

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, March 24, 2008 at 4:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston. Also present were Mr. John Owings, Knox County Law Director, Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Troyer, Senior Director for Knox County Finance, 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: *AMENDMENTS TO THE AGENDA:*

1. At this time, there was discussion regarding amending the agenda to defer the following items to the April 2008 Board of Commissioners meeting: Zoning Request 12-D-07-SP – Consideration of the request of Dutchtown Land Partners, LLC for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone, property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of North Cedar Bluff Road, Fifth Commission District; Zoning Request 12-J-07-RZ – Consideration of the request of Dutchtown Land Partners, LLC for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone, property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of North Cedar Bluff Road, Fifth Commission District; Zoning Appeal 6-A-06-SP – Consideration of the appeal by W.C. Development, owner, of MPC denial of Northwest County Sector Plan Amendment from LDR Low Density Residential and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone, property located on the south side of Hardin Valley Road, east side of Thompson Road, Sixth Commission District; and Zoning Appeal 6-H-06-RZ – Consideration of the appeal by

W.C. Development, owner, of MPC denial of rezoning from PR Planned Residential Zone to CA General Business Zone, property located on the south side of Hardin Valley Road, east side of Thompson Road, Sixth Commission District.

Mr. John King, Attorney representing Dutchtown Land Partners, LLC, and W.C. Development, was present and spoke on the matter.

A motion was made and voted on later on the day's agenda.

(See Page _____)

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2. At this time, there was discussion regarding amending the agenda to withdraw the following item: Zoning Appeal 07.045.0 - Consideration of the appeal by Arthur Seymour, Jr., Attorney for SignCo, Inc. of TTCDA approval of condition to require indirect illumination or backlit lighting for sign, property located on the northwest side of Hardin Valley Road, southwest of Charlevoix Road, Sixth Commission District.

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

A motion was made and voted on later on the day's agenda.

(See Page _____)

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3. Commissioner Lambert moved to amend the agenda to defer the following items to the April 2008 Board of Commissioners meeting: Zoning Appeal – 1-B-08-SP – Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of South County Sector Plan Amendment from LDR Low Density Residential Zone to Commercial and Office Zone, property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road, Ninth Commission District; and Zoning Appeal – 1-T-08-RZ – Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of rezoning from RA Low Density Residential and A Agricultural Zone to CA General Business and OA Office Park Zone, property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road, Ninth Commission District. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Ivan Harmon, Briggs, Lambert, Smith and Wright voted aye. Commissioners Mark Harmon, Campen, Norman, Davis, Daniels, Hammond, Craig Leuthold, Rountree, Moore, Ballard, DeFreese and Pinkston voted no. The motion failed 7-12-0-0.

Mr. John Valliant, former Attorney for James Lord, appellant, and Mr. James Lord, appellant, were present and spoke on the matter.

Mr. Bob Dykes, President of Homeowners Association, was present and spoke on the matter.

Without objection, Commissioner Strickland amended the agenda to hear the following items at this time: 1-B-08-SP – Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of South County Sector Plan Amendment from LDR Low Density Residential Zone to Commercial and Office Zone, property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road, Ninth Commission District; and Zoning Appeal – 1-T-08-RZ – Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of rezoning from RA Low Density Residential and A Agricultural Zone to CA General Business and OA Office Park Zone, property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road, Ninth Commission District.

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4. Commissioner Craig Leuthold moved to amend the agenda to defer the following items to the April 2008 Board of Commissioners meeting: Zoning Request 12-D-07-SP – Consideration of the request of Dutchtown Land Partners, LLC for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone, property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of North Cedar Bluff Road, Fifth Commission District; Zoning Request 12-J-07-RZ – Consideration of the request of Dutchtown Land Partners, LLC for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone, property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of North Cedar Bluff Road, Fifth Commission District; Zoning Appeal 6-A-06-SP – Consideration of the appeal by W.C. Development, owner, of MPC denial of Northwest County Sector Plan Amendment from LDR Low Density Residential and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone, property located on the south side of Hardin Valley Road, east side of Thompson Road, Sixth Commission District; and Zoning Appeal 6-H-06-RZ – Consideration of the appeal by W.C. Development, owner, of MPC denial of rezoning from PR Planned Residential Zone to CA General Business Zone, property located on the south side of Hardin Valley Road, east side of Thompson Road, Sixth Commission District. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners

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

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5. Commissioner Craig Leuthold moved to amend the agenda to withdraw the following item: Zoning Appeal 07.045.0 - Consideration of the appeal by Arthur Seymour, Jr., Attorney for SignCo, Inc. of TTCDA approval of condition to require indirect illumination or backlit lighting for sign, property located on the northwest side of Hardin Valley Road, southwest of Charlevoix Road, Sixth Commission District. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ZONING APPEALS:

1. Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of South County Sector Plan Amendment from LDR Low Density Residential Zone to Commercial and Office Zone was before the Board of Commissioners. Property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road. Ninth Commission District.

Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. John Owings, Knox County Law Director, were present and spoke on the matter.

Mr. James Lord, appellant, was present and spoke on behalf of the appeal.

Mr. Bob Dykes, President of South Doyle Homeowners Association, Mr. Scott Ballard, area resident, and Mr. Wilson Taylor, area resident, were present and spoke in opposition to the appeal.

Commissioner DeFreese moved to deny zoning appeal 1-B-08-SP - Appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of South County Sector Plan Amendment from LDR Low Density Residential Zone to Commercial and Office Zone as per MPC’s recommendation. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs,

Rountree, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioners Lambert and Smith voted no. The motion carried 17-2-0-0. Property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road. Ninth Commission District.

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2. Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of rezoning from RA Low Density Residential and A Agricultural Zone to CA General Business and OA Office Park Zone was before the Board of Commissioners. Property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road. Ninth Commission District.

Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. John Owings, Knox County Law Director, were present and spoke on the matter.

Mr. James Lord, appellant, was present and spoke on behalf of the appeal.

Mr. Bob Dykes, President of South Doyle Homeowners Association, Mr. Scott Ballard, area resident, and Mr. Wilson Taylor, area resident, were present and spoke in opposition to the appeal.

Commissioner DeFreese moved to deny zoning appeal 1-T-08-RZ – appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of rezoning from RA Low Density Residential and A Agricultural Zone to CA General Business and OA Office Park Zone as per MPC’s recommendation. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioners Lambert and Smith voted no. The motion carried 17-2-0-0. Property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road. Ninth Commission District.

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IN RE: ZONING REQUESTS:

1. Consideration of the request of J.D. Robison for rezoning from A Agricultural Zone to RB General Residential Zone was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

No one was present to represent the request.

Commissioner Strickland deferred to later on the day's agenda zoning request 11-Q-05-RZ – Request of J.D. Robison for rezoning from A Agricultural Zone to RB General Residential Zone. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

(See Page _____)

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2. Consideration of the request of New Concept Development for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the southeast side of George Williams Road, northeast side of I-140, southwest of Hidden Glen Lane. Fifth Commission District.

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

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

Commissioner Craig Leuthold moved to approve zoning request 12-H-07-RZ – Request of New Concept Development for rezoning from RA Low Density Residential Zone to PR Planned Residential Zone at a density up to 5 dwelling units per acre as per MPC's recommendation. Commissioner Briggs seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of George Williams Road, northeast side of I-140, southwest of Hidden Glen Lane. Fifth Commission District.

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3. Consideration of the request of Dutchtown Land Partners, LLC for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to C Commercial Zone was before the Board of Commissioners. Property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of North Cedar Bluff Road. Fifth Commission District.

This item was deferred to the April 2008 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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4. Consideration of the request of Dutchtown Land Partners, LLC for rezoning from A Agricultural Zone to CB Business and

Manufacturing Zone was before the Board of Commissioners. Property located on the south side of Dutchtown Road, northwest side of Floyd Lane, west of North Cedar Bluff Road. Fifth Commission District.

This item was deferred to the April 2008 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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5. Consideration of the request of Heartland Development for a South County Sector Plan Amendment from A/RR Agricultural/Rural Residential and SLPA Slope Protection Area Zone to LDR Low Density Residential and SLPA Slope Protection Area Zone was before the Board of Commissioners. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

Mr. David Harbin, representing Heartland Development, was present and spoke on behalf of the request.

Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Pinkston moved to approve zoning request 1-D-08-SP – Request of Heartland Development for a South County Sector Plan Amendment from A/RR Agricultural/Rural Residential and SLPA Slope Protection Area Zone to LDR Low Density Residential and SLPA Slope Protection Area Zone. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright and Pinkston voted aye. Commissioner DeFreese voted no. The motion carried 18-1-0-0. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

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6. Consideration of the request of Heartland Development for rezoning from PR Planned Residential Zone at up to 1 dwelling unit to PR Planned Residential Zone at up to 2 dwelling units per acre was before the Board of Commissioners. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

Mr. David Harbin, representing Heartland Development, was present and spoke on behalf of the request.

Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Pinkston moved to approve zoning request 1-S-08-RZ – Request of Heartland Development for rezoning from PR Planned Residential Zone at up to 1 dwelling unit to PR Planned Residential Zone at 1.47 dwelling units per acre. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright and Pinkston voted aye. Commissioner DeFreese voted no. The motion carried 18-1-0-0. Property located on the northwest side of Highland View Road, southwest of Simpson Road. Ninth Commission District.

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7. Consideration of the request of Joe Fisher for a Northwest City Sector Plan Amendment from O Office Zone to C Commercial Zone was before the Board of Commissioners. Property located on the southeast side of Old Callahan Drive, southwest of the intersection with Callahan Drive. Sixth Commission District.

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

Commissioner Lambert moved to approve zoning request 2-A-08-SP – Request of Joe Fisher for a Northwest City Sector Plan Amendment from O Office Zone to C Commercial Zone as per MPC’s recommendation. Commissioner Rountree seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Old Callahan Drive, southwest of the intersection with Callahan Drive. Sixth Commission District.

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8. Consideration of the request of Joe Fisher for rezoning from A Agricultural and RB General Residential Zone to CA General Business Zone was before the Board of Commissioners. Property located on the southeast side of Old Callahan Drive, southwest of the intersection with Callahan Drive. Sixth Commission District.

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

Commissioner Lambert moved to approve zoning request

2-B-08-RZ – Request of Joe Fisher for rezoning from A Agricultural and RB General Residential Zone to CA General Business Zone as per MPC’s recommendation. Commissioner Rountree seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Old Callahan Drive, southwest of the intersection with Callahan Drive. Sixth Commission District.

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9. Consideration of the request of William James Bunch for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone was before the Board of Commissioners. Property located on the northwest side of Maynardville Pike, northwest of Old Maynardville Pike. Seventh Commission District.

Mr. Daniel Moore, representing William James Bunch, was present and spoke on behalf of the request.

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

Commissioner Moore moved to approve zoning request 2-I-08-RZ – Request of William James Bunch for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone as per MPC’s recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the northwest side of Maynardville Pike, northwest of Old Maynardville Pike. Seventh Commission District.

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10. Consideration of the request of Walt Dickson for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to O Office Zone was before the Board of Commissioners. Property located on the southeast side of Ballcamp Byington Road, west of Cedar Valley Way. Sixth Commission District.

Ms. Janice Strader, representing Walt Dickson, was present and spoke on behalf of the request.

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

Commissioner Rountree moved to approve zoning request

2-B-08-SP – Request of Walt Dickson for a Northwest County Sector Plan Amendment from LDR Low Density Residential Zone to O Office Zone as per MPC’s recommendation. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Ballcamp Byington Road, west of Cedar Valley Way. Sixth Commission District.

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11. Consideration of the request of Walt Dickson for rezoning from PR Planned Residential Zone to OB Office, Medial and Related Services Zone was before the Board of Commissioners. Property located on the southeast side of Ballcamp Byington Road, west of Cedar Valley Way. Sixth Commission District.

Ms. Janice Strader, representing Walt Dickson, was present and spoke on behalf of the request.

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

Commissioner Rountree moved to approve zoning request 2-J-08-RZ – Request of Walt Dickson for rezoning from PR Planned Residential Zone to OB Office, Medial and Related Services Zone as per MPC’s recommendation. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0. Property located on the southeast side of Ballcamp Byington Road, west of Cedar Valley Way. Sixth Commission District.

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12. Consideration of the request of Hardin Valley Land Partners for a Northwest County Sector Plan Amendment from LDR Low Density Residential and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone was before the Board of Commissioners. Property located on the southeast side of Hardin Valley Road, southeast of Steele Road. Sixth Commission District.

No one was present to represent the request.

Commissioner Strickland deferred to the April 2008 Board of Commissioners meeting zoning request 2-C-08-SP - Request of Hardin Valley Land Partners for a Northwest County Sector Plan Amendment from

LDR Low Density Residential and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone. Property located on the southeast side of Hardin Valley Road, southeast of Steele Road. Sixth Commission District.

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13. Consideration of the request of Hardin Valley Land Partners for rezoning from PR Planned Residential and A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the southeast side of Hardin Valley Road, southeast of Steele Road. Sixth Commission District.

No one was present to represent the request.

Commissioner Strickland deferred to the April 2008 Board of Commissioners meeting zoning request 2-K-08-RZ - Request of Hardin Valley Land Partners for rezoning from PR Planned Residential and A Agricultural Zone to CA General Business Zone. Property located on the southeast side of Hardin Valley Road, southeast of Steele Road. Sixth Commission District.

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14. Consideration of the request of J.D. Robison for rezoning from A Agricultural Zone to RB General Residential Zone was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

No one was present to represent the request.

Commissioner Strickland deferred to the April 2008 Board of Commissioners meeting zoning request 11-Q-05-RZ – Request of J.D. Robison for rezoning from A Agricultural Zone to RB General Residential Zone. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

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IN RE: REZONING APPEALS:

3. Consideration of the appeal by W.C. Development, owner, of MPC denial of Northwest County Sector Plan Amendment from LDR Low Density Residential and SLPA Slope Protection Area Zone to C Commercial and SLPA Slope Protection Area Zone was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

This item was deferred to the April 2008 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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4. Consideration of the appeal by W.C. Development, owner, of MPC denial of rezoning from PR Planned Residential Zone to CA General Business Zone was before the Board of Commissioners. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

This item was deferred to the April 2008 Board of Commissioners meeting. (See Amendments to the Agenda, Page _____)

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5. Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of South County Sector Plan Amendment from LDR Low Density Residential Zone to Commercial and Office Zone was before the Board of Commissioners. Property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road. Ninth Commission District.

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

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6. Consideration of the appeal by James Lord and Glen Glaufenhein, applicants, of MPC denial of rezoning from RA Low Density Residential and A Agricultural Zone to CA General Business and OA Office Park Zone was before the Board of Commissioners. Property located on the south side of West Governor John Sevier Highway, west side of West Martin Mill Pike, north side of Dan Rose Road. Ninth Commission District.

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

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

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

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IN RE: ROLL CALL – (5:50 P.M.):

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

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IN RE: DEVOTIONAL:

Reverend David Green, Pastor of Norwood United Methodist Church and Chaplin for the Knox County Sheriff's Department Church, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner DeFreese led the Pledge of Allegiance to the Flag.

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

6. Commissioner Strickland amended the agenda to add the following items: Resolution R-08-3-918 - Consideration of a Resolution of the Commission of Knox County, Tennessee, prohibiting Knox County from contracting with any company, person, firm or other entity who is a party in a lawsuit opposing Knox County; and Resolution R-08-3-920 - Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing and directing the Knox County Law Director to take any and all action necessary to terminate Knox County's contract with Natural Resources Recovery of Tennessee, LLC for default.

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7. Without objection, Commissioner Strickland amended the agenda to remove the following item from the Consent Calendar and hear after completion of Amendments to the Agenda: Resolution R-08-3-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an amendment to the Knox County Employee and Benefits System to provide for employer matching of employee contributions to eligible 457(b) plans by participants in the Knox County Closed Defined Benefit Plan.

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8. Commissioner Strickland amended the agenda to remove the following item from the Education Consent Calendar and hear on the Regular Agenda: Resolution R-08-3-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$20,550.00 with the State of Tennessee, Department of Health for the provision of providing students with access to the GoTryBe website.

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9. Commissioner Strickland amended the agenda to remove the following item from the Consent Calendar and hear on the Regular Agenda: Resolution R-08-3-204 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a lease financing agreement in the

amount of \$11,000,000.00 with _____ for Knox County Schools to finance energy savings upgrades to school facilities funded by those energy savings.

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10. Commissioner Strickland amended the agenda to hear the following item after completion of Resolution R-08-3-901: Resolution R-08-3-915 - Consideration of a Resolution of the Commission of Knox County, Tennessee, urging Knox County's Legislative Delegation to support Amendment No. 1 to SB285/HB456 amending Tennessee Code Annotated Title 39, Chapter 13, Part 1, relative to assaults and aggravated assaults.

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11. Commissioner Strickland amended the agenda to add the following item: Resolution R-08-3-919 - Consideration of a Resolution of the Commission of Knox County, Tennessee, calling for a Special Called meeting on April ____, 2008 at 6:00 p.m. to discuss and take possible action on the Knox County Auditor's Travel Audit and Purchasing Card Audit.

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12. Commissioner Ivan Harmon moved to amend the agenda to add the following items: Resolution R-08-3-501 - Consideration of a Resolution of the Commission of Knox County, Tennessee, regarding an application for Tax Increment Financing filed with the Industrial Development Board of the County of Knox by Willow Creek, G.P.; Resolution R-08-3-915 - Consideration of a Resolution of the Commission of Knox County, Tennessee, urging Knox County's Legislative Delegation to support Amendment No. 1 to SB285/HB456 amending Tennessee Code Annotated Title 39, Chapter 13, Part 1, relative to assaults and aggravated assaults; Resolution R-08-3-916 - Consideration of a Resolution of the Commission of Knox County, Tennessee, setting the meeting schedule for the Knox County Commission regular meetings to be 2:00 p.m. as the recommended time for the Beer Board; 3:00 p.m. for zonings and 4:30 p.m. for the regular monthly County Commission meetings or immediately following zonings, effective April 2008; and Resolution R-08-3-917 - Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor, pursuant to the Knox County Charter, create a Charter Review Committee. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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13. Commissioner Ivan Harmon moved to amend the agenda to withdraw the following items: Resolution R-08-3-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the sale of surplus property upon such terms as will secure the highest and best price; and Resolution R-08-3-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee, establishing an Audit Committee pursuant to Knox County Code Section 2-275. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSENT ITEMS:

1. Tax Refunds:
No request received.

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2. Notary Public Applications:
183 Notary Public Applications received.

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

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$607,004.00 WITH C.M. HENLEY COMPANY, LLC FOR ROOF UPGRADES AT EAST KNOX COUNTY ELEMENTARY SCHOOL - R-08-3-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$607,004.00 with C.M. Henley Company, LLC for roof upgrades at East Knox County Elementary School was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve Resolution R-08-3-201 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$607,004.00 with C.M. Henley

Company, LLC for roof upgrades at East Knox County Elementary School. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$736,000.00 WITH AAR OF NORTH CAROLINA FOR ROOF UPGRADES AT MOORELAND HEIGHTS ELEMENTARY SCHOOL AND SOUTH-DOYLE HIGH SCHOOL - R-08-3-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$736,000.00 with AAR of North Carolina for roof upgrades at Mooreland Heights Elementary School and South-Doyle High School was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve Resolution R-08-3-202 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$736,000.00 with AAR of North Carolina for roof upgrades at Mooreland Heights Elementary School and South-Doyle High School. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$20,550.00 WITH THE STATE OF TENNESSEE, DEPARTMENT OF HEALTH FOR THE PROVISION OF PROVIDING STUDENTS WITH ACCESS TO THE GOTRYBE WEBSITE - R-08-3-203:

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

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING RETIRED MAJOR GENERAL ROBERT RAY - R-08-3-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee, memorializing retired Major General Robert Ray was before the Board of Commissioners.

Commission McKenzie moved to approve Resolution R-08-3-101 - Resolution of the Commission of Knox County, Tennessee, memorializing retired Major General Robert Ray. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A LEASE FINANCING AGREEMENT IN THE AMOUNT OF \$11,000,000.00 WITH BANC OF AMERICA PUBLIC CAPITAL CORP FOR KNOX COUNTY SCHOOLS TO FINANCE ENERGY SAVING UPGRADES TO SCHOOL FACILITIES FUNDED BY THOSE ENERGY SAVINGS - R-08-3-204:

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, APPROVING A CONTRACT IN THE APPROXIMATE AMOUNT OF \$130,000.00 WITH PROFESSIONAL SECURITY CONSULTANTS AND DESIGN, LLC FOR DIGITAL SURVEILLANCE SYSTEM EQUIPMENT - R-08-3-205:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the approximate amount of \$130,000.00 with Professional Security Consultants and Design, LLC for Digital Surveillance System Equipment was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-205 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the approximate amount of \$130,000.00 with Professional Security Consultants and Design, LLC for Digital Surveillance System Equipment. Commissioner Daniels seconded the motion and upon

roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A COMMUNITY ENHANCEMENT GRANT IN THE AMOUNT OF \$20,000.00 WITH THE STATE OF TENNESSEE - R-08-3-302:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Community Enhancement Grant in the amount of \$20,000.00 with the State of Tennessee was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-302 - Resolution of the Commission of Knox County, Tennessee, approving a Community Enhancement Grant in the amount of \$20,000.00 with the State of Tennessee. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE ACCEPTANCE OF A MODULAR FIELD KITCHEN FROM THE U.S. DEPARTMENT OF DEFENSE FOR DISASTER RELIEF - R-08-3-303:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the acceptance of a modular field kitchen from the U.S. Department of Defense for disaster relief was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-303 - Resolution of the Commission of Knox County, Tennessee, approving the acceptance of a modular field kitchen from the U.S. Department of Defense for disaster relief. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONVEYING 7,200 SQUARE FEET OF RIGHT OF WAY, A TEMPORARY CONSTRUCTION EASEMENT, AND A PERMANENT DRAINAGE EASEMENT TO THE CITY OF KNOXVILLE AS PART OF THE JACKSBORO PIKE SIDEWALK PROJECT - R-08-3-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee, conveying 7,200 square feet of right of way, a temporary construction easement, and a permanent drainage easement to the City of Knoxville as part of the Jacksboro Pike sidewalk project was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-402 - Resolution of the Commission of Knox County, Tennessee, conveying 7,200 square feet of right of way, a temporary construction easement, and a permanent drainage easement to the City of Knoxville as part of the Jacksboro Pike sidewalk project. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY DAVID RYAN FOR PROPERTY LOCATED AT PEDIGO ROAD - R-08-3-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by David Ryan for property located at Pedigo Road was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-403 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by David Ryan for property located at Pedigo Road. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY W & W PROPERTIES, INC. FOR PROPERTY LOCATED AT BROWN GAP ROAD - R-08-3-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by W & W Properties, Inc. for property located at Brown Gap Road was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-404 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by W & W Properties, Inc. for property located at Brown Gap Road.

Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY FLAGSHIP KNOXVILLE ASSOCIATES, LLC FOR PROPERTY LOCATED AT 1001 CORRIDOR PARK BOULEVARD (ZLB PLASMA SERVICES) - R-08-3-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Flagship Knoxville Associates, LLC for property located at 1001 Corridor Park Boulevard (ZLB Plasma Services) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-405 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities by Flagship Knoxville Associates, LLC for property located at 1001 Corridor Park Boulevard (ZLB Plasma Services). Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH DURACAP ASPHALT FOR HOT MIX HAULING AND PLACEMENT SERVICES - R-08-3-406:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract with Duracap Asphalt for hot mix hauling and placement services was before Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-406 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Duracap Asphalt for hot mix hauling and placement services. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$1,650,000.00 WITH CHEROKEE HEALTH SYSTEMS FOR INDIGENT PRIMARY CARE SERVICES - R-08-3-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$1,650,000.00 with Cherokee Health Systems for Indigent Primary Care Services was before the Board of Commissioners.

Mr. Mark Jones, Director for the Knox County Health Department, was present and spoke on the matter.

Commissioner McKenzie moved to approve Resolution R-08-3-601 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$1,650,000.00 with Cherokee Health Systems for Indigent Primary Care Services. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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

FISCAL YEAR 2008-2009 KNOX COUNTY INDIGENT CARE AGREEMENT IN THE AMOUNT OF \$5,250,000.00 - R-08-3-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the fiscal year 2008-2009 Knox County Indigent Care Agreement in the amount of \$5,250,000.00 was before the Board of Commissioners.

Mr. Mark Jones, Director for the Knox County Health Department, was present and spoke on the matter.

Commissioner McKenzie moved to approve Resolution R-08-3-602 - Resolution of the Commission of Knox County, Tennessee, approving the fiscal year 2008-2009 Knox County Indigent Care Agreement in the amount of \$5,250,000.00. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ACCEPTING 3.93 ACRES OF LAND ADJACENT TO SEVEN ISLANDS WILDLIFE REFUGE AND PERMITTING A 0.4 ACRE EASEMENT FOR A DRAINFIELD - R-08-3-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee, accepting 3.93 acres of land adjacent to Seven Islands Wildlife Refuge and permitting a 0.4 acre easement for a drainfield was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, and Mr. Doug Bataille, Director for the Knox County Parks and Recreation Department, were present and spoke on the matter.

Commissioner McKenzie moved to approve Resolution R-08-3-701 - Resolution of the Commission of Knox County, Tennessee, accepting 3.93 acres of land adjacent to Seven Islands Wildlife Refuge and permitting a 0.4 acre easement for a drainfield. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REPORTING THE COMPLIANCE OF THE KNOX COUNTY COMMISSION AS REQUIRED BY THE INJUNCTION OF THE KNOX COUNTY CHANCERY COURT IN MCELROY V. STRICKLAND - R-08-3-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee, reporting the compliance of the Knox County Commission as required by the injunction of the Knox County Chancery Court in McElroy V. Strickland was before the Board of Commissioners.

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

Commissioner Hammond moved to remove from the Consent Calendar and hear later on the day's agenda Resolution R-08-3-801 - Resolution of the Commission of Knox County, Tennessee, reporting the compliance of the Knox County Commission as required by the injunction of the Knox County Chancery Court in McElroy V. Strickland.

Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

(See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REVIEWING THE STATUS OF SANDRA ELKINS AS KNOX COUNTY MEDICAL EXAMINER - R-08-3-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee, reviewing the status of Sandra Elkins as Knox County Medical Examiner was before the Board of Commissioners.

Commissioner Craig Leuthold moved to remove from the Consent Calendar and hear later on the day's agenda Resolution R-08-3-802 Resolution of the Commission of Knox County, Tennessee, reviewing the status of Sandra Elkins as Knox County Medical Examiner. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

(See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ENABLING THE KNOX COUNTY LAW DIRECTOR TO TAKE ANY ACTION NECESSARY TO FULLY IMPLEMENT A RESOLUTION TO THE KNOX COUNTY AUDITOR'S FINDINGS AND RECOMMENDATIONS FOLLOWING HIS REVIEW OF PURCHASING CARD CHARGES AND EXPENSE REIMBURSEMENTS – R-08-3-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee, enabling the Knox County Law Director to take any action necessary to fully implement a resolution to the Knox County Auditor's findings and recommendations following his review of purchasing card charges and expense reimbursements was before the Board of Commissioners.

Commissioner Hammond moved to remove from the Consent Calendar and hear later on the day's agenda Resolution R-08-3-803 - Resolution of the Commission of Knox County, Tennessee, enabling the Knox County Law Director to take any action necessary to fully implement a resolution to the Knox County Auditor's findings and recommendations following his review of purchasing card charges and expense reimbursements. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

(See Page _____)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$350,000.00 FOR THE KNOX COUNTY LAW DIRECTOR'S LEGAL SERVICES ACCOUNT - R-08-3-804:

Consideration of a Resolution of the Commission of Knox County, Tennessee, appropriating \$350,000.00 for the Knox County Law Director's legal services account was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-804 - Resolution of the Commission of Knox County, Tennessee, appropriating \$350,000.00 for the Knox County Law Director's legal services account. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs,

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AMENDMENT TO THE KNOX COUNTY EMPLOYEE AND BENEFITS SYSTEM TO PROVIDE FOR EMPLOYER MATCHING OF EMPLOYEE CONTRIBUTIONS TO ELIGIBLE 457(B) PLANS BY PARTICIPANTS IN THE KNOX COUNTY CLOSED DEFINED BENEFIT PLAN - R-08-3-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an amendment to the Knox County Employee and Benefits System to provide for employer matching of employee contributions to eligible 457(b) plans by participants in the Knox County Closed Defined Benefit Plan was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-901 - Resolution of the Commission of Knox County, Tennessee, approving an amendment to the Knox County Employee and Benefits System to provide for employer matching of employee contributions to eligible 457(b) plans by participants in the Knox County Closed Defined Benefit Plan. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A DISCUSSION OF THE STATE STREET PROPERTY - R-08-3-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a discussion of the State Street property was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a discussion of the State Street property. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTED BY MEMBERS OF THE SURPLUS PROPERTY COMMITTEE (APPOINTED PURSUANT TO T.C.A. §67-5-2507 AND §67-5-2509), APPROVING THE SURPLUS PROPERTY SALES LIST) - R-08-3-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee, requested by members of the Surplus Property Committee (appointed pursuant to T.C.A. §67-5-2507 and §67-5-2509), approving the surplus property sales list) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-08-3-903 - Resolution of a Resolution of the Commission of Knox County, Tennessee, requested by members of the Surplus Property Committee (appointed pursuant to T.C.A. §67-5-2507 and §67-5-2509), approving the surplus property sales list). Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ACCEPTANCE OF NEW COUNTY ROADS:

Consideration of acceptance of the following new county roads was before the Board of Commissioners:

- A. Jim Fox Lane, Lexie Landing Subdivision, Units 1-5, District 6.
- B. Lexie Landing Drive, Lexie Landing Subdivision, Units 1-5, District 6.
- C. Hugh Willis Road, Lexie Landing Subdivision, Units 1-5, District 6.
- D. Travis Powell Lane, Lexie Landing Subdivision, Units 1-5, District 6.
- E. Gary Moore Lane, Lexie Landing Subdivision, Units 1-5, District 6.
- F. Eddie Kimbell Lane, Lexie Landing Subdivision, Units 1-5, District 6.
- G. Annie Payne Lane, Lexie Landing Subdivision, Units 1-5, District 6.
- H. Bailey Park Lane, Bailey Park Subdivision, Unit 1, District 5.
- I. Cypruss Grove Lane, Bailey Park Subdivision, Unit 1, District 5.
- J. East Dudley Station, Bailey Park Subdivision, Unit 1, District 5.
- K. West Dudley Station, Bailey Park Subdivision, Unit 1, District 5.
- L. Read Meadow Road, Foxfield Subdivision, Unit 1, District 5.
- M. Gray Gables, Foxfield Subdivision, Unit 1, District 5.
- N. October Lane, Foxfield Subdivision, Unit 1, District 5.

- O. Star Ray Lane, Foxfield Subdivision, Unit 1, District 5.
- P. Heritage Lake Boulevard, Heritage Lake-Cornerstone Church Subdivision, Unit 1, District 5.
- Q. Kiva Dunes Lane, Timberlake Subdivision, Unit 4, District 7.
- R. Green Summers Road, Timberlake Subdivision, Unit 4, District 7.
- S. Dolphin Harbor Road, Timberlake Subdivision, Unit 4, District 7.
- T. Port Royal, Timberlake Subdivision, Unit 4, District 7.
- U. Wonder View Lane, Timberlake Subdivision, Unit 4, District 7.
- V. Cloud Break Lane, Timberlake Subdivision, Unit 4, District 7.

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

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes of the previous meeting held on February 20, 2008 (Special Session); and February 25, 2008 (Regular Session) was before the Board of Commissioners.

Commissioner Hammond moved to approve the minutes of the previous meeting held on February 20, 2008 (Special Session); and February 25, 2008 (Regular Session). Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING MEMBERS TO THE KNOX COUNTY INSURANCE APPEALS BOARD R-08-3-110:

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

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

Commissioner Moore moved to defer to the April 2008 Board of Commissioners meeting Resolution R-08-3-110 - Resolution of the Commission of Knox County, Tennessee, appointing members to the Knox County Insurance Appeals Board. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING MEMBERS TO THE KNOX COUNTY PERSONNEL BOARD – R-08-3-111:

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

Commissioner Moore moved to defer to the April 2008 Board of Commissioners meeting Resolution R-08-3-111 - Resolution of the Commission of Knox County, Tennessee, appointing members to the Knox County Personnel Board. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE APPOINTMENT OF COMMISSIONER GREG LAMBERT TO THE KNOX COUNTY BOARD OF ZONING APPEALS - R-08-3-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the appointment of Commissioner Greg Lambert to the Knox County Board of Zoning Appeals was before the Board of Commissioners.

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

Commissioner Pinkston moved to approve Resolution R-08-3-112 – Resolution of the Commission of Knox County, Tennessee, approving the appointment of Commissioner Greg Lambert to the Knox County Board of Zoning Appeals. Commissioner Craig Leuthold seconded the motion.

Commissioner Norman moved as a substitute motion to defer to the April 2008 Board of Commissioners meeting Resolution R-08-3-112 - Resolution of the Commission of Knox County, Tennessee, approving the appointment of Commissioner Greg Lambert to the Knox County Board of Zoning Appeals. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Campen, Norman and DeFreese voted aye. Commissioners Strickland, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright and Pinkston voted no. The substitute motion failed 5-14-0-0.

Upon roll call vote of the original motion to approve Resolution R-08-3-112 – Resolution of the Commission of Knox County, Tennessee, approving the appointment of Commissioner Greg Lambert to the Knox County Board of Zoning Appeals, Commissioners McKenzie, Strickland, Campen, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioners Mark Harmon and Norman voted no. The motion carried 17-2-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE REAPPOINTMENT OF TERRY LEWIS TO THE KNOX COUNTY SHERIFF’S OFFICE MERIT SYSTEM COUNCIL - R-08-3-113:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the reappointment of Terry Lewis to the Knox County Sheriff’s Office Merit System Council was before the Board Commissioners.

Commissioner Pinkston moved to approve Resolution R-08-3-113 - Resolution of the Commission of Knox County, Tennessee, approving the reappointment of Terry Lewis to the Knox County Sheriff’s Office Merit System Council. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: RESOLUTIONS

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

**COUNTY'S LEGISLATIVE DELEGATION TO SUPPORT
AMENDMENT NO. 1 TO SB285/HB456 AMENDING TENNESSEE
CODE ANNOTATED TITLE 39, CHAPTER 13, PART 1, RELATIVE TO
ASSAULTS AND AGGRAVATED ASSAULTS – R-08-3-915:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, urging Knox County's Legislative Delegation to support Amendment No. 1 to SB285/HB456 amending Tennessee Code Annotated Title 39, Chapter 13, Part 1, relative to assaults and aggravated assaults was before the Board of Commissioners.

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

Commissioner Hammond moved to approve Resolution R-08-3-915 - Resolution of the Commission of Knox County, Tennessee, urging Knox County's Legislative Delegation to support Amendment No. 1 to SB285/HB456 amending Tennessee Code Annotated Title 39, Chapter 13, Part 1, relative to assaults and aggravated assaults. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
GRANT AGREEMENT IN THE AMOUNT OF \$20,550.00 WITH THE
STATE OF TENNESSEE, DEPARTMENT OF HEALTH FOR THE
PROVISION OF PROVIDING STUDENTS WITH ACCESS TO THE
GOTRYBE WEBSITE – R-08-3-203:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$20,550.00 with the State of Tennessee, Department of Health for the provision of providing students with access to the GoTryBe website was before the Board of Commissioners.

Commissioner Ballard moved to approve Resolution R-08-3-203 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$20,550.00 with the State of Tennessee, Department of Health for the provision of providing students with access to the GoTryBe website. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels,

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A LEASE FINANCING AGREEMENT IN THE AMOUNT OF \$11,000,000.00 WITH BANC OF AMERICA PUBLIC CAPITAL CORP FOR KNOX COUNTY SCHOOLS TO FINANCE ENERGY SAVING UPGRADES TO SCHOOL FACILITIES FUNDED BY THOSE ENERGY SAVINGS - R-08-3-204:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a lease financing agreement in the amount of \$11,000,000.00 with Banc of America Public Capital Corp for Knox County Schools to finance energy saving upgrades to school facilities funded by those energy savings was before the Board of Commissioners.

Commissioner Pinkston moved to approve Resolution R-08-3-204 - Resolution of the Commission of Knox County, Tennessee, approving a lease financing agreement in the amount of \$11,000,000.00 with Banc of America Public Capital Corp for Knox County Schools to finance energy savings upgrades to school facilities funded by those energy savings. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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

14. Commissioner Strickland amended the agenda to hear the following item at this time: Resolution R-08-3-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee, regarding an application for Tax Increment Financing filed with the Industrial Development Board of the County of Knox by Hardin Valley Investment Partnership.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING AN APPLICATION FOR TAX INCREMENT FINANCING FILED WITH THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF KNOX BY HARDIN VALLEY INVESTMENT PARTNERSHIP –

R-08-3-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee, regarding an application for Tax Increment Financing filed with the Industrial Development Board of the County of Knox by Hardin Valley Investment Partnership was before the Board of Commissioners.

Mr. Mark Mamantov, representing Hardin Valley Investment Partnership, Mr. Bruce Wuethrich, Director for Knox County Engineering and Public Works, Mr. Mike Edwards, representing the County Industrial Development Board, Mr. Todd Napier, Executive Vice-President for the Development Corporation, and Mr. John Troyer, Senior Director for Knox County Finance, were present and spoke on the matter.

Commissioner Wright moved to approve Resolution R-08-3-401 - Resolution of the Commission of Knox County, Tennessee, regarding an application for Tax Increment Financing filed with the Industrial Development Board of the County of Knox by Hardin Valley Investment Partnership. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Rountree, Lambert, Smith, Ballard, Wright and Pinkston voted aye. Commissioners McKenzie, Mark Harmon, Campen, Moore and DeFreese voted no. Commissioner Briggs recused himself from the vote. The motion carried 13-5-1-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT BETWEEN THE KNOX COUNTY SHERIFF'S OFFICE AND THE KNOX COUNTY SCHOOL BOARD FOR THE SCHOOL POLICE OFFICER PROGRAM - R-08-3-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement between the Knox County Sheriff's Office and the Knox County School Board for the School Police Officer Program was before the Board of Commissioners.

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

Commissioner Moore moved to approve Resolution R-08-3-301 - Resolution of the Commission of Knox County, Tennessee, approving an agreement between the Knox County Sheriff's Office and the Knox County School Board for the School Police Officer Program with the following amendment to the contract: Section C, Item 20 of the contract should be amended to read as follows: "The SPO shall not conduct any

interviews with the news media concerning a school incident.”
Commissioner Craig Leuthold seconded the motion and upon roll call vote
Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman,
Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree,
Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye.
The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING AN
APPLICATION FOR TAX INCREMENT FINANCING FILED WITH
THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF
KNOX BY HARDIN VALLEY INVESTMENT PARTNERSHIP –
R-08-3-401:**

_____ This item was heard earlier on the day’s agenda. (See Page
_____)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING AN
APPLICATION FOR TAX INCREMENT FINANCING FILED WITH
THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF
KNOX BY WILLOW CREEK, G.P. - R-08-3-501:**

Consideration of a Resolution of the Commission of Knox
County, Tennessee, regarding an application for Tax Increment Financing
filed with the Industrial Development Board of the County of Knox by
Willow Creek, G.P. was before the Board of Commissioners.

Mr. Joe Manichello, concerned citizen, Mr. Mark Mamantov,
representing Willow Creek, G.P., and Mr. Tim Graham, Graham
Corporation, were present and spoke on the matter.

Commissioner Pinkston moved to approve Resolution
R-08-3-501 - Resolution of the Commission of Knox County, Tennessee,
regarding an application for Tax Increment Financing filed with the
Industrial Development Board of the County of Knox by Willow Creek,
G.P. Commissioner Ivan Harmon seconded the motion and upon roll call
vote Commissioners McKenzie, Strickland, Norman, Ivan Harmon, Davis,
Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith,
Ballard, Wright and Pinkston voted aye. Commissioners Mark Harmon,
Campen and DeFreese voted no. Commissioner Moore abstained from
voting. The motion carried 15-3-1-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REPORTING THE COMPLIANCE OF THE KNOX COUNTY COMMISSION AS REQUIRED BY THE INJUNCTION OF THE KNOX COUNTY CHANCERY COURT IN MCELROY V. STRICKLAND - R-08-3-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee, reporting the compliance of the Knox County Commission as required by the injunction of the Knox County Chancery Court in McElroy v. Strickland was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, and Mr. Victor Jernigan, concerned citizen, were present and spoke on the matter.

Commissioner Hammond moved to approve Resolution R-08-3-801 - Resolution of the Commission of Knox County, Tennessee, reporting the compliance of the Knox County Commission as required by the injunction of the Knox County Chancery Court in McElroy v. Strickland. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REVIEWING THE STATUS OF SANDRA ELKINS AS KNOX COUNTY MEDICAL EXAMINER - R-08-3-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee, reviewing the status of Sandra Elkins as Knox County Medical Examiner was before the Board of Commissioners.

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

Commissioner Pinkston moved to approve Resolution R-08-3-802 - Resolution of the Commission of Knox County, Tennessee, reviewing the status of Sandra Elkins as Knox County Medical Examiner with the amendment to request Dr. Elkins to attend the April 2008 Board of Commissioners meeting or tender her resignation. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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

15. Without objection, Commissioner Strickland amended the agenda to hear the following item at this time: Resolution R-08-3-920 - Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing and directing the Knox County Law Director to take any and all action necessary to terminate Knox County's contract with Natural Resources Recovery of Tennessee, LLC for default.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING AND DIRECTING THE KNOX COUNTY LAW DIRECTOR TO TAKE ANY AND ALL ACTION NECESSARY TO TERMINATE KNOX COUNTY'S CONTRACT WITH NATURAL RESOURCES RECOVERY OF TENNESSEE, LLC FOR DEFAULT – R-08-3-920:

Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing and directing the Knox County Law Director to take any and all action necessary to terminate Knox County's contract with Natural Resources Recovery of Tennessee, LLC for default was before the Board of Commissioners.

Mr. David Draper, Attorney representing Natural Resources Recovery of Tennessee, LLC, Mr. Bruce Wuethrich, Director for Knox County Engineering and Public Works, Mr. John Owings, Knox County Law Director, Mr. Bradley Mayes, concerned citizen, and Mr. Sid Bryant, President/Owner of Natural Resources Recovery of Tennessee, LLC, were present and spoke on the matter.

Commissioner Moore moved to direct the Law Director to send in written notice to Natural Resources Recovery of Tennessee, LLC, the commission's intent to cancel the contract within 15 days if they do not come in compliance with the contract. Commissioner Smith seconded the motion.

Commissioner Hammond moved as a substitute motion that Commissioner Scott Moore be appointed to act on behalf of the Knox County Commission to join with Mr. Owings in a mediation with Natural Resources Recovery of Tennessee, LLC. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The substitute motion carried 19-0-0-0.

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

16. Commissioner Strickland amended the agenda to hear the following item at this time: Resolution R-08-3-918 - Consideration of a Resolution of the Commission of Knox County, Tennessee, prohibiting Knox County from contracting with any company, person, firm or other entity who is a party in a lawsuit opposing Knox County.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, PROHIBITING KNOX COUNTY FROM CONTRACTING WITH ANY COMPANY, PERSON, FIRM OR OTHER ENTITY WHO IS A PARTY IN A LAWSUIT OPPOSING KNOX COUNTY – R-08-3-918:

Consideration of a Resolution of the Commission of Knox County, Tennessee, prohibiting Knox County from contracting with any company, person, firm or other entity who is a party in a lawsuit opposing Knox County was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, and Mr. Hugh Holt, Deputy Director for Knox County Finance, were present and spoke on the matter.

Commissioner Moore moved to withdraw from the agenda Resolution R-08-3-918 - Resolution of the Commission of Knox County, Tennessee, prohibiting Knox County from contracting with any company, person, firm or other entity who is a party in a lawsuit opposing Knox County. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ENABLING THE KNOX COUNTY LAW DIRECTOR TO TAKE ANY ACTION NECESSARY TO FULLY IMPLEMENT A RESOLUTION TO THE KNOX COUNTY AUDITOR’S FINDINGS AND RECOMMENDATIONS FOLLOWING HIS REVIEW OF PURCHASING CARD CHARGES AND EXPENSE REIMBURSEMENTS – R-08-3-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee, enabling the Knox County Law Director to take any action necessary to fully implement a resolution to the Knox County Auditor’s findings and recommendations following his review of purchasing

card charges and expense reimbursements was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, and Mr. Richard Walls, Knox County Internal Auditor, were present and spoke on the matter.

Commissioner Davis moved to approve Resolution R-08-3-803 Resolution of the Commission of Knox County, Tennessee, enabling the Knox County Law Director to take any action necessary to fully implement a resolution to the Knox County Auditor's findings and recommendations following his review of purchasing card charges and expense reimbursements. The motion was seconded.

Commissioner Hammond moved as a substitute motion to approve Resolution R-08-3-803 - Resolution of the Commission of Knox County, Tennessee, enabling the Knox County Law Director to take any action necessary to fully implement a resolution to the Knox County Auditor's findings and recommendations following his review of purchasing card charges and expense reimbursements with the amendment that the Commission meet in Special Session on April 23, 2008 at 3:00 p.m. to hear the Law Director's report on his recommendations and implementations as well as other matters the Law Director wants to bring forward with regards to these audits; extend an invitation to the Attorney General, Comptroller's Office, Internal Auditor, Mayor's Staff and former employees or their representatives to be a part of the meeting; and only review the Travel Allowance and P-Card audits. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The substitute motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE SALE OF SURPLUS PROPERTY UPON SUCH TERMS AS WILL SECURE THE HIGHEST AND BEST PRICE – R-08-3-904:

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, INSTRUCTING THE KNOX COUNTY LAW DIRECTOR AND THE KNOX COUNTY

AUDITOR TO INSTITUTE A WHISTLEBLOWER PROGRAM FOR KNOX COUNTY - R-08-3-905:

Consideration of a Resolution of the Commission of Knox County, Tennessee, instructing the Knox County Law Director and the Knox County Auditor to institute a Whistleblower Program for Knox County was before the Board of Commissioners.

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

Commissioner Hammond moved to approve Resolution R-08-3-905 - Resolution of the Commission of Knox County, Tennessee, instructing the Knox County Law Director and the Knox County Auditor to institute a Whistleblower Program for Knox County. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioner McKenzie voted no. The motion carried 18-1-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, ESTABLISHING AN AUDIT COMMITTEE PURSUANT TO KNOX COUNTY CODE SECTION 2-275 - R-08-3-906:

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, EXERCISING THE KNOX COUNTY COMMISSION'S SUBPOENA AND CONTEMPT POWERS, OR AS SUCH ARISE, NECESSITATED BY THE IMPLICATIONS FROM THE AUDIT OF THE EXECUTIVE BRANCH R-08-3-907:

Consideration of a Resolution of the Commission of Knox County, Tennessee, exercising the Knox County Commission's subpoena and contempt powers, or as such arise, necessitated by the implications from the audit of the Executive Branch was before the Board of Commissioners.

Commissioner Strickland withdrew from the agenda Resolution R-08-3-907 - Resolution of the Commission of Knox County, Tennessee, exercising the Knox County Commission's subpoena and contempt powers, or as such arise, necessitated by the implications from the audit of the Executive Branch.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, URGING KNOX COUNTY'S LEGISLATIVE DELEGATION TO SUPPORT HB2750/SB3086, AMENDING TENNESSEE CODE ANNOTATED, TITLE 8, CHAPTER 44, PART 1, RELATIVE TO PUBLIC MEETINGS R -08-3-908:

Consideration of a Resolution of the Commission of Knox County, Tennessee, urging Knox County's Legislative Delegation to support HB2750/SB3086, amending Tennessee Code Annotated, Title 8, Chapter 44, Part 1, relative to public meetings was before the Board of Commissioners.

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

Commissioner DeFreese moved to approve Resolution R-08-3-908 – Resolution of the Commission of Knox County, Tennessee, urging Knox County's Legislative Delegation to support HB2750/SB3086, amending Tennessee Code Annotated, Title 8, Chapter 44, Part 1, relative to public meetings. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Campen, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioners McKenzie and Norman voted no. Commissioner Moore was absent from the vote. The motion carried 16-2-1-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE PLACEMENT OF THE BUDGET REPORT TO CITIZENRY FOR THE SEVEN MONTHS ENDED JANUARY 31, 2008, THE BUDGET REPORT TO CITIZENRY FOR THE YEAR ENDED JUNE 30, 2007 AND THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2007, ON THE KNOX COUNTY WEBSITE WITH A LINK FOR PUBLIC COMMENTS AND QUESTIONS BY APRIL 28, 2008 - R-08-3-909:

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the placement of the Budget Report to Citizenry for the seven months ended January 31, 2008, the Budget Report to Citizenry for the year ended June 30, 2007 and the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2007, on the Knox County website with a link for public comments and questions by April 28, 2008 was before the Board of Commissioners.

Commissioner Strickland withdrew from the agenda Resolution R-08-3-909 - Resolution of the Commission of Knox County, Tennessee, approving the placement of the Budget Report to Citizenry for the seven months ended January 31, 2008, the Budget Report to Citizenry for the year ended June 30, 2007 and the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2007, on the Knox County website with a link for public comments and questions by April 28, 2008.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MOVING THE ZONINGS PORTION OF THE KNOX COUNTY COMMISSION AGENDA TO 10:00 A.M. ON THE SATURDAY THAT PRECEDES THE REGULAR MONTHLY SCHEDULED KNOX COUNTY COMMISSION MEETING - R-08-3-910:

Consideration of a Resolution of the Commission of Knox County, Tennessee, moving the zonings portion of the Knox County Commission agenda to 10:00 a.m. on the Saturday that precedes the regular monthly scheduled Knox County Commission meeting was before the Board of Commissioners.

Commissioner DeFreese moved to approve Resolution R-08-3-910 - Resolution of the Commission of Knox County, Tennessee, moving the zonings portion of the Knox County Commission agenda to 10:00 a.m. on the Saturday that precedes the regular monthly scheduled Knox County Commission meeting. There was no second to the motion.

The motion failed for lack of a second.

Commissioner Pinkston moved to refer to the Rules Committee Resolution R-08-3-910 - Resolution of the Commission of Knox County, Tennessee, moving the zonings portion of the Knox County Commission agenda to 10:00 a.m. on the Saturday that precedes the regular monthly scheduled Knox County Commission meeting. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROPRIATING \$200,000.00 AND APPROVING A REAL ESTATE SALES CONTRACT WITH SANDRA KAY WHITE MCMILLAN FOR PROPERTY

LOCATED AT 4618 ASHEVILLE HIGHWAY TO BE USED AS GREEN SPACE FOR THE BURLINGTON BRANCH LIBRARY - R-08-3-911:

Consideration of a Resolution of the Commission of Knox County, Tennessee, appropriating \$200,000.00 and approving a real estate sales contract with Sandra Kay White McMillan for property located at 4618 Asheville Highway to be used as green space for the Burlington Branch Library was before the Board of Commissioners.

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

Commissioner Pinkston moved to approve Resolution R-08-3-911 – Resolution of the Commission of Knox County, Tennessee, appropriating \$200,000.00 and approving a real estate sales contract with Sandra Kay White McMillan for property located at 4618 Asheville Highway to be used as green space for the Burlington Branch Library. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioners Daniels and Smith voted no. The motion carried 17-2-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO FULLY UTILIZE THE KNOX COUNTY FINANCE COMMITTEE'S AUTHORITY UNDER KNOX COUNTY CODE SECTION 2-554(A) TO APPROVE ALL LINE ITEM TRANSFERS - R-08-3-912:

Consideration of a Resolution of the Commission of Knox County, Tennessee, to fully utilize the Knox County Finance Committee's authority under Knox County Code Section 2-554(a) to approve all line item transfers was before the Board of Commissioners.

Mr. John Troyer, Senior Director for Knox County Finance, and Mr. John Owings, Knox County Law Director, were present and spoke on the matter.

Commissioner Strickland withdrew from the agenda Resolution R-08-3-912 - Resolution of the Commission of Knox County, Tennessee, to fully utilize the Knox County Finance Committee's authority under Knox County Code Section 2-554(a) to approve all line item transfers.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING A LEGAL OPINION FROM THE KNOX COUNTY LAW DIRECTOR,

PURSUANT TO THE RECOMMENDATION OF THE KNOX COUNTY AUDITOR, ON WHETHER UNLAWFUL ACTS HAVE OCCURRED AND IF RESTITUTION SHOULD BE MADE TO KNOX COUNTY WITH REGARDS TO THE REVIEW OF AUTO/TRAVEL ALLOWANCE IN THE MAYOR'S OFFICE DATED AUGUST 17, 2007 - R-08-3-913:

Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting a legal opinion from the Knox County Law Director, pursuant to the recommendation of the Knox County Auditor, on whether unlawful acts have occurred and if restitution should be made to Knox County with regards to the review of Auto/Travel Allowance in the mayor's office dated August 17, 2007 was before the Board of Commissioners.

Commissioner Hammond moved to defer to the Board of Commissioners Special Session meeting scheduled for April 23, 2008 Resolution R-08-3-913 - Resolution of the Commission of Knox County, Tennessee, requesting a legal opinion from the Knox County Law Director, pursuant to the recommendation of the Knox County Auditor, on whether unlawful acts have occurred and if restitution should be made to Knox County with regards to the review of Auto/Travel Allowance in the mayor's office dated August 17, 2007. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO CREATE A JOINT CITY OF KNOXVILLE AND COUNTY OF KNOX TASK FORCE TO ADDRESS ISSUES RELATED TO RIDGE, SLOPE AND HILLSIDE DEVELOPMENT AND PROTECTION - R-08-3-914:

Consideration of a Resolution of the Commission of Knox County, Tennessee, to create a joint City of Knoxville and County of Knox task force to address issues related to ridge, slope and hillside development and protection was before the Board of Commissioners.

Ms. Annette Anderson, representing the League of Women Voters, and Mr. Joe Hultquist, Knoxville City Councilman, were present and spoke on the matter.

Commissioner Pinkston moved to approve Resolution

R-08-3-914 - Resolution of the Commission of Knox County, Tennessee, to create a joint City of Knoxville and County of Knox task force to address issues related to ridge, slope and hillside development and protection with the following amendment: add the following name to the task force membership: Mr. James Wade. Commissioner Craig Leuthold seconded the motion.

Commissioner Lambert moved as a substitute motion to approve Resolution R-08-3-914 - Resolution of the Commission of Knox County, Tennessee, to create a joint City of Knoxville and County of Knox task force to address issues related to ridge, slope and hillside development and protection with the following amendment: add the following names to the task force membership: Commissioners Lambert and Smith, Mr. Scott Davis, Mr. Bruce Williams, Mr. Richard Cate, Mr. Chuck Williams and Mr. James Wade. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Ivan Harmon, Briggs, Lambert, Smith, Moore, Wright and Pinkston voted aye. Commissioners Mark Harmon, Campen, Norman, Davis, Daniels, Hammond, Craig Leuthold, Rountree, Ballard and DeFreese voted no. The substitute motion failed 9-10-0-0.

Upon roll call vote of the original motion to approve Resolution R-08-3-914 - Resolution of the Commission of Knox County, Tennessee, to create a joint City of Knoxville and County of Knox task force to address issues related to ridge, slope and hillside development and protection with the following amendment: add the following name to the task force membership: Mr. James Wade, Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Smith, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioners Lambert and Moore voted no. The motion carried 17-2-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, URGING KNOX COUNTY'S LEGISLATIVE DELEGATION TO SUPPORT AMENDMENT NO. 1 TO SB285/HB456 AMENDING TENNESSEE CODE ANNOTATED TITLE 39, CHAPTER 13, PART 1, RELATIVE TO ASSAULTS AND AGGRAVATED ASSAULTS - R-08-3-915:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, SETTING THE MEETING SCHEDULE FOR THE KNOX COUNTY COMMISSION REGULAR MEETINGS TO BE 2:00 P.M. AS THE RECOMMENDED TIME FOR THE BEER BOARD; 3:00 P.M. FOR ZONINGS AND 4:30 P.M. FOR THE REGULAR MONTHLY COUNTY COMMISSION MEETINGS OR IMMEDIATELY FOLLOWING ZONINGS, EFFECTIVE APRIL 2008 - R-08-3-916:

Consideration of a Resolution of the Commission of Knox County, Tennessee, setting the meeting schedule for the Knox County Commission regular meetings to be 2:00 p.m. as the recommended time for the Beer Board; 3:00 p.m. for zonings and 4:30 p.m. for the regular monthly County Commission meetings or immediately following zonings, effective April 2008 was before the Board of Commissioners.

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

Commissioner Hammond moved to approve Resolution R-08-3-916 - Resolution of the Commission of Knox County, Tennessee, setting the meeting schedule for the Knox County Commission regular meetings to be 2:00 p.m. as the recommended time for the Beer Board; 3:00 p.m. for zonings and 4:30 p.m. for the regular monthly County Commission meetings or immediately following zonings, effective April 2008. Commissioner Mark Harmon seconded the motion.

Commissioner Pinkston moved as a substitute motion to approve Resolution R-08-3-916 - Resolution of the Commission of Knox County, Tennessee, setting the meeting schedule for the Knox County Commission regular meetings to be 1:00 p.m. as the recommended time for the Beer Board; 6:00 p.m. for zonings and 2:00 p.m. for the regular monthly County Commission meetings or immediately following zonings, effective April 2008 as amended. Commissioner Moore seconded the motion.

Commissioner DeFreese moved as an amendment that the zoning portion of the Knox County Commission agenda be held at 10:00 a.m. on the Saturday that precedes the regular monthly scheduled Knox County Commission meeting. There was no second to the motion. The amendment failed due to lack of a second.

Upon roll call vote of the substitute motion to approve Resolution R-08-3-916 - Resolution of the Commission of Knox County, Tennessee, setting the meeting schedule for the Knox County Commission regular meetings to be 1:00 p.m. as the recommended time for the Beer Board; 6:00 p.m. for zonings and 2:00 p.m. for the regular monthly County

Commission meetings or immediately following zonings, effective April 2008 as amended, Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioner Lambert voted no. The substitute motion carried 18-1-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY MAYOR, PURSUANT TO THE KNOX COUNTY CHARTER, CREATE A CHARTER REVIEW COMMITTEE. R-08-3-917:

Consideration of a Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor, pursuant to the Knox County Charter, create a Charter Review Committee was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, Ms. Tamara Sheppard and Ms. Beatrice Waters, were present and spoke on the matter.

Commissioner Pinkston moved to deny Resolution R-08-3-917 Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor, pursuant to the Knox County Charter, create a Charter Review Committee. Commissioner DeFreese seconded the motion.

Commissioner Briggs moved as a substitute motion to approve Resolution R-08-3-917 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor, pursuant to the Knox County Charter, create a Charter Review Committee and ratify the proclamation. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Daniels, Hammond, Briggs and Smith voted aye. Commissioners Ivan Harmon, Davis, Craig Leuthold, Moore, Ballard, Wright, DeFreese and Pinkston voted no. Commissioners Rountree and Lambert abstained from voting. The substitute motion failed 9-8-2-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, PROHIBITING KNOX COUNTY FROM CONTRACTING WITH ANY COMPANY, PERSON, FIRM OR OTHER ENTITY WHO IS A PARTY IN A LAWSUIT OPPOSING KNOX COUNTY - R-08-3-918:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CALLING FOR A SPECIAL CALLED MEETING ON APRIL _____, 2008 AT 6:00 P.M. TO DISCUSS AND TAKE POSSIBLE ACTION ON THE KNOX COUNTY AUDITOR'S TRAVEL AUDIT AND PURCHASING CARD AUDIT – R-08-3-919:

Consideration of a Resolution of the Commission of Knox County, Tennessee, calling for a Special Called meeting on April _____, 2008 at 6:00 p.m. to discuss and take possible action on the Knox County Auditor's Travel Audit and Purchasing Card Audit was before the Board of Commissioners.

Commissioner Strickland withdrew from the agenda Resolution R-08-3-919 - Resolution of the Commission of Knox County, Tennessee, calling for a Special Called meeting on April _____, 2008 at 6:00 p.m. to discuss and take possible action on the Knox County Auditor's Travel Audit and Purchasing Card Audit

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING AND DIRECTING THE KNOX COUNTY LAW DIRECTOR TO TAKE ANY AND ALL ACTION NECESSARY TO TERMINATE KNOX COUNTY'S CONTRACT WITH NATURAL RESOURCES RECOVERY OF TENNESSEE, LLC FOR DEFAULT – R-08-3-920:

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

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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 26, ARTICLE IV, VACANT, DETERIORATED OR BLIGHTED PROPERTIES BY AMENDING SECTION 26-97, SECTION 26-98, SECTION 26-99(A) AND SECTION 26-101 (ORDINANCE O-94-11-101 §2, 3, 4 AND 6, ADOPTED DECEMBER 12, 1994) – O-08-3-101 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 26, Article IV, Vacant, Deteriorated or Blighted Properties by amending Section 26-97, Section 26-98, Section 26-99(A) and Section 26-101 (Ordinance O-94-11-

101 §2, 3, 4 and 6, adopted December 12, 1994) was before the Board of Commissioners on first reading.

Commissioner Pinkston moved to approve Ordinance O-08-3-101 - Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 26, Article IV, Vacant, Deteriorated or Blighted Properties by amending Section 26-97, Section 26-98, Section 26-99(A) and Section 26-101 (Ordinance O-94-11-101 §2, 3, 4 and 6, adopted December 12, 1994) on first reading. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreeze and Pinkston voted aye. Commissioner Mark Harmon voted no. The motion carried 18-1-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE VI, SECTION 6.04 OF THE KNOX COUNTY CHARTER TO PROVIDE FOR THE ELECTION OF THE KNOX COUNTY SUPERINTENDENT OF SCHOOLS (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUMS OF AUGUST 1, 1996 AND AUGUST 6, 2004) – O-08-3-102 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article VI, Section 6.04 of the Knox County Charter to provide for the election of the Knox County Superintendent of Schools (Knox County Charter as adopted November 8, 1988, as amended through referendums of August 1, 1996 and August 6, 2004) was before the Board of Commissioners on first reading.

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

Commissioner Strickland withdrew from the agenda Ordinance O-08-3-102 - Ordinance of the Commission of Knox County, Tennessee, amending Article VI, Section 6.04 of the Knox County Charter to provide for the election of the Knox County Superintendent of Schools (Knox County Charter as adopted November 8, 1988, as amended through referendums of August 1, 1996 and August 6, 2004) on first reading.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE II, SECTION 2.01 OF THE KNOX COUNTY CHARTER TO

PROVIDE THAT ANY AND ALL TAX INCREASES BE APPROVED BY REFERENDUM (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUMS OF AUGUST 1, 1996 AND AUGUST 6, 2004) – O-08-3-103 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article II, Section 2.01 of the Knox County Charter to provide that any and all tax increases be approved by referendum (Knox County Charter as adopted November 8, 1988, as amended through referendums of August 1, 1996 and August 6, 2004) was before the Board of Commissioners on first reading.

Mr. John Troyer, Senior Director for Knox County Finance, and Mr. John Owings, Knox County Law Director, were present and spoke on the matter.

Commissioner Hammond moved to approve Ordinance O-08-3-103 - Ordinance of the Commission of Knox County, Tennessee, amending Article II, Section 2.01 of the Knox County Charter to provide that any and all tax increases be approved by referendum (Knox County Charter as adopted November 8, 1988, as amended through referendums of August 1, 1996 and August 6, 2004) on first reading. Commissioner Moore seconded the motion and upon roll call vote Commissioners Hammond, Rountree, Lambert and Moore voted aye. Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Craig Leuthold, Briggs, Smith, Ballard, Wright, DeFreese and Pinkston voted no. The motion failed 4-15-0-0.

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IN RE: ORDINANCES ON SECOND READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO DESIGNATE THE NUMBER OF QUALIFIED VOTERS REQUIRED TO SIGN PETITIONS FOR CHARTER AMENDMENTS (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUM OF AUGUST 6, 2004) - O-08-2-101 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to designate the number of qualified voters required to sign petitions for Charter Amendments (Knox County Charter as adopted November 8, 1988,

as amended through referendum of August 6, 2004) was before the Board of Commissioners on second reading.

Commissioner Hammond moved to defer to the April 2008 Board of Commissioners meeting Ordinance O-08-2-101 - Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to designate the number of qualified voters required to sign petitions for Charter Amendments (Knox County Charter as adopted November 8, 1988, as amended through referendum of August 6, 2004) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE II, ARTICLE VI, AND ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADD TWO AT-LARGE COUNTY COMMISSION MEMBER SEATS, TO CHANGE THE NUMBER OF COMMISSION SEATS PER DISTRICT TO ONE PER DISTRICT, AND TO ALIGN THE BOARD OF EDUCATION DISTRICTS AND COMMISSION DISTRICTS (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUM OF NOVEMBER 8, 1994, AUGUST 1, 1996 AND AUGUST 6, 2004) - O-08-2-102 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article II, Article VI, and Article IX of the Knox County Charter to add two At-Large County Commission member seats, to change the number of Commission seats per district to one per district, and to align the Board of Education Districts and Commission Districts (Knox County Charter as adopted November 8, 1988, as amended through referendum of November 8, 1994, August 1, 1996 and August 6, 2004) was before the Board of Commissioners on second reading.

Commissioner Hammond moved to defer to the April 2008 Board of Commissioners meeting Ordinance O-08-2-102 - Ordinance of the Commission of Knox County, Tennessee, amending Article II, Article VI, and Article IX of the Knox County Charter to add two At-Large County Commission member seats, to change the number of Commission seats per district to one per district, and to align the Board of Education Districts and Commission Districts (Knox County Charter as adopted November 8, 1988,

as amended through referendum of November 8, 1994, August 1, 1996 and August 6, 2004) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADOPT CONFLICTS OF INTEREST POLICIES FOR ADMINISTRATIVE MATTERS FOR COUNTY OFFICERS AND EMPLOYEES (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUM OF AUGUST 6, 2004) - O-08-2-103 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to adopt conflicts of interest policies for administrative matters for county officers and employees (Knox County Charter as adopted November 8, 1988, as amended through referendum of August 6, 2004) was before Board of Commissioners on second reading.

Commissioner Hammond moved to defer to the April 2008 Board of Commissioners meeting Ordinance O-08-2-103 - Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to adopt conflicts of interest policies for administrative matters for county officers and employees (Knox County Charter as adopted November 8, 1988, as amended through referendum of August 6, 2004) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ESTABLISH AN INDEPENDENT OFFICE OF INSPECTOR GENERAL (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS

AMENDED THROUGH REFERENDUMS OF NOVEMBER 8, 1994 AND AUGUST 6, 2004) - O-08-2-106 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted November 8, 1988, as amended through referendums of November 8, 1994 and August 6, 2004) was before the Board of Commissioners on second reading.

Commissioner Hammond moved to defer to the April 2008 Board of Commissioners meeting Ordinance O-08-2-106 - Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to establish an independent office of Inspector General (Knox County Charter as adopted November 8, 1988, as amended through referendums of November 8, 1994 and August 6, 2004) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADOPT A NEPOTISM POLICY FOR COUNTY OFFICERS AND EMPLOYEES (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUM OF AUGUST 6, 2004) – O-08-2-107 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to adopt a nepotism policy for county officers and employees (Knox County Charter as adopted November 8, 1988, as amended through referendum of August 6, 2004) was before the Board of Commissioners on second reading.

Commissioner Hammond moved to defer to the April 2008 Board of Commissioners meeting Ordinance O-08-2-107 - Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to adopt a nepotism policy for county officers and employees (Knox County Charter as adopted November 8, 1988, as amended through referendum of August 6, 2004) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman,

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

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE II OF THE KNOX COUNTY CHARTER TO ADD QUALIFICATIONS FOR COUNTY COMMISSION MEMBERS (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUMS OF AUGUST 1, 1996 AND AUGUST 6, 2004) – O-08-2-108 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article II of the Knox County Charter to add qualifications for County Commission members (Knox County Charter as adopted November 8, 1988, as amended through referendums of August 1, 1996 and August 6, 2004) was before the Board of Commissioners on second reading.

Commissioner Hammond moved to defer to the April 2008 Board of Commissioners meeting Ordinance O-08-2-108 - Ordinance of the Commission of Knox County, Tennessee, amending Article II of the Knox County Charter to add qualifications for County Commission members (Knox County Charter as adopted November 8, 1988, as amended through referendums of August 1, 1996 and August 6, 2004) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE IX OF THE KNOX COUNTY CHARTER TO ADOPT CONFLICTS OF INTEREST POLICIES FOR VOTING FOR COUNTY OFFICERS AND EMPLOYEES (KNOX COUNTY CHARTER AS ADOPTED NOVEMBER 8, 1988, AS AMENDED THROUGH REFERENDUM OF AUGUST 6, 2004) - O-08-2-109 – (SECOND READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to adopt conflicts of interest policies for voting for county officers and

employees (Knox County Charter as adopted November 8, 1988, as amended through referendum of August 6, 2004) was before the Board of Commissioners on second reading.

Commissioner Hammond moved to defer to the April 2008 Board of Commissioners meeting Ordinance O-08-2-109 - Ordinance of the Commission of Knox County, Tennessee, amending Article IX of the Knox County Charter to adopt conflicts of interest policies for voting for county officers and employees (Knox County Charter as adopted November 8, 1988, as amended through referendum of August 6, 2004) on second reading. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Norman, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. The motion carried 19-0-0-0.

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IN RE: ROLL CALL BY DISTRICTS:

Commissioner Strickland dispensed with roll call by districts and called for adjournment.

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IN RE: ADJOURNMENT:

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

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KNOX COUNTY BOARD OF COMMISSIONERS

THOMAS STRICKLAND, CHAIRMAN