

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Special Session on Monday, May 19, 2008 at 3:00 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. Richard Walls, Knox County Internal Auditor, Mr. John Troyer, Senior Director for Knox County Finance, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Owings, Knox County Law Director, 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. Kim Ellis, Minutes Clerk to the Knox County Clerk, called the roll.

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IN RE: DISCUSSION AND POSSIBLE ACTION REGARDING THE KNOX COUNTY AUDITOR'S TRAVEL AUDIT:

Discussion and possible action regarding the Knox County Auditor's Travel Audit was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and swore in those who were to testify in the matter. He also spoke on the matter.

Mr. Richard Walls, Knox County Internal Auditor, was present and gave the report.

Mr. Mike Ragsdale, Knox County Mayor, and Mr. John Troyer, Senior Director for Knox County Finance, were present and spoke on the matter.

Commissioner Craig Leuthold moved to approve Resolution R-08-5-901-SS - Resolution of the Commission of Knox County, Tennessee, requesting a legal opinion from the Knox County Law Director, per the recommendation of the Knox County Internal Auditor, on whether unlawful acts have occurred and if restitution should be made to Knox County with regards to the Auto/Travel Allowance Review dated August 17, 2007 with the following amendment: accept the travel audit from Mr. Walls, accept the legal opinion from the Law Director and based upon that legal opinion,

take no further action on the travel audit. Commissioner Ivan Harmon seconded the motion.

Commissioner Wright called for the question to end debate at this time. Commissioner Daniels seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright and Pinkston voted aye. Commissioner DeFreese voted no. Commissioner Norman was absent from the vote. The vote carried 17-1-0-1.

Upon roll call vote of the motion to approve Resolution R-08-5-901-SS - Resolution of the Commission of Knox County, Tennessee, requesting a legal opinion from the Knox County Law Director, per the recommendation of the Knox County Internal Auditor, on whether unlawful acts have occurred and if restitution should be made to Knox County with regards to the Auto/Travel Allowance Review dated August 17, 2007 with the following amendment: accept the travel audit from Mr. Walls, accept the legal opinion from the Law Director and based upon that legal opinion, take no further action on the travel audit, Commissioners McKenzie, Strickland, Mark Harmon, Campen, Ivan Harmon, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Smith, Ballard and Wright voted aye. Commissioners Moore, DeFreese and Pinkston voted no. Commissioner Lambert abstained from voting. Commissioner Norman was absent from the vote. The motion carried 14-3-1-1.

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IN RE: DISCUSSION AND POSSIBLE ACTION REGARDING THE KNOX COUNTY PURCHASING CARD AUDIT:

Discussion and possible action regarding the Knox County Purchasing Card Audit was before the Board of Commissioners.

Mr. John Owings, Knox County Law Director, was present and swore in those who were to testify in the matter. He also spoke on the matter.

Mr. Richard Walls, Knox County Internal Auditor, was present and gave the report.

The following individuals were present and spoke on the matter: Mr. John Troyer, Senior Director for Knox County Finance, Mr. Hugh Holt, Deputy Director for Knox County Finance, Mr. Dwight VanDeVate, Director of Communications and Government Relations for Knox County, Mr. Mike Ragsdale, Knox County Mayor, Ms. Jolie Bonavita, Director for the Knox County Commission Office, Mr. Mike Arms, Chief of Staff for the Knox County Mayor, and Ms. Patti Walker, concerned citizen.

Commissioner Moore moved that the individuals listed in Item (E) and Item (F) on Page 16 of the Purchasing Card audit, with the exception of Ms. Requitta Bone, are to provide receipts for the amounts listed by 12:00 p.m. on Friday, May 23, 2008. If the receipts are not submitted, the funds are to be paid by 4:30 p.m. on Friday, May 30, 2008 or the Law Director will file suit to collect the funds. Also included in the motion is that personal items and alcohol purchases should also be reimbursed. Commissioner Pinkston seconded the motion.

Commissioner Moore called for the question to end debate at this time. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Mark Harmon, Campen, Moore and Pinkston voted aye. Commissioners McKenzie, Strickland, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Ballard, Wright and DeFreese voted no. Commissioners Norman and Ivan Harmon were absent from the vote. The vote failed 4-13-0-2.

Commissioner Briggs moved as a substitute motion that the individuals listed in Item (E) and Item (F) on Page 16 of the Purchasing Card audit, with the exception of Ms. Requitta Bone, are to provide receipts for the amounts listed by 12:00 p.m. on Friday, May 23, 2008. If the receipts are not submitted, the funds are to be paid by 4:30 p.m. on Friday, May 30, 2008 or the Law Director will file suit to collect the funds. Also included in the motion is that personal items and alcohol purchases should also be reimbursed. Mr. Richard Walls, Knox County Internal Auditor, is to receive documentation by 12:00 p.m. on Friday, May 23, 2008 and make a determination using a reasonable person standard. Individuals will be notified by 4:30 p.m. on Wednesday, May 28, 2008 if any payment is due and those payments will be due by 4:30 p.m. on Friday, May 30, 2008 or the Law Director will file suit to collect the funds. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Ballard and Wright voted aye. Commissioners Smith, Moore, DeFreese and Pinkston voted no. Commissioners Norman and Ivan Harmon were absent from the vote. The substitute motion carried 13-4-0-2.

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IN RE: AMENDMENT TO THE AGENDA:

1. At this time, Commissioner Briggs moved to censure Mr. Mike Ragsdale, Knox County Mayor for insufficient accountings and failing his duties as mayor. Commissioner DeFreese seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen,

Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Moore, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioners Norman and Ivan Harmon were absent from the vote. The motion carried 17-0-0-2.

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

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2. Commissioner Craig Leuthold moved to request the Knox County Law Director to submit the audit regarding the 12 bogus receipts to the Knox County District Attorney’s Office to investigate and determine if there’s further action to proceed with. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Campen, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Ballard, Wright, DeFreese and Pinkston voted aye. Commissioner Moore voted no. Commissioners Norman and Ivan Harmon were absent from the vote. The motion carried 16-1-0-2.

Mr. Richard Walls, Knox County Internal Auditor, Mr. Mike Arms, Chief of Staff for the Knox County Mayor, and Mr. John Owings Knox County Law Director, were present and spoke on the matter.

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3. Commissioner DeFreese moved that the Knox County Commission request the resignation of Mr. Mike Ragsdale, Knox County Mayor. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners DeFreese and Pinkston voted aye. Commissioners McKenzie, Strickland, Mark Harmon, Campen, Davis, Daniels, Hammond, Craig Leuthold, Briggs, Rountree, Lambert, Smith, Ballard and Wright voted no. Commissioner Moore abstained from voting. Commissioners Norman and Ivan Harmon were absent from the vote. The motion failed 2-14-1-2.

Ms. Lila Montgomery, concerned citizen, was present and spoke on the matter.

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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***