCE AND OPERATIONS DEPARTMENT –
R-09-11-202:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$264,100.16 with Bernard King and Thompson Energy Solutions, LLC for the provision of furnishing services designed to reduce energy consumption at the various Knox County Schools premises and to guarantee a specified minimum level of energy savings to the Knox County Schools Maintenance and Operations Department was before the Board of Commissioners.

Mr. Bernard King, Bernard King and Thompson Energy Solutions, LLC, was present and spoke on the matter.

Commissioner Saunders moved to approve Resolution R-09-11-202 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$264,100.16 with Bernard King and Thompson Energy Solutions, LLC for the provision of furnishing services designed to reduce energy consumption at the various Knox County Schools premises and to guarantee a specified minimum level of energy savings to the Knox County Schools Maintenance and Operations Department. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING
DESIGNATIONS IN THE GENERAL PURPOSE SCHOOL FUND FOR
FISCAL YEAR 2009-2010 – R-09-11-203:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving designations in the General Purpose School Fund for fiscal year 2009-2010 was before the Board of Commissioners.

Commissioner Saunders moved to approve Resolution R-09-11-203 - Resolution of the Commission of Knox County, Tennessee, approving designations in the General Purpose School Fund for fiscal year 2009-2010. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING DR. RON STEWART, CHAIRMAN OF THE KNOX COUNTY ETHICS COMMITTEE, FOR HIS DEDICATED PUBLIC SERVICE TO THE CITIZENS OF KNOX COUNTY – R-09-11-101:

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Dr. Ron Stewart, Chairman of the Knox County Ethics Committee, for his dedicated public service to the citizens of Knox County was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-101 - Resolution of the Commission of Knox County, Tennessee, honoring Dr. Ron Stewart, Chairman of the Knox County Ethics Committee, for his dedicated public service to the citizens of Knox County.

Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING CHIEF DEPUTY TOM SPANGLER UPON THE OCCASION OF HIS RETIREMENT FROM THE KNOX COUNTY SHERIFF'S OFFICE – R-09-11-102:

This item was deferred to the December 2009 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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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-09-11-103:

This item was deferred to the December 2009 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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

LOWELL GIFFEN FOR HIS YEARS OF DEDICATED SERVICE TO THE PEOPLE OF KNOX COUNTY – R-09-11-104:

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This item was heard later on the day's agenda. (See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING KNOXVILLE NEWS SENTINEL REPORTER REBECCA FERRAR FOR HER COVERAGE OF THE AFFAIRS OF KNOX COUNTY GOVERNMENT – R-09-11-105:

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Knoxville News Sentinel reporter Rebecca Ferrar for her coverage of the affairs of Knox County Government was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-105 - Resolution of the Commission of Knox County, Tennessee, honoring Knoxville News Sentinel reporter Rebecca Ferrar for her coverage of the affairs of Knox County Government. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ACCEPTING A DONATION OF TWO (2) WORKBOATS FROM THE DEPARTMENT OF DEFENSE TO BE UTILIZED BY THE KNOX COUNTY SHERIFF'S OFFICE DIVE TEAM FOR THE PURPOSE OF PATROLLING RIVERS AND LAKES – R-09-11-301:

Consideration of a resolution of the Commission of Knox County, Tennessee, accepting a donation of two (2) workboats from the Department of Defense to be utilized by the Knox County Sheriff's Office Dive team for the purpose of patrolling rivers and lakes was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R0-09-11-301 - Resolution of the Commission of Knox County, Tennessee, accepting a donation of two (2) workboats from the Department of Defense to be utilized by the Knox County Sheriff's Office Dive team for the purpose of patrolling rivers and lakes. Commissioner Saunders seconded the motion

and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES FOR OAS PROPERTIES TRUST FOR PROPERTY LOCATED AT 1532 EBENEZER ROAD – R-09-11-401:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices for OAS Properties Trust for property located at 1532 Ebenezer Road was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-401 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices for OAS Properties Trust for property located at 1532 Ebenezer Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES FOR CORNERSTONE CHURCH OF KNOXVILLE, INC. FOR PROPERTY LOCATED AT 1250 HERITAGE LAKE BOULEVARD – R-09-11-402:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices for Cornerstone Church of Knoxville, Inc. for property located at 1250 Heritage Lake Boulevard was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-402 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices for Cornerstone Church of Knoxville, Inc. for property located at 1250 Heritage Lake Boulevard. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES FOR SMITHBILT, LLC FOR PROPERTY LOCATED AT 5385 SCHAAD ROAD – R-09-11-403:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices for Smithbilt, LLC for property located at 5385 Schaad Road was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-403 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices for Smithbilt, LLC for property located at 5385 Schaad Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A STATE AID CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE RESURFACING OF LOYSTON ROAD – R-09-11-404:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee

Department of Transportation (TDOT) for the resurfacing of Loyston Road was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-404 - Resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee Department of Transportation (TDOT) for the resurfacing of Loyston Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A STATE AID CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE RESURFACING OF HENDERSON ROAD – R-09-11-405:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee Department of Transportation (TDOT) for the resurfacing of Henderson Road was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-405 - Resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee Department of Transportation (TDOT) for the resurfacing of Henderson Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A STATE AID CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE RESURFACING OF CLEAR SPRINGS ROAD – R-09-11-406:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee Department of Transportation (TDOT) for the resurfacing of Clear Springs Road was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-406 - Resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee Department of Transportation (TDOT) for the resurfacing of Clear Springs Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A STATE AID CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE RESURFACING OF BROWN GAP ROAD – R-09-11-407:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee Department of Transportation (TDOT) for the resurfacing of Brown Gap Road was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-407 - Resolution of the Commission of Knox County, Tennessee, approving a state aid contract with the Tennessee Department of Transportation (TDOT) for the resurfacing of Brown Gap Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A PROPOSAL FROM THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE IMPROVEMENT OF THE INTERSECTION OF NAFF ROAD AND RACCOON VALLEY ROAD – R-09-11-408:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a proposal from the Tennessee Department of Transportation (TDOT) for the improvement of the intersection of Naff Road and Raccoon Valley Road was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-408 - Resolution of the Commission of Knox County, Tennessee, approving a proposal from the Tennessee Department of Transportation (TDOT) for the improvement of the intersection of Naff Road and Raccoon Valley Road. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) AWARD IN THE AMOUNT OF \$2,125,400.00 FROM THE U.S. DEPARTMENT OF ENERGY – R-09-11-502:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Energy Efficiency and Conservation Block Grant (EECBG) Award in the amount of \$2,125,400.00 from the U.S. Department of Energy was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-502 - Resolution of the Commission of Knox County, Tennessee, approving the Energy Efficiency and Conservation Block Grant (EECBG) Award in the amount of \$2,125,400.00 from the U.S. Department of Energy. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$647,300.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR FAMILY PLANNING SERVICES – R-09-11-601:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$647,300.00 with the Tennessee Department of Health for Family Planning Services was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-601 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$647,300.00 with the Tennessee Department of Health for Family Planning Services. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$502,950.00 WITH THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE PROVISION OF RETAIL FOOD STORE INSPECTIONS – R-09-11-602:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$502,950.00 with the Tennessee Department of Agriculture for the provision of retail food store inspections was before Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-602 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$502,950.00 with the Tennessee Department of Agriculture for the provision of retail food store inspections. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A TENNESSEE AGRICULTURE ENHANCEMENT GRANT IN THE AMOUNT OF \$14,800.00 FOR PLANTING TREES AT BURLINGTON PARK; FORKS OF THE RIVER SOCCER COMPLEX; AND HALLS COMMUNITY PARK – R-09-11-701:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Tennessee Agriculture Enhancement Grant in the amount of \$14,800.00 for planting trees at Burlington Park; Forks of

the River Soccer Complex; and Halls Community Park was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-701 - Resolution of the Commission of Knox County, Tennessee, approving a Tennessee Agriculture Enhancement Grant in the amount of \$14,800.00 for planting trees at Burlington Park; Forks of the River Soccer Complex; and Halls Community Park. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$2,500.00 WITH THE TENNESSEE DEPARTMENT OF AGRICULTURE FOR THE PROVISION OF INCREASING FARM INCOME IN TENNESSEE – R-09-11-702:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$2,500.00 with the Tennessee Department of Agriculture for the provision of increasing farm income in Tennessee was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-702 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$2,500.00 with the Tennessee Department of Agriculture for the provision of increasing farm income in Tennessee. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT FOR SERVICE AND RELATED SOFTWARE MAINTENANCE AND SUPPORT WITH PERISCOPE HOLDINGS FOR A PURCHASING DIVISION SOFTWARE UPGRADE – R-09-11-801:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement for service and related software maintenance and support with Periscope Holdings for a Purchasing Division software upgrade was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-801 - Resolution of the Commission of Knox County, Tennessee, approving an agreement for service and related software maintenance and support with Periscope Holdings for a Purchasing Division software upgrade. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE 2009-2010 JUVENILE ACCOUNTABILITY BLOCK GRANT IN THE AMOUNT OF \$36,685.00 FROM THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH – R-09-11-901:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the 2009-2010 Juvenile Accountability Block Grant in the amount of \$36,685.00 from the Tennessee Commission on Children and Youth was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-901 - Resolution of the Commission of Knox County, Tennessee, approving the 2009-2010 Juvenile Accountability Block Grant in the amount of \$36,685.00 from the Tennessee Commission on Children and Youth. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ACCEPTING DONATIONS IN THE TOTAL AMOUNT OF \$5,500.00. IN SUPPORT OF THE KNOX COUNTY MAYOR'S 4TH ANNUAL SENIOR APPRECIATION PICNIC – R-09-11-902:

Consideration of a resolution of the Commission of Knox County, Tennessee, accepting donations in the total amount of \$5,500.00. in

support of the Knox County Mayor's 4th Annual Senior Appreciation Picnic was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-902 - Resolution of the Commission of Knox County, Tennessee, accepting donations in the total amount of \$5,500.00. in support of the Knox County Mayor's 4th Annual Senior Appreciation Picnic. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A SOFTWARE MAINTENANCE RENEWAL AGREEMENT IN THE AMOUNT OF \$35,508.00 WITH DOCUMENT TECHNOLOGY SYSTEMS FOR SOFTWARE SUPPORT AND MAINTENANCE FOR THE REGISTER OF DEEDS LAND RECORDS SYSTEM – R-09-11-903:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a software maintenance renewal agreement in the amount of \$35,508.00 with Document Technology Systems for software support and maintenance for the Register of Deeds Land Records System was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-09-11-903 - Resolution of the Commission of Knox County, Tennessee, approving a software maintenance renewal agreement in the amount of \$35,508.00 with Document Technology Systems for software support and maintenance for the Register of Deeds Land Records System. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

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

Commissioner Norman moved to approve the minutes from the previous meeting held on October 26, 2009 (Regular Session) with the following amendments: Amendment 1 - The motion for the discussion on the stormwater review process should be amended to read as follows: approve Resolution R-09-10-910 – Resolution of the Commission of Knox County, Tennessee, forming a committee to review the Knox County Stormwater Management Ordinance and the planning process for all land development activities in Knox County; and Amendment 2 – The motion for zoning request #5-A-09-RZ should be amended to read as follows: approve zoning request #5-A-09-RZ - Request of The Pavilion at Hunter Valley Farm, LLC for rezoning from A Agricultural and F Floodway Zone to T Transition and F Floodway Zone. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTION AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REAPPOINTING REBECCA GOMPF, DVM TO THE KNOX COUNTY BOARD OF HEALTH – R-09-11-110:

Consideration of a resolution of the Commission of Knox County, Tennessee, reappointing Rebecca Gompf, DVM to the Knox County Board of Health was before the Board of Commissioners.

Commissioner Norman moved to approve Resolution R-09-11-110 - Resolution of the Commission of Knox County, Tennessee, reappointing Rebecca Gompf, DVM to the Knox County Board of Health. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING MEMBERS TO THE STORMWATER ORDINANCE REVIEW COMMITTEE – R-09-11-111:

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing members to the Stormwater Ordinance Review Committee was before the Board of Commissioners.

Commissioner Norman moved to approve Resolution R-09-11-1111 - Resolution of the Commission of Knox County, Tennessee, appointing members to the Stormwater Ordinance Review Committee. Commissioner Armstrong seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: DRIVES AND ROADS:

IN RE: CONSIDERATION OF CLOSURE OF UNNAMED RIGHT OF WAY ON BLACK ROAD. ROAD LOCATED OFF OF NORTH CAMPBELL STATION ROAD. WALLACE MCCLURE AND W.H. BRECK BOWLIN, PROPERTY OWNERS - (SECOND READING):

Consideration of closure of unnamed right of way on Black Road was before the Board of Commissioners on second reading. Road located off of North Campbell Station Road. Wallace McClure and W.H. Breck Bowlin, property owners.

Commissioner Norman moved to approve the closure of unnamed right of way on Black Road on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0. Road located off of North Campbell Station Road. Wallace McClure and W.H. Breck Bowlin, property owners.

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IN RE: PUBLIC FORUM:

1. Mr. Roy Duncan, concerned citizen, was present and spoke concerning assistance with legal matters.

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

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2. Mr. George Hamilton, concerned citizen, was present and spoke concerning assistance for Mr. Roy Duncan; and problems in Knox County.

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3. Mr. Brad Mayes, concerned citizen, was present and spoke concerning permanent housing for chronically homeless individuals.

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4. Mr. Mark Jones, Director for the Knox County Health Department, was present and spoke concerning the H1N1 virus.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING LOWELL GIFFEN FOR HIS YEARS OF DEDICATED SERVICE TO THE PEOPLE OF KNOX COUNTY – R-09-11-104:

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Lowell Giffen for his years of dedicated service to the people of Knox County was before the Board of Commissioners.

Commissioner Norman moved to approve Resolution R-09-11-104 - Resolution of the Commission of Knox County, Tennessee, memorializing Lowell Giffen for his years of dedicated service to the people of Knox County. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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

Mr. Jim Giffen, son, was present to accept the resolution and expressed appreciation to the commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH SOUTHEASTERN HOUSING FOUNDATION, LLC TO PROVIDE \$443,200.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS AND \$56,800.00 IN TENNESSEE HOUSING DEVELOPMENT AGENCY (THDA) PROGRAM INCOME FOR THE ACQUISITION OF PROPERTY LOCATED AT 125 DEBUSK LANE FOR THE DEVELOPMENT OF PERMANENT SUPPORTIVE HOUSING FOR CHRONICALLY HOMELESS INDIVIDUALS – R-09-11-501:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement with Southeastern Housing Foundation, LLC to provide \$443,200.00 in Community Development Block Grant (CDBG) program funds and \$56,800.00 in Tennessee Housing Development Agency (THDA) program income for the acquisition of property located at 125 Debusk Lane for the development of permanent supportive housing for chronically homeless individuals was before the Board of Commissioners.

Mr. John Lawler, Director for the Ten Year Plan to end Chronic Homelessness, and Mr. David Arning, Southeastern Housing Foundation, LLC were present and spoke on the matter.

The following concerned citizens were present and spoke on the matter: Ms. Beth Booker, Ms. Virginia Douglas, Ms. Lauren Rider, Mr. Mike Mitchell, Mr. Michael Savage, Ms. Patti Lee, Mr. John Randall, Mr. Joe Ferrari and Ms. Debra Vanmeter.

Commissioner Mark Harmon moved to approve Resolution R-09-11-501 - Resolution of the Commission of Knox County, Tennessee, approving an agreement with Southeastern Housing Foundation, LLC to provide \$443,200.00 in Community Development Block Grant (CDBG) program funds and \$56,800.00 in Tennessee Housing Development Agency (THDA) program income for the acquisition of property located at 125 Debusk Lane for the development of permanent supportive housing for chronically homeless individuals. Commissioner Saunders seconded the motion.

Commissioner Broyles moved as a substitute motion to defer to the December 2009 Board of Commissioners meeting Resolution R-09-11-501 - Resolution of the Commission of Knox County, Tennessee, approving an agreement with Southeastern Housing Foundation, LLC to provide \$443,200.00 in Community Development Block Grant (CDBG) program funds and \$56,800.00 in Tennessee Housing Development Agency (THDA) program income for the acquisition of property located at 125 Debusk Lane for the development of permanent supportive housing for chronically homeless individuals. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman and Saunders voted aye. Commissioners Ivan Harmon, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted no. The substitute motion failed 6-13-0-0.

Upon roll call vote of the original motion to approve Resolution R-09-11-501 - Resolution of the Commission of Knox County, Tennessee, approving an agreement with Southeastern Housing Foundation, LLC to provide \$443,200.00 in Community Development Block Grant (CDBG) program funds and \$56,800.00 in Tennessee Housing Development Agency (THDA) program income for the acquisition of property located at 125 Debusk Lane for the development of permanent supportive housing for chronically homeless individuals, Commissioners McKenzie, Mark Harmon, Broyles and Saunders voted aye. Commissioners Strickland, Norman, Ivan Harmon, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted no. The motion failed 4-15-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A DONATION OF \$500.00 TOWARDS THE COMPLETION OF THE GIBBS BASEBALL FIELD – R-09-11-904:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A DONATION TO KNOX COUNTY YOUTH ACTION COUNCIL OF \$1,000.00 FROM THE MAYOR’S DISCRETIONARY FUND – R-09-11-905:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING THE KNOX COUNTY VEHICLE USE POLICY TO PROVIDE A PROVISION FOR THE IDENTIFICATION OF KNOX COUNTY VEHICLES – R-09-11-906:

Consideration of a resolution of the Commission of Knox County, Tennessee, amending the Knox County Vehicle Use Policy to provide a provision for the identification of Knox County vehicles was before the Board of Commissioners.

Mr. Dwight VanDeVate, Senior Director of Community Relations and Governmental Affairs for Knox County, was present and spoke on the matter.

Commissioner Norman moved to approve Resolution R-09-11-906 - Resolution of the Commission of Knox County, Tennessee, amending the Knox County Vehicle Use Policy to provide a provision for the identification of Knox County vehicles. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioner Broyles was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: ORDINANCES ON FIRST 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 (AMENDING ORDINANCE O-07-2-102, §1 (EXHIBIT A), ADOPTED APRIL 16, 2007) – O-09-11-101 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 34, Floods, by adding Legal Status Provisions (amending Ordinance O-07-2-102, §1 (Exhibit A), adopted April 16, 2007) was before the Board of Commissioners on first reading.

Commissioner Norman moved to approve Ordinance O-09-11-101 - Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 34, Floods, by adding Legal Status Provisions (amending Ordinance O-07-2-102, §1 (Exhibit A), adopted April 16, 2007) on first reading. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioner Broyles was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: ORDINANCES ON SECOND READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REPEALING CHAPTER 22, ARTICLE II, SECTIONS 22-26, 22-27 AND 22-28 OF THE KNOX COUNTY CODE RELATIVE TO THE FORKS OF THE

**RIVER INDUSTRIAL PARK FIRE AND EMERGENCY SERVICES
(AMENDING ORDINANCE O-92-101A, §§I-III, ADOPTED
NOVEMBER 23, 1992 AND ORDINANCE O-93-11-101, §1, ADOPTED
DECEMBER 20, 1993) – O-09-10-102 – (SECOND READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, repealing Chapter 22, Article II, Sections 22-26, 22-27 and 22-28 of the Knox County Code relative to the Forks of the River Industrial Park Fire and Emergency Services (amending Ordinance O-92-101A, §§I-III, adopted November 23, 1992 and Ordinance O-93-11-101, §1, adopted December 20, 1993) was before the Board of Commissioners on second reading.

Commissioner Norman moved to approve Ordinance O-09-10-102 - Ordinance of the Commission of Knox County, Tennessee, repealing Chapter 22, Article II, Sections 22-26, 22-27 and 22-28 of the Knox County Code relative to the Forks of the River Industrial Park Fire and Emergency Services (amending Ordinance O-92-101A, §§I-III, adopted November 23, 1992 and Ordinance O-93-11-101, §1, adopted December 20, 1993) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioner Broyles was absent from the meeting. The motion carried 18-0-0-1.

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IN RE: PUBLIC FORUM:

Ms. Julie Pratt spoke later on the day's agenda during the discussion of Rezoning Appeals 10-A-09-SP and 10-A-09-RZ. (See Page _____)

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IN RE: OTHER BUSINESS:

**IN RE: DISCUSSION REGARDING THE STATUS OF THE
LAURA COLE PROPERTY:**

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

Mr. Chris Granju, Knox County Stormwater Management, and Mr. Joe Jarret, Knox County Chief Deputy Law Director, were present and spoke on the matter.

Commissioner Armstrong moved to suspend the rules to allow a vote to be taken on the discussion regarding the status of the Laura Cole

property. The vote should be taken in the form of a resolution. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioner Broyles was absent from the meeting. The motion carried 18-0-0-1.

Commissioner Armstrong moved to approve Resolution R-09-11-907 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Law Director's Office write a letter to the State of Tennessee, Department of Environment and Conservation, Division of Water Pollution Control, respectfully requesting that they take whatever legal steps are necessary to ameliorate the matter at Graysburg.

Commissioner Carringer seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioner Broyles was absent from the meeting. The motion carried 18-0-0-1.

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

7. At this time, there was discussion regarding changing the dates for the December 2009 Board of Commissioners and Committee meetings.

Commissioner Craig Leuthold moved to suspend the rules to add the following item to the agenda: Discussion regarding changing the dates for the December 2009 Board of Commissioners and Committee meeting. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioner Broyles was absent from the meeting. The motion carried 18-0-0-1.

Commissioner Craig Leuthold moved to change the dates for the December 2009 Board of Commissioners and Committee meetings to be held as follows: Finance Committee - December 7, 2009; Intergovernmental Committee - December 8, 2009; and Board of Commissioners (Regular & Beer Matters) - December 14, 2009. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig

Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioner Broyles was absent from the meeting. The motion carried 18-0-0-1.

Ms. Jolie Bonavita, Director for the Knox County Commission Office, was present and spoke on the matter.

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IN RE: ROLL CALL – (6:00 P.M.)

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston. Commissioners Broyles and Briggs were absent from the meeting.

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IN RE: ZONING REQUESTS:

1. Consideration of the request of Daniel C. Tyrrell for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located southwest side of Bob Varner Road, northwest of Brown Gap Road. 7th Commission District.

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

Commissioner Smith moved to approve zoning request 10-B-09-RZ – Request of Daniel C. Tyrrell for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioners Broyles and Briggs were absent from the meeting. The motion carried 17-0-0-2. Property located southwest side of Bob Varner Road, northwest of Brown Gap Road. 7th Commission District.

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At this time, Commissioner Strickland stepped down from the Chair and Commissioner Craig Leuthold, Vice-Chairman, presided.

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IN RE: ZONING APPEALS:

1. Consideration of the appeal by Bulldog Development/Chris Eppers of MPC denial of East County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone was before the Board

of Commissioners. Property located southeast side of Hammer Road, north side of I-40, southwest of Union School Road. 8th Commission District.

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

Ms. Julie Pratt, area resident, was present and spoke in opposition to the appeal.

Mr. Chris Eppers, appellant, was present and spoke on behalf of the appeal.

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

Commissioner Lambert moved to refer to MPC zoning appeal 10-A-09-SP - Appeal by Bulldog Development/Chris Eppers of MPC denial of East County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Anders, Lambert, Armstrong, Wright and Brown voted aye. Commissioners Mark Harmon, Carringer and Pinkston voted no. Commissioner Smith recused himself from the vote. Commissioners Broyles and Briggs were absent from the meeting. The motion carried 13-3-1-2. Property located southeast side of Hammer Road, north side of I-40, southwest of Union School Road. 8th Commission District.

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2. Consideration of the appeal by Bulldog Development/Chris Eppers of MPC denial of rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located southeast side of Hammer Road, north side of I-40, southwest of Union School Road. 8th Commission District.

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

Ms. Julie Pratt, area resident, was present and spoke in opposition to the appeal.

Mr. Chris Eppers, appellant, was present and spoke on behalf of the appeal.

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

Commissioner Lambert moved to refer to MPC zoning appeal 10-A-09-RZ – Appeal by Bulldog Development/Chris Eppers of MPC denial of rezoning from A Agricultural Zone to CA General Business Zone. Commissioner Anders seconded the motion and upon roll call vote

Commissioners McKenzie, Strickland, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Anders, Lambert, Armstrong, Wright and Brown voted aye. Commissioners Mark Harmon, Carringer and Pinkston voted no. Commissioner Smith recused himself from the vote. Commissioners Broyles and Briggs were absent from the meeting. The motion carried 13-3-1-2. Property located southeast side of Hammer Road, north side of I-40, southwest of Union School Road. 8th Commission District.

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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 THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 2, SECTION 2.20, SPECIFIC TERMS AND ARTICLE 5, SECTION 5.91, TOWN CENTER DISTRICT, TO CHANGE PROVISIONS RELATIVE TO PERMITTED AND PROHIBITED USES, HEIGHT, PARKING, DEVELOPMENT PLAN REQUIREMENTS AND ADMINISTRATION (AMENDING ORDINANCE O-01-6-101, ADOPTED JULY 23, 2001) – O-09-10-101 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, approving amendments to the Knox County Zoning Ordinance, Article 2, Section 2.20, specific terms and Article 5, Section 5.91, Town Center District, to change provisions relative to permitted and prohibited uses, height, parking, development plan requirements and administration (amending Ordinance O-01-6-101, adopted July 23, 2001) was before the Board of Commissioners on second reading.

Commissioner Norman moved to approve Ordinance O-09-10-101 - Ordinance of the Commission of Knox County, Tennessee, approving amendments to the Knox County Zoning Ordinance, Article 2, Section 2.20, specific terms and Article 5, Section 5.91, Town Center District, to change provisions relative to permitted and prohibited uses, height, parking, development plan requirements and administration (amending Ordinance O-01-6-101, adopted July 23, 2001) on second reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Craig Leuthold, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye.

Commissioners Broyles and Briggs were absent from the meeting.
The motion carried 17-0-0-2.

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

8. At this time, there was discussion regarding financial support for the Love Kitchen.

No action was taken.

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9. Commissioner McKenzie indicated the 1st Commission District forum will be held on Monday, November 30, 2009 at 6:00 pm - 7:30 pm at the Burlington Branch Library, Asheville Highway.

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10. Commissioner Norman spoke concerning appointments to the Stormwater Review Committee.

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IN RE: ADJOURNMENT:

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

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KNOX COUNTY BOARD OF COMMISSIONERS

CRAIG LEUTHOLD, VICE- CHAIRMAN

THOMAS STRICKLAND, CHAIRMAN