

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, April 27, 2009 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston. Commissioner Strickland was absent from the meeting. Also present were Mr. Mike Ragsdale, Knox County Mayor, Mr. Bill Lockett, Knox County Law Director, Mr. Joe Jarret, Knox County Chief Deputy Law Director, Mr. Bruce Wuethrich, Director, Engineering and Public Works, Mr. Richard Walls, Knox County Internal Auditor, Mr. Grant Rosenberg, Director, Office of Neighborhoods, Mr. John Troyer, Director, Knox County Finance and news media.

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

* * * * *

IN RE: ROLL CALL:

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

* * * * *

IN RE: DEVOTIONAL:

Pastor Jim Whdbee, Fountain City United Methodist Church gave the devotional.

* * * * *

IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Brad Anders led the Pledge of Allegiance to the Flag.

* * * * *

IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Leuthold amended the agenda as follows:

Move Sheriff J.J. Jones and Attorney General, Randy Nichols to the top of the agenda to discuss R-09-4-914 – Resolution of the Commission of Knox County, Tennessee approving steps to be taken to reduce vehicle costs and to improve vehicle efficiency.

* * * * *

Remove from the consent agenda and add to the regular agenda R-09-4-501 – Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the City of Knoxville to

allocate the 2009 Recovery Act Justice Assistance Grant (JAG) Program Award.

* * * * *

Remove from the consent agenda and add to the regular agenda R-09-4-104 – Resolution of the Commission of Knox County, Tennessee memorializing Billy Joe Walker and hear before rezonings.

* * * * *

Commissioner Dave Wright wanted to thank Mr. Larry Frank at the Knox County Library for the lunch and the presentation.

* * * * *

Add a discussion item on swine flu from Mr. Mark Jones, Knox County Health Department.

* * * * *

Defer to the May Board of Commissioners meeting R-09-4-910 – Resolution of the Commission of Knox County, Tennessee approving the Charter of the Knox County Audit Committee.

* * * * *

Remove from the consent agenda and add to the regular agenda R-09-4-102 – Resolution of the Commission of Knox County, Tennessee honoring the inaugural inductees of the Fulton High School Wall of Fame.

* * * * *

Defer to the May Board of Commissioners meeting R-09-4-103 – Resolution of the Commission of Knox County, Tennessee honoring the Fulton High School Boys Basketball Team for their back-to-back State Championship win.

* * * * *

Defer to the May Board of Commissioners meeting R-09-4-907 – Resolution of the Commission of Knox County, Tennessee requiring meeting minutes of certain committees and boards to be posted on the Knox County Commission’s website.

* * * * *

Withdraw from the agenda R-09-4-916 – Resolution of the Commission of Knox County, Tennessee to require that worn out printers and copiers be replaced with those capable of printing and copying in duplex.

* * * * *

Defer to the May Board of Commissioners meeting discussion regarding combining the Finance and Intergovernmental Committee meetings.

* * * * *

Add R-09-4-923 to the regular agenda – Resolution of the Commission of Knox County, Tennessee regarding proceeds from the sale of surplus property of the Knox County Schools.

* * * * *

Remove from the consent agenda and add to the regular agenda R-09-4-905 – Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$200.00 with the Parkridge Community Organization for property located at 2087 E. Fifth Avenue (CLT #0820B021) and hear after discussion on R-09-4-914.

* * * * *

Remove from the consent agenda and add to the regular agenda R-09-4-906 – Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$200.00 with the Magnolia Avenue Methodist Church for property located at 2713 Linden Avenue (CLT #082KC021) and hear after discussion on R-09-4-914.

* * * * *

Withdraw from the agenda R-09-4-903 – Resolution of the Commission of Knox County, Tennessee approving a donation of \$1,000.00 to the Free Medical Clinic on Chapman Highway from the Mayor’s discretionary funds to assist in repairing their leaking roof.

* * * * *

Add to the consent agenda R-09-4-805 – Resolution of the Commission of Knox County, Tennessee approving a lease agreement with the East Tennessee Historical Society.

* * * * *

Defer to the May Board of Commissioners meeting R-09-4-911 – Resolution of the Commission of Knox County, Tennessee approving a policy to clarify the use of take home vehicles and other policies now currently in place in Knox County.

* * * * *

Withdraw from the agenda R-09-4-913 – Resolution of the Commission of Knox County, Tennessee approving a \$1,000.00 contribution to the Cedar Bluff PTSA for their Mayfest Celebration.

* * * * *

Withdraw from the agenda R-09-4-921 – Resolution of the Commission of Knox County, Tennessee approving a contract with Summit Medical Group, PLLC for a Registered Nurse to provide Health Coaching Services.

* * * * *

Withdraw from the agenda O-09-4-106 – Ordinance of the Commission of Knox County, Tennessee changing the title and responsibilities of Internal Auditor.

* * * * *

Add discussion regarding County Government Week.

* * * * *

IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING THE INAUGURAL INDUCTEES OF THE FULTON HIGH SCHOOL WALL OF FAME: R-09-4-102:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the inaugural inductees of the Fulton High School Wall of Fame was before the Board of Commissioners.

Ms. Kim Ellis, Minutes Clerk, read the Resolution into the record.

Commissioner Broyles moved to approve R-09-4-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the inaugural inductees of the Fulton High School Wall of Fame. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING OLIVIA SPOONER: R-09-4-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Olivia Spooner was before the Board of Commissioners.

Ms. Kim Ellis, Minutes Clerk, read the Resolution into the record.

Commissioner Broyles moved to approve R-09-4-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Olivia Spooner. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING THE KNOXVILLE ICE BEARS: R-09-4-105:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Knoxville Ice Bears was before the Board of Commissioners.

Mr. Mike Murray, General Manager, Ice Bears, was present and spoke on the matter.

Mr. Scott Hillman, Head Coach, Knoxville Ice Bears, was present and spoke on the matter.

Commissioner Mark Harmon moved to recommend approval to the full Commission R-09-4-105 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Knoxville Ice Bears. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Leuthold moved to nominate Commissioner Norman as Vice-Chair if he had to step down as Vice Chair. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING STEPS TO BE TAKEN TO REDUCE VEHICLE COSTS AND TO IMPROVE VEHICLE EFFICIENCY: R-09-4-914: (PLEASE NOTE: THIS ITEM WAS RECONSIDERED)

Consideration of a Resolution of the Commission of Knox County, Tennessee approving steps to be taken to reduce vehicle costs and to improve vehicle efficiency was before the Board of Commissioners.

Mr. Randy Nichols, Attorney General, was present and spoke on the matter.

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

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

Mr. Hugh Holt, Deputy Director, Knox County Finance, was present and spoke on the matter.

Ms. Patty Walker, concerned citizen, was present and spoke on the matter.

Commissioner Mark Harmon moved to recommend approval to the full Commission R-09-4-914 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving steps to be taken to reduce vehicle costs and to improve vehicle efficiency with the following amendment: Delete the names of specific individuals and reduce 28 vehicles in the Sheriff's Department and 28 vehicles under the County Mayor. Commissioner Saunders seconded the motion.

Commissioner Lambert moved as a substitute motion to defer to the May Board of Commissioners meeting R-09-4-914 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving steps to be taken to reduce vehicle costs and to improve vehicle efficiency. Commissioner Smith seconded the motion and upon roll call vote Commissioners Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong and Wright voted aye. Commissioners McKenzie, Mark Harmon, Broyles and Brown voted no. Commissioner Pinkston recused himself from the vote. The substitute motion carried 13-4-1-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSENT ITEMS:

Consideration of consent items was before the Board of Commissioners.

Tax Refunds: No tax refunds received.

* * * * *

Notary Public Applications:

191 notary public applications received.

* * * * *

REPORTS OF OFFICIALS (QUARTERLY)

- A. County Mayor
- B. County Law Director
- C. Superintendent of Schools
- D. Trustee

- E. Medical Examiner
- F. Sheriff
- G. Public Libraries
- H. Old Records

* * * * *

REPORTS OF COUNTY AGENCIES:

- A. Department of Human Services
- B. Department of Child and Family Services
- C. Department of Air Quality Management
- D. Metropolitan Planning Commission
- E. Sheriff's Merit System
- F. Pre-Trial Release
- G. Jail Inspection Committee
- H. Alternative Sentencing Program
- I. Ambulance Review Commission

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

* * * * *

IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING CONTRACTS WITH GALLAHER & ASSOCIATES, INC. AND BUILDING SYSTEMS TECHNOLOGY, INC. FOR FIRE ALARM INSPECTION AND REPAIR SERVICES: R-09-4-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Gallaher & Associates, Inc. and Building Systems Technology, Inc. for fire alarm inspection and repair services was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Gallaher & Associates, Inc. and Building Systems Technology, Inc. for fire alarm inspection and repair services. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan

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

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT OF \$578,320.00 WITH HENLEY ROOFING COMPANY FOR ROOF UPGRADES AT MAYNARD ELEMENTARY SCHOOL AND WHITTLE SPRINGS MIDDLE SCHOOL: R-09-4-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$578,320.00 with Henley Roofing Company for roof upgrades at Maynard Elementary School and Whittle Springs Middle School was before the Board of Commissioners.

Commissioner Saunders moved to recommend approval to the full Commission R-09-4-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$578,320.00 with Henley Roofing Company for roof upgrades at Maynard Elementary School and Whittle Springs Middle School. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PROFESSIONAL SERVICES PROPOSAL IN THE AMOUNT OF \$97,440.00 FROM VOLKERT AND ASSOCIATES FOR STRUCTURAL IMPROVEMENTS TO THE MASCOT ROAD BRIDGE OVER THE HOLSTON RIVER: R-09-4-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$97,440.00 from Volkert and Associates for structural improvements to the Mascot Road Bridge over the Holston River was before the Board of Commissioners.

Commissioner Saunders moved to recommend approval to the full Commission R-09-4-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$97,440.00 from Volkert and Associates for structural improvements to the Mascot Road Bridge over the Holston River.

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

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PROFESSIONAL SERVICES PROPOSAL IN THE AMOUNT OF \$8,000.00 FROM WILBUR SMITH ASSOCIATES RELATED TO THE DRY GAP PIKE/DANTE ROAD/FOUNTAIN CITY ROAD INTERSECTION IMPROVEMENT PROJECT: R-09-4-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$8,000.00 from Wilbur Smith Associates related to the Dry Gap Pike/Dante Road/Fountain City Road Intersection Improvement Project was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$8,000.00 from Wilbur Smith Associates related to the Dry Gap Pike/Dante Road/Fountain City Road Intersection Improvement Project. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A PROFESSIONAL SERVICES PROPOSAL IN THE AMOUNT OF \$53,000.00 FROM WILBUR SMITH ASSOCIATES FOR THE PREPARATION OF FINAL CONSTRUCTION PLANS AND BID DOCUMENTS RELATED TO PHASE II OF THE DUTCHTOWN ROAD IMPROVEMENT PROJECT: R-09-4-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$53,000.00 from Wilbur Smith Associates for the preparation of final construction plans and bid documents related to Phase II of the Dutchtown Road Improvement Project was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a professional services proposal in the amount of \$53,000.00 from Wilbur Smith Associates for the preparation of final construction plans and bid documents related to Phase II of the Dutchtown Road Improvement Project. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT OF SALE IN THE AMOUNT OF \$55,000.00 FOR THE ACQUISITION OF 2.405 ACRES LOCATED AT 6831 OTTINGER LANE FOR THE CONSTRUCTION OF A DRAINAGE BASIN: R-09-4-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$55,000.00 for the acquisition of 2.405 acres located at 6831 Ottinger Lane for the construction of a drainage basin was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$55,000.00 for the acquisition of 2.405 acres located at 6831 Ottinger Lane for the construction of a drainage basin. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

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

**COVENANTS FOR PERMANENT MAINTENANCE OF
STORMWATER FACILITIES FOR GRAYSBURG PROPERTIES, LLC
FOR PROPERTY LOCATED ON SUSAN RENEE LANE:**

R-09-4-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of Stormwater Facilities for Graysburg Properties, LLC for property located on Susan Renee Lane was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of Stormwater Facilities for Graysburg Properties, LLC for property located on Susan Renee Lane. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE
2009-2010 KNOX COUNTY ANNUAL ACTION PLAN (AAP) AS
REQUIRED BY HUD TO UPDATE THE 2009-2010 KNOX COUNTY
CONSOLIDATED PLAN: R-09-4-502:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2009-2010 Knox County Annual Action Plan (AAP) as required by HUD to update the 2009-2010 Knox County Consolidated Plan was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-502 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2009-2010 Knox County Annual Action Plan (AAP) as required by HUD to update the 2009-2010 Knox County Consolidated Plan. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT WITH KNOX HOUSING PARTNERSHIP IN THE AMOUNT OF \$149,300.00 IN COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) FUNDS FOR THE CONSTRUCTION OF A 20-UNIT SENIOR RENTAL HOUSING DEVELOPMENT LOCATED AT 135 W. BEAVERCREEK DRIVE: R-09-4-503:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Knox Housing Partnership in the amount of \$149,300.00 in Community Housing Development Organization (CHDO) funds for the construction of a 20-unit senior rental housing development located at 135 W. Beaver Creek Drive was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-503 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Knox Housing Partnership in the amount of \$149,300.00 in Community Housing Development Organization (CHDO) funds for the construction of a 20-unit senior rental housing development located at 135 W. Beaver Creek Drive. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENT TWO (2) TO GRANT CONTRACT #GG-09-25157-00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR GRANT IN AID FUNDING: R -09-4-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment two (2) to Grant Contract #GG-09-25157-00 with the Tennessee Department of Health for grant in Aid Funding was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment two (2) to Grant Contract #GG-09-25157-00 with the Tennessee Department of Health for grant in Aid Funding. Commissioner Ivan Harmon seconded the motion and upon roll

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

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$348,200.00 WITH THE STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR THE HIV/AIDS CENTER OF EXCELLENCE PROGRAM: R-09-4-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$348,200.00 with the State of Tennessee Department of Health for the HIV/AIDS Center of Excellence Program was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$348,200.00 with the State of Tennessee Department of Health for the HIV/AIDS Center of Excellence Program. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF HEALTH IN THE AMOUNT OF \$39,700.00 FOR TOBACCO USE PREVENTION SERVICES: R-09-4-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Health in the amount of \$39,700.00 for Tobacco Use Prevention services was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the State of Tennessee Department of Health in the amount of \$39,700.00 for Tobacco Use Prevention services. Commissioner Ivan Harmon seconded the motion and

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

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING CHANGE ORDERS TOTALING \$66,000.00 TO THE CONTRACT WITH KPMG, LLP FOR PROFESSIONAL AUDITING SERVICES: R-09-4-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving change orders totaling \$66,000.00 to the contract with KPMG, LLP for professional auditing services was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving change orders totaling \$66,000.00 to the contract with KPMG, LLP for professional auditing services. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING A REIMBURSEMENT CHECK IN THE AMOUNT \$546.12 FROM THE EAST TENNESSEE FOUNDATION FOR THE "READ WITH ME" PROGRAM: R-09-4-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a reimbursement check in the amount \$546.12 from the East Tennessee Foundation for the "Read With Me" Program was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a reimbursement check in the amount \$546.12 from the East Tennessee Foundation for the "Read With Me" Program. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon,

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

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH J.A. FIELDEN COMPANY, INC. FOR CONSTRUCTION MANAGER AT RISK SERVICES FOR THE EXPANSION OF THE BECK CULTURAL EXCHANGE CENTER: R-09-4-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with J.A. Fielden Company, Inc. for Construction Manager at Risk Services for the expansion of the Beck Cultural Exchange Center was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with J.A. Fielden Company, Inc. for Construction Manager at Risk Services for the expansion of the Beck Cultural Exchange Center. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE PROCEDURE FOR SELECTING JUDICIAL COMMISSIONERS FOR KNOX COUNTY, TENNESSEE: R-09-4-804:

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the procedure for selecting Judicial Commissioners for Knox County, Tennessee was before the Board of Commissioners.

Commissioners Saunders moved to approve R-09-4-804 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the procedure for selecting Judicial Commissioners for Knox County, Tennessee. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston

voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A LEASE AGREEMENT WITH THE EAST TENNESSEE HISTORICAL SOCIETY: R-09-4-805:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease agreement with the East Tennessee Historical Society was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-805 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease agreement with the East Tennessee Historical Society. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING A CHECK IN THE AMOUNT OF \$4,532.00 FROM THE EAST TENNESSEE FOUNDATION FOR THE 2009 REGIONAL SENIOR SUMMITT: R-09-4-902

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a check in the amount of \$4,532.00 from the East Tennessee Foundation for the 2009 Regional Senior Summitt was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a check in the amount of \$4,532.00 from the East Tennessee Foundation for the 2009 Regional Senior Summitt. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING MODIFICATION NUMBER 2 TO GRANT CONTRACT NUMBER 08-03-FY8-403-DSLWK WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT TO TRANSFER PREVIOUSLY AWARDED DISLOCATED WORKER PROGRAM FUNDS TO THE ADULT PROGRAM: R-09-4-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification number 2 to grant contract number 08-03-FY8-403-DSLWK with the Tennessee Department of Labor and Workforce Development to transfer previously awarded dislocated worker program funds to the adult program was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification number 2 to grant contract number 08-03-FY8-403-DSLWK with the Tennessee Department of Labor and Workforce Development to transfer previously awarded dislocated worker program funds to the adult program. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING MODIFICATION NUMBER 2 TO GRANT CONTRACT NUMBER 08-03-PY7-403-DSLWK WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT TO TRANSFER PREVIOUSLY AWARDED DISLOCATED WORKER PROGRAM FUNDS TO THE ADULT PROGRAM: R-09-4-908:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification number 2 to grant contract number 08-03-PY7-403-DSLWK with the Tennessee Department of Labor and workforce development to transfer previously awarded dislocated worker program funds to the adult program was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving modification number 2 to grant contract number

08-03-PY7-403-DSLWK with the Tennessee Department of Labor and workforce development to transfer previously awarded dislocated worker program funds to the adult program. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE CHALLENGING THE KNOX COUNTY BOARD OF EDUCATION, THE KNOXVILLE CITY COUNCIL AND THE METROPOLITAN PLANNING COMMISSION TO A SOFTBALL TOURNAMENT: R-09-4-917:

Consideration of a Resolution of the Commission of Knox County, Tennessee challenging the Knox County Board of Education, the Knoxville City Council and The Metropolitan Planning Commission to a softball tournament was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-917 - Consideration of a Resolution of the Commission of Knox County, Tennessee challenging the Knox County Board of Education, the Knoxville City Council and The Metropolitan Planning Commission to a softball tournament. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$136,000.00 WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) FOR THE 2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT: R-09-4-918:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$136,000.00 with the Tennessee Emergency Management Agency (TEMA) for the 2009 Emergency Management performance Grant was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-918 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$136,000.00 with the Tennessee Emergency Management Agency (TEMA) for the 2009 Emergency Management performance Grant. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENT TWO TO THE FY 2008-2009 GRANT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF HUMAN SERVICES FOR CHILD SUPPORT ENFORCEMENT SERVICES: R-09-4-920:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendment two to the FY 2008-2009 grant agreement with the Tennessee Department of Human Services for Child Support Enforcement Services was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-920 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendment two to the FY 2008-2009 grant agreement with the Tennessee Department of Human Services for Child Support Enforcement Services. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF ACCEPTANCE OF NEW COUNTY ROADS:

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

- A. Fresh Garden Drive in Shannon Valley Farms 4-A Subdivision, District 8.
- B. Cornsilk Drive in Shannon Valley Farms 4-A Subdivision, District 8.

- C. Jade Pasture Lane in Shannon Valley Farms 4-A Subdivision, District 8.
- D. Valley Vista Road in Vista Del Monte Subdivision, District 6.

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

* * * * *

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

Consideration of approval of minutes of the previous meeting on March 23, 2009 was before the Board of Commissioners.

Commissioner Brown moved to approve the minutes of the previous meeting on March 23, 2009. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RATIFYING THE APPOINTMENT OF ELAINE DAVIS TO THE KNOX COUNTY ETHICS COMMITTEE: R-09-4-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee ratifying the appointment of Elaine Davis to the Knox County Ethics Committee was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve R-09-4-110 -

Consideration of a Resolution of the Commission of Knox County, Tennessee ratifying the appointment of Elaine Davis to the Knox County Ethics Committee. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The

motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: DRIVES AND ROADS:

Consideration of the closure of an unnamed right of way on Boston Lane off of Hickey Lane was before the Board of Commissioners on second reading. Property owner: Eagle Bend Realty.

Commissioner Tony Norman moved to approve closure of an unnamed right of way on Boston Lane off of Hickey Lane on second reading. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Leuthold heard R-09-4-905 and R-09-4-906 next on the agenda.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT OF SALE IN THE AMOUNT OF \$200.00 WITH THE PARKRIDGE COMMUNITY ORGANIZATION FOR PROPERTY LOCATED AT 2087 E. FIFTH AVENUE (CLT #0820B021): R-09-4-905:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$200.00 with the Parkridge Community Organization for property located at 2087 E. Fifth Avenue (CLT #0820B021) was before the Board of Commissioners.

Ms. Sarah Taylor, Parkridge Community Organization, was present and thanked the Commissioners.

Mr. Grant Rosenberg, Director, Office of Neighborhoods, was present and spoke on the matter.

Commissioner Norman moved to approve R-09-4-905 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$200.00 with the Parkridge Community Organization for property located at 2087 E. Fifth Avenue (CLT #0820B021). Commissioner Saunders seconded the motion

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

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT OF SALE IN THE AMOUNT OF \$200.00 WITH THE MAGNOLIA AVENUE METHODIST CHURCH FOR PROPERTY LOCATED AT 2713 LINDEN AVENUE (CLT #082KC021):] R-09-4-906:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$200.00 with the Magnolia Avenue Methodist Church for property located at 2713 Linden Avenue (CLT #082KC021) was before the Board of Commissioners.

Ms. Harriett Hendrix, Trustee, Magnolia Avenue Methodist Church, was present and thanked the county of deeding the property to the church.

Commissioner Norman moved to approve R-09-4-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$200.00 with the Magnolia Avenue Methodist Church for property located at 2713 Linden Avenue (CLT #082KC021). Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF KNOXVILLE TO ALLOCATE THE 2009 RECOVERY ACT JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD: R-09-4-501:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the City of Knoxville to allocate the 2009 Recovery Act Justice Assistance Grant (JAG) Program Award was before the Board of Commissioners.

Commissioner Norman moved to approve R-09-4-501 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the City of Knoxville to allocate the 2009 Recovery Act Justice Assistance Grant (JAG) Program Award with the following amendment: Reword “with up to 5%” instead of 5%. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Leuthold heard from Mr. Bill Lockett, Knox County Law Director, who spoke on Point of Order, when someone recuses from a vote.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Lambert moved to reconsider R-09-4-914 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving steps to be taken to reduce vehicle costs and to improve vehicle efficiency. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright and Brown voted aye. The motion carried 16-0-2-1. Commissioner Mark Harmon abstained from the vote. Commissioner Pinkston recused himself from the vote. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING STEPS TO BE TAKEN TO REDUCE VEHICLE COSTS AND TO IMPROVE VEHICLE EFFICIENCY: R-09-4-914:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving steps to be taken to reduce vehicle costs and to improve vehicle efficiency was before the Board of Commissioners.

Commissioner Norman moved to defer to the May Board of Commissioners meeting R-09-4-914 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving steps to be taken to reduce vehicle costs and to improve vehicle efficiency. Commissioner Norman seconded the motion and upon roll call vote Commissioners

McKenzie, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright and Brown voted aye. The motion carried 15-2-1-1. Commissioners Mark Harmon and Broyles voted no. Commissioner Pinkston recused himself from the vote. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE CONDEMNATION OF PROPERTY LOCATED AT 5300 FONTAINE ROAD (CLT #123PA008) IN ACCORDANCE WITH THE PROVISIONS OF THE KNOX COUNTY VACANT, DETERIORATED OR BLIGHTED PROPERTIES ORDINANCE: R-09-4-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the condemnation of property located at 5300 Fontaine Road (CLT #123PA008) in accordance with the provisions of the Knox County Vacant, Deteriorated or Blighted Properties Ordinance was before the Board of Commissioners.

Mr. Grant Rosenberg, Director, Office of Neighborhoods, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve R-09-4-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the condemnation of property located at 5300 Fontaine Road (CLT #123PA008) in accordance with the provisions of the Knox County Vacant, Deteriorated or Blighted Properties Ordinance. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE DIRECTING THE PUBLIC BUILDING AUTHORITY (PBA) TO NEGOTIATE A LEASE WITH THE OPTION TO PURCHASE THE STATE STREET PARKING LOT PROPERTY WITH CLIFFORD "BUZZ" GOSS: R-09-4-909:

Consideration of a Resolution of the Commission of Knox County, Tennessee directing the Public Building Authority (PBA) to negotiate a lease with the option to purchase the State Street parking Lot property with Clifford "Buzz" Goss was before the Board of Commissioners.

Mr. Boyce Driskell, Archaeologist, University of Tennessee, was present and spoke on the matter.

Mr. Buzz Goss, was present and spoke on the matter.

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

Mr. Hugh Holt, Deputy Director, Knox County Purchasing, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve R-09-4-909 - Consideration of a Resolution of the Commission of Knox County, Tennessee directing the Public Building Authority (PBA) to negotiate a lease with the option to purchase the State Street parking Lot property with Clifford "Buzz" Goss. Commissioner Saunders seconded the motion.

Commissioner McKenzie moved as a substitute motion to approve R-09-4-909 - Consideration of a Resolution of the Commission of Knox County, Tennessee directing the Public Building Authority (PBA) to negotiate a lease with the option to purchase the State Street parking Lot property with Clifford "Buzz" Goss with the following amendment: Pursuant to the Knox County Procurement Code have the Knox County Knox Purchasing Department to issue Request for Proposals (RFP) for the properties associated with State Street Site. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The substitute motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Leuthold stepped down as Vice-Chairman and Commissioner Norman Chaired the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THAT THE KNOX COUNTY LAW DIRECTOR TAKE ACTION TO RECOVER MONIES ILLEGALLY OR INAPPROPRIATELY PAID TO EMPLOYEES OF KNOX COUNTY GOVERNMENT, IN ACCORDANCE WITH ALL APPLICABLE LAWS, AND WITHOUT INTERFERING WITH ANY ONGOING INVESTIGATIONS:

R-09-4-912:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Law Director take action to

recover monies illegally or inappropriately paid to employees of Knox County Government, in accordance with all applicable laws, and without interfering with any ongoing investigations was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Commissioner McKenzie moved to approve R-09-4-912 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Knox County Law Director take action to recover monies illegally or inappropriately paid to employees of Knox County Government, in accordance with all applicable laws, and without interfering with any ongoing investigations. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Briggs, Anders, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 16-1-1-1. Commissioner Lambert voted no. Commissioner Leuthold recused himself from the vote. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Commissioner Norman stepped down from the Chair and Commissioner Leuthold, Vice-Chairman Chaired the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

With objection, Commissioner Leuthold heard from Mr. Mark Jones, Knox County Health Department, regarding the swine flu.
No action was taken.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Leuthold stepped down as Vice-Chairman and Commissioner Norman Chaired the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO ENSURE COMPLIANCE WITH THE BUDGET AND OPERATING REQUIREMENTS OF THE KNOX COUNTY CHARTER AND KNOX COUNTY CODE BY CERTAIN COUNTY OFFICERS: R-09-4-915:

Consideration of a Resolution of the Commission of Knox County, Tennessee to ensure compliance with the budget and operating requirements

of the Knox County Charter and Knox County Code by certain County Officers was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

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

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

Mr. Phil Ballard, Knox County Property Assessor, was present and spoke on the matter.

Mr. Ray H. Jenkins, Attorney, was present and spoke on the matter.

Commissioner McKenzie moved to approve R-09-4-915 -

Consideration of a Resolution of the Commission of Knox County, Tennessee to ensure compliance with the budget and operating requirements of the Knox County Charter and Knox County Code by certain County Officers. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Saunders and Briggs voted aye. Commissioners Ivan Harmon, Shouse, Hammond, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted no. The motion to approve failed 6-11-1-1.

Commissioner Leuthold recused himself from the vote. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Commissioner Norman stepped down from the Chair and Commissioner Leuthold Vice-Chairman Chaired the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE MEMORIALIZING BILLY JOE WALKER: R-09-4-104:

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Billy Joe Walker was before the Board of Commissioners.

Mrs. Kim Ellis, Minutes Clerk, read the Resolution into the record.

Mr. Phil Ballard, Knox County Property Assessor, was present and spoke on the matter.

Commissioner Mike McMillan, was present and spoke on the matter.

Mr. Jim Williams, Friend, was present and spoke on the matter.

Commissioner Wright read into the record a Proclamation by Mayor Mike Ragsdale.

Commissioner Wright moved to approve R-09-4-104 –

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Billy Joe Walker. Commissioner Armstrong seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: PUBLIC FORUM:

Mr. William D. Wallace, concerned resident, was present and spoke Equalization of taxes.

* * * * *

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

Those responding were Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Leuthold deferred to the May Board of Commissioners meeting 1-G-09-RZ – Appeal by Armand Marcus Sanderson of MPC denial of rezoning from A (Agricultural) and RA (Low Density Residential) to CA (General Business) and PR (Planned Residential) at a density up to 5 dwelling units per acre. Property located south side Ball Camp Pike, southwest of Fitzgerald Road. 6th Commission District.

Mr. Mike Goode, representing Ball Camp Community, was present and spoke on the matter.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Grant Rosenberg, Director, Office of Neighborhoods, was present and spoke on the matter.

This item was deferred to the May Board of Commissioners meeting.

* * * * *

Request of John King for rezoning from RA (Low Density Residential) to PR (Planned Residential) at a density up to 5 dwelling units per acre 11-B-08-RZ was before the Board of Commissioners. Property located southwest side Edington Road, northeast side Wells Road, northwest side Willoughby Road. 9th Commission District.

Commissioner Leuthold asked if there was any opposition to the request.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. John King, Attorney, representing applicant, was present and spoke on behalf of the request.

Mr. Harry Watson, representing U.T. Medical Center, was present and stated he was not in opposition but wanted to bring awareness to the traffic on Cherokee Trail.

Mr. Robie Pope, Board of Directors, Cherokee Bluff Council of Homeowners, was present and spoke in opposition to the request.

Commissioner Pinkston moved to approve 11-B-08-RZ - Request of John King for rezoning from RA (Low Density Residential) to PR (Planned Residential) at a density up to 3 dwelling units per acre as per Metropolitan Planning Commissions' Recommendation: Recommend that Knox County Commission approve PR (Planned Residential) at a density up to 3 dwelling units per acre. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 16-2-0-1. Commissioners Mark Harmon and Broyles voted no. Commissioner Strickland was absent from the meeting. Property located southwest side Edington Road, northeast side Wells Road, northwest side Willoughby Road. 9th Commission District.

* * * * *

Request of Donald E. Hollified for Northwest County Sector Plan Amendment for LDR (Low Density Residential) to MDR (Medium Density Residential) 2-A-09-SP was before the Board of Commissioners. Property located north, east and west sides Woods-Smith Road, south and east sides Barnard Road. 3rd Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Arthur Seymour, Jr., Attorney, representing Donald Hollified, was present and spoke on the matter.

Commissioner Leuthold asked if there was any opposition to the request.

Ms. Karen Rader, concerned resident, was present and spoke in opposition to the request.

Mr. Alan Cantrell, concerned resident, was present and spoke in opposition to the request.

Mr. Raj Sood, buying property from Mr. Donald Hollified, was present and spoke on the matter.

Mr. Donald E. Hollified, applicant, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve 2-A-09-SP Request of Donald E. Hollified for Northwest County Sector Plan Amendment for LDR (Low Density Residential) to MDR (Medium Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve Resolution 2-A-09-SP amending the Northwest County Sector Plan to MDR (Medium Density Residential) and recommend that Knox County adopt by Resolution the amendment. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 17-1-0-1. Commissioner Mark Harmon voted no. Commissioner Strickland was absent from the meeting. Property located north, east and west sides Woods-Smith Road, south and east sides Barnard Road. 3rd Commission District.

* * * * *

Request of Donald E. Hollified for rezoning from A (Agricultural) to PR (Planned Residential) at 12 dwelling units per acre 2-A-09-RZ was before the Board of Commissioners. Property located north, east and west sides Woods Smith Road, south and east sides Barnard Road. 3rd Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Arthur Seymour, Jr., Attorney, representing Donald Hollified, was present and spoke on the matter.

Commissioner Leuthold asked if there was any opposition to the request.

Ms. Karen Rader, concerned resident, was present and spoke in opposition to the request.

Mr. Alan Cantrell, concerned resident, was present and spoke in opposition to the request.

Mr. Raj Sood, buying property from Mr. Donald Hollified, was present and spoke on the matter.

Mr. Donald E. Hollified, applicant, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve 2-A-09-RZ Request of Donald E. Hollified for rezoning from A (Agricultural) to PR (Planned Residential) at 9.75 dwelling units per acre subject to two (2) conditions. Commissioner Norman seconded the motion and upon roll call vote

Commissioners McKenzie, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 17-1-0-1. Commissioner Mark Harmon voted no. Commissioner Strickland was absent from the meeting.

* * * * *

Request of Bryant T. Campbell for rezoning from PR (Planned Residential) to A (Agricultural) 2-M-09-RZ was before the Board of Commissioners. Property located southeast side of Millertown Pike, northeast of Ellistown Road. 8th Commission District.

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

Commissioner Wright moved to approve 2-M-09-RZ - Request of Bryant T. Campbell for rezoning from PR (Planned Residential) to A (Agricultural) as per Metropolitan Planning Commission's Recommendation: Recommend that Knox County Commission Approve A (Agricultural). Commissioner Armstrong seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

Request of South Heights and Artella Subdivisions for rezoning from RB (General Residential) to RAE (Exclusive Residential) 3-B-09-RZ was before the Board of Commissioners. Property located northeast and southeast sides Brown Road, southeast of Sims Road, northwest of Artella Drive. 9th Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Grant Rosenberg, Director, Office of Neighborhoods, was present and spoke on the matter.

The applicant was not present.

Commissioner Brown moved to suspend the rules to hear 3-B-09-RZ Request of South Heights and Artella Subdivisions for rezoning from RB (General Residential) to RAE (Exclusive Residential) and to vote without the applicant being present. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston

voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

Request of South Heights and Artella Subdivisions for rezoning from RB (General Residential) to RAE (Exclusive Residential) 3-B-09-RZ was before the Board of Commissioners. Property located northeast and southeast sides Brown Road, southeast of Sims Road, northwest of Artella Drive. 9th Commission District.

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

Commissioner Pinkston moved to approve 3-B-09-RZ - Request of South Heights and Artella Subdivisions for rezoning from RB (General Residential) to RAE (Exclusive Residential). Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting. Property located northeast and southeast sides Brown Road, southeast of Sims Road, northwest of Artella Drive. 9th Commission District.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Leuthold heard from Commissioner Lambert regarding Donald Hollified rezoning 2-A-09-SP and 2-A-09-RZ. Commissioner Lambert wanted to apologize to Mr. Daniel Humphrey, area resident from the March Board of Commissioners rezonings.

Mr. Humphrey accepted Commissioner Lambert's apologize.

* * * * *

Request of Rebecca Ann Stewart for rezoning from I (Industrial) to RA (Low Density Residential) 3-C-09-RZ was before the Board of Commissioners. Property located northeast side Beverly Road, northwest of Greenway Drive. 7th Commission District.

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

Commissioner Smith moved to approve 3-C-09-RZ - Request of Rebecca Ann Stewart for rezoning from I (Industrial) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Recommend that Knox County Commission approve RA (Low Density Residential). Commissioner Carringer seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan

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

* * * * *

IN RE: REZONING APPEALS:

Appeal by Blue Sky Investments, applicant, of MPC denial of rezoning from RA (Low Density Residential) to CA (General Business) 1-D-09-RZ was before the Board of Commissioners. Property located on the southeast side Lovell Road, southwest side of Hickey Road. 6th Commission District.

Mr. Buzz Johnson, Director, Development Services, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Mr. Frank Fusco, applicant, was present and spoke on the matter.

Commissioner Leuthold asked if there was any opposition to the request.

Mr. Robert Fagg, area resident and President, Sherman Oaks Homeowners Association, was present and spoke in opposition to the request.

Mr. Grant Rosenberg, Director, Office of Neighborhoods, was present and spoke on the matter.

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

Mr. John Schoonmaker, Member, Knox County Board of Zoning and Appeals, was present and spoke in opposition to the request.

Ms. Debra VanMeter, Council of West Knox Homeowners, was present and spoke in opposition to the request.

Commissioner Lambert moved to deny 1-D-09-RZ - Appeal by Blue Sky Investments, applicant, of MPC denial of rezoning from RA (Low Density Residential) to CA (General Business). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting. Property located on the southeast side Lovell Road, southwest side of Hickey Road. 6th Commission District.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE DECLARING THAT THE KNOX COUNTY COMMISSION WILL NOT TOLERATE ANY ACTION OR BEHAVIOR THAT INTIMIDATES, INSULTS OR THREATENS A CITIZEN WHILE EXERCISING HIS RIGHT TO APPEAR BEFORE THE COUNTY COMMISSION: R-09-4-919:

Consideration of a Resolution of the Commission of Knox County, Tennessee declaring that the Knox County Commission will not tolerate any action or behavior that intimidates, insults or threatens a citizen while exercising his right to appear before the County Commission was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-09-4-919 - Consideration of a Resolution of the Commission of Knox County, Tennessee declaring that the Knox County Commission will not tolerate any action or behavior that intimidates, insults or threatens a citizen while exercising his right to appear before the County Commission with the following amendment: That no action or behavior that intimidates, insults, or threatens a Knox County Commissioner while performing his/her duties will be tolerated. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE EXPANDING THE BILLBOARD MORATORIUM TO INCLUDE ELECTRONICALLY OPERATED MESSAGE BOARDS: R-09-4-922:

Consideration of a Resolution of the Commission of Knox County, Tennessee expanding the Billboard Moratorium to include electronically operated message boards was before the Board of Commissioners.

Commissioner Saunders moved to approve R-09-4-922 - Consideration of a Resolution of the Commission of Knox County, Tennessee expanding the Billboard Moratorium to include electronically operated message boards. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Saunders, Shouse, Hammond, Leuthold, Briggs, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion

carried 15-3-0-1. Commissioners Ivan Harmon, Anders and Lambert voted no. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REGARDING PROCEEDS FROM THE SALE OF SURPLUS PROPERTY OF THE KNOX COUNTY SCHOOLS: R-09-4-923:

Consideration of a Resolution of the Commission of Knox County, Tennessee regarding proceeds from the sale of surplus property of the Knox County Schools was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Commissioner Pinkston moved to approve R-09-4-923 - Consideration of a Resolution of the Commission of Knox County, Tennessee regarding proceeds from the sale of surplus property of the Knox County Schools. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Anders, Lambert, Smith, Brown and Pinkston voted aye. The motion carried 14-4-0-1. Commissioners Briggs, Carringer, Armstrong and Wright voted no. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX COUNTY CODE, CHAPTER 30, ARTICLE II, 2006 INTERNATIONAL FIRE CODE (IFC) BY RESCINDING "APPENDIX B. FIRE-FLOW REQUIREMENTS FOR BUILDINGS" FROM EXHIBIT VI, AMENDMENTS TO THE 2006 INTERNATIONAL FIRE CODE, SECTION 101.2.1 APPENDICES (AMENDING ORDINANCE NO. O-07-3-101, §§ 14, 15, ADOPTED 4-16-07): O-09-4-101: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 30, Article II, 2006 International Fire Code (IFC) by rescinding "appendix B. Fire-flow Requirements for Buildings" from Exhibit VI, Amendments to the 2006 International Fire Code, Section 101.2.1 Appendices (Amending Ordinance No. O-07-3-101, §§ 14, 15, adopted 4-16-07) was before the Board of Commissioners on first reading.

Commissioner Pinkston moved to approve O-09-4-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 30, Article II, 2006 International Fire Code (IFC) by rescinding “appendix B. Fire-flow Requirements for Buildings” from Exhibit VI, Amendments to the 2006 International Fire Code, Section 101.2.1 Appendices (Amending Ordinance No. O-07-3-101, §§ 14, 15, adopted 4-16-07) on first reading. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Leuthold heard from Commissioner Norman regarding R-09-4-922 - Consideration of a Resolution of the Commission of Knox County, Tennessee expanding the Billboard Moratorium to include electronically operated message boards. Commissioner Norman stated in Charlotte the city uses unused billboard space to support public service.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO ADD A NEW SECTION 1-12 FOR THE PROVISION OF AN “OFFICIAL COMMENTS” SECTION IN SELECTED ORDINANCES (KNOX COUNTY CODE, PART II, CHAPTER 1, ESTABLISHING SECTION 1-12):O-09-4-102: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee to add a new Section 1-12 for the provision of an “Official Comments” section in selected ordinances (Knox County Code, Part II, Chapter 1, establishing Section 1-12) was before the Board of Commissioners on first reading.

Commissioner Pinkston moved to approve O-09-4-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee to add a new Section 1-12 for the provision of an “Official Comments” section in selected ordinances (Knox County Code, Part II, Chapter 1, establishing Section 1-12) on first reading. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders,

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

* * * * *

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 SEC. 26-98 (B) AND SEC. 26-99 (C) (5) (ORD. NO. O-94-11-101, §§ 3 AND 4, ADOPTED 12-19-94; AND ORD. NO. O-08-3-101, §§ 2 AND 3, ADOPTED 4-28-08): O-09-4-103: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 Sec. 26-98 (b) and Sec. 26-99 (c) (5) (Ord. No. O-94-11-101, §§ 3 and 4, adopted 12-19-94; and Ord. No. O-08-3-101, §§ 2 and 3, adopted 4-28-08) was before the Board of Commissioners on first reading.

Commissioner Norman moved to approve O-09-4-103 - 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 Sec. 26-98 (b) and Sec. 26-99 (c) (5) (Ord. No. O-94-11-101, §§ 3 and 4, adopted 12-19-94; and Ord. No. O-08-3-101, §§ 2 and 3, adopted 4-28-08) on first reading. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Commissioner Leuthold stepped down as Vice-Chairman and Commissioner Norman Chaired the meeting.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REPEALING ARTICLE VII, SECTION 2-478 (D) OF THE KNOX COUNTY CODE WHICH WAS ADOPTED ON SEPTEMBER 10, 1990 (ORD. NO. O-90-9-125), §§ 1-4, ADOPTED 9-10-90): O-09-4-104: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee, repealing Article VII, Section 2-478 (d) of the Knox County Code, which was adopted on September 10, 1990 (Ord. No. O-90-9-125), §§ 1-4, adopted 9-10-90) was before the Board of Commissioners on first reading.

Commissioner Briggs moved to withdraw from the agenda O-09-4-104 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, repealing Article VII, Section 2-478 (d) of the Knox County Code, which was adopted on September 10, 1990 (Ord. No. O-90-9-125), §§ 1-4, adopted 9-10-90) on first reading. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 17-0-1-1. Commissioner Leuthold recused himself from the vote. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Commissioner Norman stepped down from the Chair and Commissioner Leuthold, Vice-Chairman Chaired the meeting.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO CHANGE THE TITLE AND RESPONSIBILITIES OF THE DEPARTMENT OF INTERNAL AUDIT TO ESTABLISH THE DEPARTMENT OF INSPECTOR GENERAL (ORD. NO. O-02-8-105, §§ 1-10, ADOPTED 9-23-02): O-09-4-105: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee to change the title and responsibilities of the Department of Internal Audit to establish the Department of Inspector General (Ord. No. O-02-8-105, §§ 1-10, adopted 9-23-02) was before the Board of Commissioners on first reading.

Commissioner McKenzie moved to send to the Audit Committee O-09-4-105 -Consideration of an Ordinance of the Commission of Knox County, Tennessee to change the title and responsibilities of the Department of Internal Audit to establish the Department of Inspector General (Ord. No. O-02-8-105, §§ 1-10, adopted 9-23-02) on first reading. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith,

Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: ORDINANCES ON SECOND READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6, SECTION 6.20, ENFORCEMENT, PERTAINING TO THE ASSESSMENT OF CIVIL PENALTIES FOR VIOLATIONS TO THIS ORDINANCE (ORD. NO. O-99-10-101 § 2, ADOPTED 11-15-99; ORD. NO. O-99-12-101, § 1, ADOPTED 1-24-00; ORD. NO. O-04-1-102, § 1, (EXHIB. A), ADOPTED 2-23-04): O-09-3-105: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee approving amendments to the Knox County Zoning Ordinance, Article 6, Section 6.20, Enforcement, pertaining to the assessment of Civil Penalties for violations to this Ordinance (Ord. No. O-99-10-101 § 2, adopted 11-15-99; Ord. No. O-99-12-101, § 1, adopted 1-24-00; Ord. No. O-04-1-102, § 1, (Exhib. A), adopted 2-23-04) was before the Board of Commissioners on second reading.

Commissioner Norman moved to approve O-09-3-105 - Consideration of an Ordinance of the Commission of Knox County, Tennessee approving amendments to the Knox County Zoning Ordinance, Article 6, Section 6.20, Enforcement, pertaining to the assessment of Civil Penalties for violations to this Ordinance (Ord. No. O-99-10-101 § 2, adopted 11-15-99; Ord. No. O-99-12-101, § 1, adopted 1-24-00; Ord. No. O-04-1-102, § 1, (Exhib. A), adopted 2-23-04) on second reading. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO ADD A NEW SECTION 1-11 TO REQUIRE THE PREPARATION OF A FISCAL IMPACT ANALYSIS BY THE KNOX COUNTY FINANCE DIRECTOR PRIOR TO AN ORDINANCE'S PASSAGE ON FINAL READING (KNOX COUNTY CODE, PART II, CHAPTER 1, ESTABLISHING SECTION 1-11: O-09-3-106: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee to add a new section 1-11 to require the preparation of a Fiscal Impact Analysis by the Knox County Finance Director prior to an Ordinance's passage on final reading (Knox County Code, Part II, Chapter 1, establishing Section 1-11) was before the Board of Commissioners on second reading.

Commissioner Norman moved to approve O-09-3-106 - Consideration of an Ordinance of the Commission of Knox County, Tennessee to add a new section 1-11 to require the preparation of a Fiscal Impact Analysis by the Knox County Finance Director prior to an Ordinance's passage on final reading (Knox County Code, Part II, Chapter 1, establishing Section 1-11) on second reading. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ADOPTING BEER LAWS FOR KNOX COUNTY (KNOX COUNTY CODE, PART II, CH. 4, ARTICLE 1, SEC. 4-1 THROUGH SEC. 4-12, PREVIOUSLY RESERVED): O-09-3-107: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee adopting Beer Laws for Knox County (Knox County Code, Part II, Ch. 4, Article 1, Sec. 4-1 through Sec. 4-12, previously reserved) was before the Board of Commissioners on second reading.

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

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Commissioner Norman moved to approve O-09-3-107 - Consideration of an Ordinance of the Commission of Knox County, Tennessee adopting Beer Laws for Knox County (Knox County Code, Part II, Ch. 4, Article 1, Sec. 4-1 through Sec. 4-12, previously reserved) on second reading with the following amendment: The server training must be completed before the beer permit is written and this will be on first reading. Commissioner Smith seconded the motion.

Commissioner Lambert moved as a substitute motion to approve as written O-09-3-107 – Consideration of an Ordinance of the Commission of

Knox County, Tennessee adopting Beer Laws for Knox County (Knox County Code, Part II, Ch. 4, Article 1, Sec. 4-1 through Sec. 4-12, previously reserved) on second reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The substitute motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: PUBLIC FORUM:

Mr. Brad Mays was present and stated he needed copies EPA reports from the county.

Mr. Tom Salter, Director, Knox County Solid Waste, was present and spoke on the matter.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

No action was taken.

* * * * *

IN RE: OTHER BUSINESS:

IN RE: Discussion regarding the terms of the members of the Audit Committee as it relates to O-08-7-102 was before the Board of Commissioners.

Commissioner Wright moved to defer to the Audit Committee discussion regarding the terms of the members of the Audit Committee as it relates to O-08-7-102. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: Discussion regarding the Judicial Commissioner appointment process was before the Board of Commissioners.

This item was heard earlier in the day's agenda under R-09-4-804 – Consideration of a Resolution of the Commission of Knox County, Tennessee amending the procedure for selecting Judicial Commissioners for Knox County, Tennessee.

* * * * *

IN RE: Discussion of recent Charter Amendments and responsibilities of County Officials regarding conflict of interest was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

No action was taken.

* * * * *

IN RE: Discussion of Knox County Schools FY 09-10 General Purpose Schools proposed budget by Dr. James P. McIntyre, Jr. was before the Board of Commissioners.

Dr. James P. McIntyre, Jr., Superintendent, Knox County Schools, was present at the Finance and Intergovernmental Committees and discussed the budget.

No action was taken.

* * * * *

IN RE: Discussion regarding the transfer of proceeds of sale of former properties of Knox County Schools was before the Board of Commissioners.

This item was covered under R-09-4-923 – Resolution of the Commission of Knox County, Tennessee regarding proceeds from the sale of surplus property of the Knox County Schools.

* * * * *

IN RE: Discussion regarding County Government Week was before the Board of Commissioners.

County Government Week starts May 3, 2009.

* * * * *

IN RE: Discussion regarding combining the Finance and Intergovernmental Committee meeting was deferred to the May Board of Commissioners meeting.

* * * * *

IN RE: Discussion regarding budget hearings was before the Board of Commissioners.

Mr. Bill Lockett, Knox County Law Director, was present and spoke on the matter.

Commissioner Broyles moved to hold budget hearings on Tuesday, May 12, 2009 starting at 8:30 a.m. in the Main Assembly Room of the City-County Building. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The

motion carried 18-0-0-1. Commissioner Strickland was absent from the meeting.

* * * * *

IN RE: **ADJOURNMENT:**

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

CRAIG LEUTHOLD, VICE CHAIRMAN