

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, February 28, 2011 at 1:45 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. Joe Jarret, Knox County Law Director, Mr. Tim Burchett, Knox County Mayor, Mr. Richard Walls, Knox County Internal Auditor, Mr. J. J. Jones, Knox County Sheriff and news media.

Commissioner Hammond, Chairman, presided.

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

\* \* \* \* \*

**IN RE: ROLL CALL: 1:45 P.M.**

Mrs. Sandra Sexton, Minutes Clerk to the Knox County Clerk, called the roll those responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

\* \* \* \* \*

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

Commissioner Wright moved to add the following resolutions to the agenda:

Add R-11-2-101 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Bearden Middle School Boys Basketball Team for the singular achievement of an undefeated 2010-2011 season. The resolution will be heard later in the day’s agenda.

\* \* \* \* \*

Add R-11-2-102 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Knox County native Trevor Bayne for winning the 2011 Daytona 500. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: PUBLIC FORUM:**

No one was present to speak.

\* \* \* \* \*

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

Without objection, Commissioner Hammond heard from Commissioner David Wright regarding Mr. Joe Carcello being named by

Business Finance Magazine as one of the most influential individuals in accounting and finance for four consecutive years.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING KNOX COUNTY NATIVE TREVOR BAYNE FOR WINNING THE 2011 DAYTONA 500: R-11-2-102:**

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Knox County native Trevor Bayne for winning the 2011 Daytona 500 was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-2-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Knox County native Trevor Bayne for winning the 2011 Daytona 500. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: ROLL CALL: 2:00 P.M.**

Mrs. Sandra Sexton, Minutes Clerk to the Knox County Clerk called the roll those responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

\* \* \* \* \*

**IN RE: DEVOTIONAL:**

Commissioner Sam McKenzie gave the devotional.

\* \* \* \* \*

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

Commissioner Ed Shouse led the Pledge of Allegiance to the Flag.

\* \* \* \* \*

**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.

Without objection, Commissioner Hammond deferred the January 24, 2011 minutes to the March 2011 Board of Commissioners meeting.

\* \* \* \* \*

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

Commissioner Wright moved to amend the agenda as follows:  
Defer to the March 2011 Board of Commissioners meeting

R-11-2-110 – Consideration of a Resolution of the Commission of Knox County, Tennessee amending the bylaws of the Three Ridges Golf Board to increase the membership to sixteen (16) voting members and approving the reappointment of John Whitehead as the 16<sup>th</sup> voting member on the Board.

\* \* \* \* \*

Defer to the March 2011 Board of Commissioners meeting  
R-11-2-112 – Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor’s appointment of \_\_\_\_\_ as the “Hearing Officer” for violations associated with the Ordinance regulating sexually oriented businesses within Knox County.

\* \* \* \* \*

Add R-11-2-114 – Consideration of a Resolution of the Commission of Knox County, Tennessee appointing John Wesley Donaldson to the Knox County Board of Equalization.

\* \* \* \* \*

Withdraw from the agenda R-11-2-802 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the City of Knoxville and the Knox County Public Building Authority for the purpose of making those improvements to the City-County Building designed to achieve greater energy efficiency.

\* \* \* \* \*

Add to the agenda R-11-2-904 – Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Metropolitan Planning Commission adopt the Knox County East Sector Plan as amended.

\* \* \* \* \*

Add to the agenda R-11-2-905 – Consideration of a Resolution of the Commission of Knox County, Tennessee regarding the Knox County Sheriff’s Vehicle Fleet. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

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

Without objection, Commissioner Hammond heard R-11-2-905 next on the agenda.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REGARDING THE KNOX COUNTY SHERIFF’S VEHICLE FLEET: R-11-2-905:**

Consideration of a Resolution of the Commission of Knox County, Tennessee regarding the Knox County Sheriff's Vehicle Fleet was before the Board of Commissioners.

Mr. Tim Burchett, Knox County Mayor, was present and spoke on the matter.

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

Ms. Allison Rogers, Knox County Sheriff's Department, was present and spoke on the matter.

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

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

Commissioner Anders moved to approve R-11-2-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee regarding the Knox County Sheriff's Vehicle Fleet with the following amendment: Purchase 100 vehicles at a cost of \$3,437,849.00. Commissioner Brown seconded the motion.

Commissioner Briggs moved as a substitute motion to purchase 65 vehicles at a cost of 2.2 million on R-11-2-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee regarding the Knox County Sheriff's Vehicle Fleet. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Smith, Wright and Hammond voted aye. Commissioners Broyles, Anders, Brown and Shouse voted no. The substitute motion carried 7-4-0-0.

\* \* \* \* \*

**IN RE: ROLL CALL: 2:00 P.M.**

Mrs. Sandra Sexton, Minutes Clerk to the Knox County Clerk, called the roll those responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

\* \* \* \* \*

**IN RE: DRIVES AND ROADS:**

No Drives and Roads received.

\* \* \* \* \*

**IN RE: A brief recess was taken.**

\* \* \* \* \*

**IN RE: ROLL CALL:**

Mrs. Sandra Sexton, Minutes Clerk to the Knox County Clerk called the roll those responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

\* \* \* \* \*

**IN RE: LINE ITEM TRANSFERS:**

Consideration of line item transfers was before the Board of Commissioners.

Commissioner Anders moved to approve the line item transfers. Commissioner Briggs seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO ASSIST IN THE COUNTY COMMISSION REDISTRICTING PROCESS: R-11-2-111:**

Consideration of a Resolution of the Commission of Knox County, Tennessee to assist in the County Commission redistricting process was before the Board of Commissioners.

Without objection, Commissioner Hammond deferred to the March 2011 Board of Commissioners meeting R-11-2-111 – Consideration of a Resolution of the Commission of Knox County, Tennessee to assist in the County Commission redistricting process. He also stated he had received a letter from the state regarding additional information on the redistricting process and also he will bring the names and recommendation on how to proceed in the process to the March 2011 Board of Commissioners meeting.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING JOHN WESLEY DONALDSON TO THE KNOX COUNTY BOARD OF EQUALIZATION: R-11-2-114:**

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing John Wesley Donaldson to the Knox County Board of Equalization was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-114 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing John Wesley Donaldson to the Knox County Board of Equalization. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders,

Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT IN THE AMOUNT OF \$2,628.00 FOR THE CONVEYANCE OF A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT LOCATED AT 600 NORTH CHILHOWEE DRIVE, ALSO KNOWN AS THE HOLSTON MIDDLE SCHOOL PROPERTY, TO THE KNOXVILLE UTILITIES BOARD (KUB) FOR A GAS LINE UPGRADE: R-11-2-201:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$2,628.00 for the conveyance of a permanent utility easement and temporary construction easement located at 600 North Chilhowee Drive, also known as the Holston Middle School property, to the Knoxville Utilities Board (KUB) for a gas line upgrade was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement in the amount of \$2,628.00 for the conveyance of a permanent utility easement and temporary construction easement located at 600 North Chilhowee Drive, also known as the Holston Middle School property, to the Knoxville Utilities Board (KUB) for a gas line upgrade. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO APPROVE THE AWARDING OF INVITATION FOR BID #534 TO ALEXANDER LINCOLN MERCURY FORD FOR SIX (6) 2011 FORD E-250 CARGO VANS IN THE AMOUNT OF \$102,594.00: R-11-2-202:**

Consideration of a Resolution of the Commission of Knox County, Tennessee to approve the awarding of invitation for bid #534 to Alexander Lincoln Mercury Ford for six (6) 2011 Ford E-250 Cargo Vans in the amount of \$102,594.00 was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee to approve the awarding of invitation for bid #534 to Alexander Lincoln Mercury Ford for six (6) 2011 Ford E-250 Cargo Vans in the amount of \$102,594.00.

Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING CONTRACTS IN THE AMOUNT NOT TO EXCEED \$1,000,000.00 WITH ARCHER AIR CONDITIONING SERVICE COMPANY, INC., DEL-AIR MECHANICAL CONTRACTORS AND FOUR SEASONS, INC. FOR COMMERCIAL GRADE HVAC INSTALLATION AND REPAIR SERVICES: R-11-2-203:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts in the amount not to exceed \$1,000,000.00 with Archer Air Conditioning Service Company, Inc., Del-Air Mechanical Contractors and Four Seasons, Inc. for commercial grade HVAC Installation and repair services was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts in the amount not to exceed \$1,000,000.00 with Archer Air Conditioning Service Company, Inc., Del-Air Mechanical Contractors and Four Seasons, Inc. for commercial grade HVAC Installation and repair services. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE ANNUAL AMOUNT OF \$200,000.00 FOR TWENTY (20) YEARS BETWEEN THE CITY OF KNOXVILLE AND THE KNOX COUNTY BOARD OF EDUCATION TO ASSIST IN FUNDING THE BOARD'S LEASE OF THE L&N STATION CAMPUS FOR THE OPERATION OF A STEM ACADEMY HIGH SCHOOL: R-11-2-204:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the annual amount of \$200,000.00 for twenty (20) years between the City of Knoxville and the Knox County Board of Education to assist in funding the Board's lease of

the L&N Station Campus for the operation of a STEM Academy High School was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-204 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the annual amount of \$200,000.00 for twenty (20) years between the City of Knoxville and the Knox County Board of Education to assist in funding the Board's lease of the L&N Station Campus for the operation of a STEM Academy High School. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPALACHIA HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) GRANT AGREEMENT: R-11-2-301:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Appalachia High Intensity Drug Trafficking Area (HIDTA) grant agreement was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Appalachia High Intensity Drug Trafficking Area (HIDTA) grant agreement. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**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 K M AND H DEVELOPMENT CO., LLC FOR PROPERTY LOCATED AT 1308 WALLACE ROAD: R-11-2-401:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with K M and H Development Co., LLC for property located at 1308 Wallace Road was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving

Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with K M and H Development Co., LLC for property located at 1308 Wallace Road. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**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 MPM DEVELOPMENT COMPANY, LLC FOR PROPERTY LOCATED AT 5119 CRIPPEN ROAD: R-11-2-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with MPM Development Company, LLC for property located at 5119 Crippen Road was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with MPM Development Company, LLC for property located at 5119 Crippen Road. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**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 TIMBERLAKE DEVELOPMENT, LLC FOR PROPERTY LOCATED AT 3424 LONG HOLLOW ROAD: R-11-2-403:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Timberlake Development, LLC for property located at 3424 Long Hollow Road was before the Board of Commissioners.

Commissioners Anders moved to approve R-11-2-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Timberlake Development, LLC for property located at 3424 Long Hollow Road. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**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 ALBERT W. FINK AND BEVERLY A. FINK FOR PROPERTY LOCATED AT 9147 MIDDLEBROOK PIKE: R-11-2-404:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Albert W. Fink and Beverly A. Fink for property located at 9147 Middlebrook Pike was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Albert W. Fink and Beverly A. Fink for property located at 9147 Middlebrook Pike. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENT NUMBER 1 TO A CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE DESIGN OF TURN LANES ON EBENEZER ROAD AND NORTH WESTLAND DRIVE TO PROVIDE ADDITIONAL FUNDING IN THE AMOUNT OF \$250,000.00 (100% FEDERALLY FUNDED) FOR THE CONSTRUCTION OF SAID TURN LANES WITH KNOX COUNTY RESPONSIBLE FOR THE EVENTUAL RIGHT-OF-WAY ACQUISITION IN THE AMOUNT OF \$50,000.00: R-11-2-405:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment Number 1 to a contract with the Tennessee Department of Transportation (TDOT) for the design of turn lanes on Ebenezer Road and North Westland Drive to provide additional funding in the amount of \$250,000.00 (100% federally funded) for the construction of said turn lanes with Knox County responsible for the eventual right-of-way acquisition in the amount of \$50,000.00 was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment Number 1 to a contract with the Tennessee Department of Transportation (TDOT) for the design of turn lanes on Ebenezer Road and North Westland Drive to provide additional funding in the amount of \$250,000.00 (100% federally funded) for the construction of said turn lanes with Knox County responsible for the eventual right-of-way acquisition in the amount of \$50,000.00. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT OF \$238,877.28 (100% GRANT FUNDED) WITH GENERAL PHYSICS CORPORATION FOR TRAINING EXERCISE SERVICES FOR DISTRICT 2 HOMELAND SECURITY COUNTIES:R-11-2-501:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$238,877.28 (100% grant funded) with General Physics Corporation for training exercise services for District 2 Homeland Security counties was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-501 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$238,877.28 (100% grant funded) with General Physics Corporation for training exercise services for District 2 Homeland Security counties. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT WITH RESPECT TO ACQUISITION TO RIGHTS OF WAY BETWEEN KNOX COUNTY AND KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION:R-11-2-502:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with respect to acquisition to rights of way between Knox County and Knoxville's Community Development Corporation was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-502 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with respect to acquisition to rights of way between Knox County and Knoxville's Community Development Corporation. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$5,000.00 WITH THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) TO BUILD THE CAPACITY OF LOCAL MEDICAL RESERVE CORPS (MRC) UNITS: R-11-2-601:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$5,000.00 with the National Association of County and City Health Officials (NACCHO) to build the capacity of local Medical Reserve Corps (MRC) units was before the Board of Commissioners.

Commissioners Anders moved to approve R-11-2-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$5,000.00 with the National Association of County and City Health Officials (NACCHO) to build the capacity of local Medical Reserve Corps (MRC) units. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

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

**GRANT IN THE AMOUNT OF \$1,500.00 FROM SHARE OUR STRENGTH'S COOKING MATTERS FOR THE KNOX COUNTY HEALTH DEPARTMENT TO IMPLEMENT "COOKING MATTERS FOR CHILD CARE PROFESSIONALS" PILOT COURSES WHICH PROVIDE NUTRITION AND FOOD PREPARATION TRAINING TO CHILDCARE PROVIDERS IN KNOX COUNTY TO HELP ADDRESS HIGH RATES OF CHILDHOOD OBESITY: R-11-2-602:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant in the amount of \$1,500.00 from Share Our Strength's Cooking Matters for the Knox County Health Department to implement "Cooking Matters for Child Care Professionals" pilot courses which provide nutrition and food preparation training to childcare providers in Knox County to help address high rates of childhood obesity was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant in the amount of \$1,500.00 from Share Our Strength's Cooking Matters for the Knox County Health Department to implement "Cooking Matters for Child Care Professionals" pilot courses which provide nutrition and food preparation training to childcare providers in Knox County to help address high rates of childhood obesity. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MARCH OF DIMES FOUNDATION CHAPTER GRANT AGREEMENT IN THE AMOUNT OF \$9,539.00 FOR THE PROJECT, "CLEARING THE AIR TOGETHER: "NURSES EMPOWERING PARENTS TO QUIT SMOKING": R-11-2-603:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a March of Dimes Foundation Chapter Grant Agreement in the amount of \$9,539.00 for the project, "Clearing the Air Together: "Nurses Empowering Parents to Quit Smoking" was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a March of Dimes Foundation Chapter Grant Agreement in the amount of \$9,539.00 for the project, "Clearing the Air Together: "Nurses Empowering

Parents to Quit Smoking”. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE FISCAL YEAR 2011-2012 KNOX COUNTY INDIGENT CARE PROGRAM AGREEMENT IN THE AMOUNT OF \$5,000,000.00: R-11-2-604:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Fiscal Year 2011-2012 Knox County Indigent Care Program Agreement in the amount of \$5,000,000.00 was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-604 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Fiscal Year 2011-2012 Knox County Indigent Care Program Agreement in the amount of \$5,000,000.00. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT OF \$1,585,000.00 WITH CHEROKEE HEALTH SYSTEMS FOR INDIGENT PRIMARY CARE SERVICES FOR ADULT ENROLLEES IN KNOX COUNTY INDIGENT CARE PROGRAM:R-11-2-605:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$1,585,000.00 with Cherokee Health Systems for Indigent Primary Care Services for adult enrollees in Knox County Indigent Care Program was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-605 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$1,585,000.00 with Cherokee Health Systems for Indigent Primary Care Services for adult enrollees in Knox County Indigent Care Program. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs,

Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT NOT TO EXCEED \$20,000.00 PER CONTRACT YEAR WITH THE UNIVERSITY OF TENNESSEE DEPARTMENT OF PUBLIC HEALTH TO PROVIDE A SHARED DEDICATED PERSON TO COORDINATE EDUCATIONAL OPPORTUNITIES AND STUDENT ROTATIONS FOR KNOX COUNTY HEALTH DEPARTMENT STAFF AND UNIVERSITY OF TENNESSEE STUDENTS: R-11-2-606:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount not to exceed \$20,000.00 per contract year with The University of Tennessee Department of Public Health to provide a shared dedicated person to coordinate educational opportunities and student rotations for Knox County Health Department staff and University of Tennessee students was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-606 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount not to exceed \$20,000.00 per contract year with The University of Tennessee Department of Public Health to provide a shared dedicated person to coordinate educational opportunities and student rotations for Knox County Health Department staff and University of Tennessee students. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$100,000.00 FROM PETS SAFE THROUGH LEGACY PARKS FOUNDATION FOR THE DEVELOPMENT OF A DOG PARK AT CONCORD PARK: R-11-2-701:**

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of a donation in the amount of \$100,000.00 from PetSafe through Legacy Parks Foundation for the development of a dog park at Concord Park was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of a donation in the amount of \$100,000.00 from PetSafe through Legacy Parks Foundation for the development of a dog park at Concord Park. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A TENNESSEE AGRICULTURAL ENHANCEMENT PROGRAM GRANT IN THE AMOUNT OF \$2,500.00 TO PROMOTE THE FARMERS MARKET AT NEW HARVEST PARK: R-11-2-702:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Tennessee Agricultural Enhancement Program grant in the amount of \$2,500.00 to promote the Farmers Market at New Harvest Park was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-702 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Tennessee Agricultural Enhancement Program grant in the amount of \$2,500.00 to promote the Farmers Market at New Harvest Park. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THE PUBLIC BUILDING AUTHORITY OF THE COUNTY OF KNOX AND THE CITY OF KNOXVILLE, TENNESSEE (PBA) TO APPROVE AND AUTHORIZE CERTAIN ENERGY CONSERVATION SERVICES AND INSTALLATIONS FOR THE CITY COUNTY BUILDING TO BE PROVIDED PURSUANT IN THE ENERGY SERVICES AGREEMENT BETWEEN THE CITY OF KNOXVILLE AND AMERESCO, INC. AND APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KNOXVILLE, PBA AND KNOX COUNTY TO EFFECTUATE SAID WORK: R-11-2-801:**

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Public Building Authority of the County of Knox

and the City of Knoxville, Tennessee (PBA) to approve and authorize certain energy conservation services and installations for the City County Building to be provided pursuant in the Energy Services Agreement between the City of Knoxville and Ameresco, Inc. and approving a Memorandum of Understanding between the City of Knoxville, PBA and Knox County to effectuate said work was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee (PBA) to approve and authorize certain energy conservation services and installations for the City County Building to be provided pursuant in the Energy Services Agreement between the City of Knoxville and Ameresco, Inc. and approving a Memorandum of Understanding between the City of Knoxville, PBA and Knox County to effectuate said work. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO REQUEST UNCLAIMED BALANCE OF ACCOUNTS REMITTED TO STATE TREASURER UNDER UNCLAIMED PROPERTY ACT: R-11-2-803:**

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

Commissioner Anders moved to approve R-11-2-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee to request unclaimed balance of accounts remitted to State Treasurer under Unclaimed Property Act. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$67,100.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR URINE-BASED**

**SCREENING SERVICES FOR JUVENILES BOOKED AT THE RICHARD L. BEAN JUVENILE SERVICE CENTER: R-11-2-902:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$67,100.00 with the Tennessee Department of Health for Urine-Based Screening Services for juveniles booked at the Richard L. Bean Juvenile Service Center was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$67,100.00 with the Tennessee Department of Health for Urine-Based Screening Services for juveniles booked at the Richard L. Bean Juvenile Service Center. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$10,000.00 FROM THE TENNESSEE BAR FOUNDATION TO SUPPORT THE KNOX COUNTY PUBLIC DEFENDER'S COMMUNITY LAW OFFICE EDUCATION ADVOCACY PROGRAM: R-11-2-903:**

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of grant funds in the amount of \$10,000.00 from the Tennessee Bar Foundation to support the Knox County Public Defender's Community Law Office Education Advocacy Program was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of grant funds in the amount of \$10,000.00 from the Tennessee Bar Foundation to support the Knox County Public Defender's Community Law Office Education Advocacy Program. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

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

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

- A. Creekrock Lane located in the Shannon Valley Farms 3-C Subdivision (District 7)
- B. Greenscape Drive located in the Grove Point Subdivision, Unit 1 (District 7)

Commissioner Anders moved to approve the above acceptance of new county roads. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: NOTARY PUBLIC APPLICATIONS:**

Consideration of Notary Public applications was before the Board of Commissioners.

Commissioner Anders moved to approve 254 notary public applications. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE CONFIRMING THE KNOX COUNTY MAYOR'S APPOINTMENT OF \_\_\_\_\_ AS THE "HEARING OFFICER" FOR VIOLATIONS ASSOCIATED WITH THE ORDINANCE REGULATING SEXUALLY ORIENTED BUSINESSES WITHIN KNOX COUNTY: R-11-2-112:**

Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor's appointment of \_\_\_\_\_ as the "Hearing Officer" for violations associated with the Ordinance regulating sexually oriented businesses within Knox County was before the Board of Commissioners.

Mr. Mike Grider, Communications Manager for Knox County Mayor Tim Burchett, was present and spoke on the matter.

Commissioner Smith moved to defer to the March Board of Commissioners meeting R-11-2-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor's appointment of \_\_\_\_\_ as the "Hearing Officer" for violations associated with the Ordinance regulating sexually oriented businesses within Knox County. Commissioner Wright seconded the motion and upon roll

call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING \_\_\_\_\_ TO THE KNOX COUNTY PERSONNEL BOARD: R-11-2-113:**

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

Commissioner McKenzie moved to defer to the March Board of Commissioners meeting and Commissioner Broyles will bring a name to Commission on R-11-2-113 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing \_\_\_\_\_ to the Knox County Personnel Board. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING ADDENDUMS TO THE COOPERATION AGREEMENTS WITH ST. MARY'S VILLA INC., RIVERVIEW ST. MARY'S INC. AND ST. MARY'S VILLA AT RIVERVIEW II, INC. TO CLARIFY THE DEFINITION OF ASSISTED LIVING ACTIVITIES AND WAIVE ALL DEPOSITS OF THE SHELTER RENT DUE PRIOR TO JANUARY 1, 2006 WHICH TOTAL \$109,361.00 FOR ALL THREE (3): R-11-2-503:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving addendums to the cooperation agreements with St. Mary's Villa Inc., Riverview St. Mary's Inc. and St. Mary's Villa at Riverview II, Inc. to clarify the definition of Assisted Living Activities and waive all deposits of the shelter rent due prior to January 1, 2006 which total \$109,361.00 for all three (3) was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-2-503 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving addendums to the cooperation agreements with St. Mary's Villa Inc., Riverview St. Mary's Inc. and St. Mary's Villa at Riverview II, Inc. to clarify the definition of Assisted Living Activities and waive all deposits of the shelter rent due prior to January 1, 2006 which total \$109,361.00 for all

three (3). Commissioner Wright seconded the motion and upon roll call vote Commissioners Norman, Ownby, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 8-2-1-0. Commissioners McKenzie and Broyles voted no. Commissioner Briggs recused himself from the vote.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDMENT TO THE ECONOMIC IMPACT PLAN FOR NORTHSHORE TOWN CENTER ECONOMIC DEVELOPMENT AREA: R-11-2-901:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment to the Economic Impact Plan for Northshore Town Center Economic Development Area was before the Board of Commissioners.

Mr. Todd Napier, Development Corporation, was present and spoke on the matter.

Mr. Budd Cullom, Northshore Market Investors, LLC, was present and spoke on the matter.

Mr. Mark Mamantov, Attorney, was present and spoke on the matter.

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

Commissioner Anders moved to approve R-11-2-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amendment to the Economic Impact Plan for Northshore Town Center Economic Development Area. Commissioner Shouse seconded the motion and upon roll call vote Commissioners Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-2-0-0. Commissioners McKenzie and Broyles voted no.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THAT THE METROPOLITAN PLANNING COMMISSION ADOPT THE KNOX COUNTY EAST SECTOR PLAN AS AMENDED: R-11-2-904:**

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Metropolitan Planning Commission adopt the Knox County East Sector Plan as amended was before the Board of Commissioners.

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

Ms. Elaine Clark, representing the community, was present and spoke on the matter.

Commissioner Broyles moved to approve R-11-2-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Metropolitan Planning Commission adopt the Knox County East Sector Plan as amended. Commissioner Wright seconded the motion.

Commissioner Anders moved as a substitute motion to defer R-11-2-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Metropolitan Planning Commission adopt the Knox County East Sector Plan as amended until after the slope protection is heard by Commission. Commissioner Ownby seconded the motion and upon roll call vote Commissioners Ownby, Briggs and Anders voted aye. Commissioners McKenzie, Broyles, Norman, Smith, Wright, Brown, Hammond and Shouse voted no. The substitute motion failed 3-8-0-0.

Upon roll call vote to approve R-11-2-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Metropolitan Planning Commission adopt the Knox County East Sector Plan as amended Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

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

Without objection, Commissioner Hammond heard R-11-2-101 next on the agenda.

\* \* \* \* \*

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING THE BEARDEN MIDDLE SCHOOL BOYS BASKETBALL TEAM FOR THE SINGULAR ACHIEVEMENT OF AN UNDEFEATED 2010-1011 SEASON: R-11-2-101:**

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Bearden Middle School Boys Basketball Team for the singular achievement of an undefeated 2010-2011 season was before the Board of Commissioners.

Mrs. Sandra Sexton, Minutes Clerk to the Knox County Clerk read the resolution into the record.

Mr. Tim Burchett, Knox County Mayor, was present and spoke on the matter.

Commissioner McKenzie moved to approve R-11-2-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Bearden Middle School Boys Basketball Team for the singular achievement of an undefeated 2010-1011 season. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: ORDINANCES ON FIRST READING:**

No Ordinances received.

\* \* \* \* \*

**IN RE: ORDINANCES ON SECOND READING:**

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING SECTION 4-3 OF THE KNOX COUNTY CODE ENTITLED "SALE OF BEER; PERMIT REQUIRED" TO PROVIDE A PROCEDURE TO MANAGE DORMANT BEER PERMITS (ORD. NO. O-09-3-107, ADOPTED 4-27-09): O-11-1-101: SECOND READING:**

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Section 4-3 of the Knox County Code entitled "Sale of Beer; Permit Required" to provide a procedure to manage dormant beer permits (Ord. No. O-09-3-107, adopted 4-27-09) was before the Board of Commissioners on second reading.

Commissioner Anders moved to approve O-11-1-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Section 4-3 of the Knox County Code entitled "Sale of Beer; Permit Required" to provide a procedure to manage dormant beer permits (Ord. No. O-09-3-107, adopted 4-27-09) on second reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING CHAPTER 2, ARTICLE X, DIVISION 6 OF THE KNOX COUNTY CODE TO AMEND SECTION 2-830 ENTITLED "REDUCTION IN**

**WORKFORCE” TO INCLUDE THE PROHIBITION OF SEVERANCE BENEFITS AND ESTABLISH A NEW SECTION 2-838 TO DEFINE AN EARLY RETIREMENT INCENTIVE PROGRAM (ORD. NO. O-02-7-101, ADOPTED 8-26-02 AND ESTABLISHING SECTION 2-838, PREVIOUSLY RESERVED): O-11-1-102: SECOND READING:**

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2, Article X, Division 6 of the Knox County Code to amend Section 2-830 entitled “Reduction in Workforce” to include the prohibition of severance benefits and establish a new Section 2-838 to define an Early Retirement Incentive Program (Ord. No. O-02-7-101, adopted 8-26-02 and establishing Section 2-838, previously reserved) was before the Board of Commissioners on second reading.

Commissioner Anders moved to approve O-11-1-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2, Article X, Division 6 of the Knox County Code to amend Section 2-830 entitled “Reduction in Workforce” to include the prohibition of severance benefits and establish a new Section 2-838 to define an Early Retirement Incentive Program (Ord. No. O-02-7-101, adopted 8-26-02 and establishing Section 2-838, previously reserved) on second reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners Ownby, Briggs, Anders and Smith voted aye. The motion to approve failed 4-6-0-1. Commissioners McKenzie, Broyles, Norman, Wright, Hammond and Shouse voted no. Commissioner Brown was absent from the vote.

\* \* \* \* \*

**IN RE: PUBLIC FORUM:**

No one was present to speak.

\* \* \* \* \*

Discussion regarding the Karns Volunteer Fire Department was before the Board of Commissioners.

No action was taken.

\* \* \* \* \*

Discussion regarding the structure, function and funding of the Knox County Drug Court.

No action was taken.

\* \* \* \* \*

Discussion regarding the Ten-Year Plan to End Chronic Homelessness was before the Board of Commissioners.

No action was taken.

\* \* \* \* \*

Discussion regarding the implementation of a Non-Smoking Policy on Knox County Property was before the Board of Commissioners.

No action was taken.

\* \* \* \* \*

Discussion regarding the payment of legal fees for former Commissioner Paul Pinkston was before the Board of Commissioners.

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

The Law Director will bring a resolution to Commission at the March 2011 Board of Commissioner meeting for Commissioner Paul Pinkston to received payment for legal fees.

\* \* \* \* \*

Discussion regarding the Ethics Committee was before the Board of Commissioners.

The Ethics Committee will meet on March 9, 2011 in the Main Assembly Room of the City-County Building.

No action was taken.

\* \* \* \* \*

Discussion regarding the purpose, scope of authority and oversight of the Public Building Authority was before the Board of Commissioners.

Mr. Dale Smith, Public Building Authority, was present and spoke on the matter.

Commissioner Brown asked the Public Building Authority to supply the Commission with the following: Look at the scope of Public Building Authority. Where does the funding come from? What happens to the funds that come in and report back to Commission?

\* \* \* \* \*

***IN RE: ROLL CALL: 6:00 P.M.***

Mrs. Sandra Sexton, Minutes Clerk to the Knox County Clerk, called the roll those responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

\* \* \* \* \*

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

Without objection, Commissioner Hammond heard Amendments to the Knox County Zoning Ordinance next on the agenda.

\* \* \* \* \*

***IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE 2, ARTICLE 4, AND ARTICLE 5 OF THE KNOX COUNTY ZONING ORDINANCE REGARDING REGULATIONS FOR PRIVATE***

**SWIMMING POOLS, REGULATIONS IN THE PR (PLANNED RESIDENTIAL) ZONE DISTRICT, AND DEFINITIONS**  
**ORD. NO. O-90-9-130, ADOPTED 9-10-90, AS AMENDED):**

**O-11-2-101: FIRST READING:**

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 2, Article 4, and Article 5 of the Knox County Zoning Ordinance regarding regulations for private swimming pools, regulations in the PR (Planned Residential) Zone District, and definitions Ord. No. O-90-9-130, adopted 9-10-90, as amended was before the Board of Commissioners on first reading.

Commission Brown moved to approve O-11-2-101 – Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 2, Article 4, and Article 5 of the Knox County Zoning Ordinance regarding regulations for private swimming pools, regulations in the PR (Planned Residential) Zone District, and definitions Ord. No. O-90-9-130, adopted 9-10-90, as amended on first reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE 2, ARTICLE 3 AND ARTICLE 5 OF THE KNOX COUNTY ZONING ORDINANCE REGARDING SIDE YARD SETBACKS ON CORNER LOTS (ORD. NO. O-90-9-130, ADOPTED 9-10-90, AS AMENDED): O-11-1-103: SECOND READING)**

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 2, Article 3 and Article 5 of the Knox County Zoning Ordinance regarding side yard setbacks on corner lots (Ord. No. O-90-9-130, adopted 9-10-90, as amended) was before the Board of Commissioners on second reading.

Commissioner Brown moved to approve O-11-1-103 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 2, Article 3 and Article 5 of the Knox County Zoning Ordinance regarding side yard setbacks on corner lots (Ord. No. O-90-9-130, adopted 9-10-90, as amended) on second reading. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

\* \* \* \* \*

**IN RE: ZONING REQUESTS:**

**IN RE:** Request of Metropolitan Planning Commission to adopt the Knoxville Knox County Hillside and Ridgetop Protection Plan 12-A-09-SAP was before the Board of Commissioners.

Mr. Joe Hultquist, City Co-Chair of the Task Force, was present and spoke on the matter.

Mr. Rocky Smith, Task Force Member, was present and spoke on the matter.

Ms. Rachael Craig, concerned citizen, was present and spoke on the matter.

Mr. Lonnie Harris, concerned resident, was present and spoke on the matter.

Mr. Scott Davis, Developer, was present and spoke on the matter.

Mr. Gene Burr, concerned resident, was present and spoke on the matter.

Mr. Gary Norvell, resident from the Task Force, was present and spoke on the matter.

Mr. Mike Edwards, Chamber of Commerce, was present and spoke on the matter.

Ms. Stephanie Methany, Staff Attorney, Tennessee Clean Water Network, was present and spoke in support of a 60 day delay.

Mr. Mike Strickland, concerned citizen, was present and spoke on the matter.

Ms. Janice Tocher, representing the Knoxville Neighborhood and Business Coalition, was present and in support of the plan.

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

Mr. Mike Sullivan, concerned resident, was present and spoke on the matter.

Mrs. Jamie Dobbs, President, League of Women Voters, was present and spoke in support of the plan.

Mr. Steve Drevick, concerned resident, was present and spoke in support of the 60 day deferral.

Ms. Debra Sullivan, concerned resident, was present and spoke on the matter.

Mrs. Debra Van Meter, President, West Knox County Homeowners, was present and spoke in support.

Mr. Ron Shreve, concerned resident, was present and spoke in support of the plan.

Ms. Patricia Berrier, concerned resident, was present and spoke in support of the plan.

Mr. Dan Evans, Realtor, was present and spoke on the matter.

Ms. Polly Doka, concerned resident, was present and spoke on the matter.

Mr. Dan Garrigan, concerned citizen, was present and spoke on the matter.

Mr. Will Garrigan, concerned citizen, was present and spoke on the matter.

Mr. Scott Smith, concerned citizen, was present and spoke on the matter.

Commissioner Brown moved to defer 60 days or until the April Board of Commissioners meeting and have a workshop with City Council regarding 12-A-09-SAP - Request of Metropolitan Planning Commission to adopt the Knoxville Knox County Hillside and Ridgetop Protection Plan. Commissioner Broyles seconded the motion.

Commissioner Ownby moved as a substitute motion to deny 12-A-09-SAP - Request of Metropolitan Planning Commission to adopt the Knoxville Knox County Hillside and Ridgetop Protection Plan. Commissioner Anders seconded the motion and upon roll call vote Commissioners Ownby, Anders and Smith voted aye. Commissioners McKenzie, Broyles, Norman, Briggs, Wright, Brown, Hammond and Shouse voted no. The substitute failed 3-8-0-0.

Upon roll call vote to defer 60 days or until the April Board of Commissioners meeting and have a workshop with City Council on 12-A-09-SAP - Request of Metropolitan Planning Commission to adopt the Knoxville Knox County Hillside and Ridgetop Protection Plan, Commissioners McKenzie, Broyles, Norman, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Ownby voted no. The motion carried 10-1-0-0.

Commissioner Hammond stated the Chairman of County Commission, Vice Mayor and Commissioner Norman will set the meeting time regarding the request of Metropolitan Planning Commission to adopt the Knoxville Knox County Hillside and Ridgetop Protection Plan,

\* \* \* \* \*

***IN RE: ADJOURNMENT:***

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

---

MIKE HAMMOND, CHAIRMAN