

***KNOX COUNTY BOARD OF COMMISSIONERS***

The Knox County Board of Commissioners met in Regular Session on Monday, November 18, 2013 at 1:45 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. Richard Armstrong, Knox County Law Director, Mr. David Buuck, Knox County Chief Deputy Law Director, Mr. J.J. Jones, Knox County Sheriff, Mr. Chris Caldwell, Knox County Finance Director, Mr. Michael Grider, Communications Manager for the Knox County Mayor’s Office, Dr. James McIntyre, Superintendent for Knox County Schools, Mr. Dean Rice, Chief of Staff for the Knox County Mayor’s Office, Mr. Tim Burchett, Knox County Mayor, Mr. Daniel Sanders, Knox County Deputy Law Director, Mr. Ewing “Buz” Johnson, Deputy Director for Metropolitan Planning Commission, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Anders, Chairman, presided.

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

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***IN RE: ROLL CALL – (1:45 P.M.)***

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

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***IN RE: PUBLIC FORUM:***

Ms. Kim Lauth, concerned citizen, was present and spoke concerning commission travel.

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Mr. Wayne Craigo, concerned citizen, was present and spoke concerning hearing loss.

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Ms. Jennifer Mertis, concerned citizen, was present and spoke concerning commission travel.

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**IN RE: HONORARY RESOLUTIONS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RECOGNIZING NOVEMBER 2013 AS EPILEPSY AWARENESS MONTH – R-13-11-101:**

This item was heard later at the meeting. (See Page \_\_\_\_\_)

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**IN RE: ROLL CALL – (2:00 P.M.)**

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

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

1. Commissioner Anders amended the agenda to hear the following item at this time: Resolution R-13-11-101 – Consideration of a Resolution of the Commission of Knox County, Tennessee, recognizing November 2013 as Epilepsy Awareness Month.

He also stepped down from the Chair at this time and Commissioner Smith, Vice-Chairman, presided.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RECOGNIZING NOVEMBER 2013 AS EPILEPSY AWARENESS MONTH – R-13-11-101:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, recognizing November 2013 as Epilepsy Awareness Month was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-13-11-101 - Resolution of the Commission of Knox County, Tennessee, recognizing November 2013 as Epilepsy Awareness Month. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

Mr. Bill Brown, President for Epilepsy of Tennessee, and Ms. Michelle Carringer, board member, were present and expressed appreciation to the commission for the resolution.

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Commissioner Smith stepped down from the Chair at this time and Commissioner Anders, Chairman, presided.

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**IN RE:        DEVOTIONAL:**

Commissioner Norman gave the devotional.

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

Commissioner Briggs led the Pledge of Allegiance to the Flag.

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

Consideration of approval of minutes from the previous meeting held on October 28, 2013 (Regular Session) was before the Board of Commissioners.

Commissioner Ownby moved to approve the minutes from the previous meeting held on October 28, 2013 (Regular Session). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

2. Commissioner Anders amended the agenda to add the following item: Discussion regarding the options on how to approach a possible audit of the Knox County Criminal Court Clerk’s Office.

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3. Commissioner Ownby moved to amend the agenda to add the following items: Resolution R-13-11-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$242,181.50 with Metro Communications, LLC for digital two-way radio systems for school buses (funded by Resolution R-13-11-201); Resolution R-13-11-703 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the acceptance of three easements for the Halls Park to School Greenway from KUB, TTC Halls and St. Mary’s Villas to complete greenway connections from Clayton Park to Halls Elementary School; Resolution R-13-11-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee, selecting an individual to serve as the Knox County Auditor with an annual salary of \$114,000.00 as recommended by the Knox County Audit Committee; Discussion regarding the November 6, 2013 Knox County School Board meeting; and Discussion regarding the IIA recommendation to the Audit

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

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4. Commissioner Ownby moved to amend the agenda to defer the following items to the December 2013 Board of Commissioners meeting: Resolution R-13-11-407 - Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the exchange of 3.99 acres of real property located at 7330 Oak Ridge Highway, Knox County, Tennessee, and a permanent ingress and egress easement to said real property from Traci K. Smith, Rufus Haynes Smith, III, and James Thomas Smith to Knox County and 3.99 acres of real property located at 3106 Water Plant Road, Knox County, Tennessee, from Knox County to Rufus H. Smith, Jr. & Company, LLC, a Tennessee LLC, said transfer of properties and easement being contingent upon the execution of a contract by the parties regarding the transfer of the properties and easement; approving the sale by Knox County, Tennessee, to Rufus H. Smith, Jr. & Company, LLC of the remaining 8.9 acres of real property owned by Knox County at 3106 Water Plant Road for the purchase price of \$400,465.47; and approving the lease by Knox County, Tennessee of 2.37 acres of real property located at 3106 Water Plant Road from Rufus H. Smith, Jr. & Company, LLC to be used by Knox County as a convenience center, contingent on the approval and execution of the exchange of the 3.99 acres of properties and easement at the above-noted addresses; and Spread of Record the Knox County Mayor's appointment of an individual to serve the remainder of Commissioner Richard Briggs' term on the Knox County Ethics Committee, a term which expires October 31, 2014. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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5. Commissioner Ownby moved to amend the agenda to withdraw the following item: Resolution R-13-11-702 - Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement between Regal Entertainment Group and Knox County regarding expansion of the Halls Greenway. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: DRIVES AND ROADS – TO BE CLOSED:**

**IN RE: CONSIDERATION OF THE CLOSURE OF A PORTION OF FEDERAL ROAD AND THE ENTIRETY OF SEA RAY DRIVE. ROADS ARE LOCATED ON PICKLE ISLAND OFF NATIONAL DRIVE IN THE FORKS OF THE RIVER INDUSTRIAL PARK IN THE NINTH COMMISSION DISTRICT. BRUNSWICK CORPORATION, LAKE FOREST, IL, PROPERTY OWNER – (FIRST READING):**

Consideration of the closure of a portion of Federal Road and the entirety of Sea Ray Drive was before the Board of Commissioners on first reading. Roads are located on Pickle Island off National Drive in the Forks of the River Industrial Park in the Ninth Commission District. Brunswick Corporation, Lake Forest, IL, property owner.

Commissioner Wright moved to approve the closure of a portion of Federal Road and the entirety of Sea Ray Drive on first reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Roads are located on Pickle Island off National Drive in the Forks of the River Industrial Park in the Ninth Commission District. Brunswick Corporation, Lake Forest, IL, property owner.

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**IN RE: CONSIDERATION OF THE CLOSURE OF PUBLIC RIGHT OF WAY ON KELLY LANE FROM THE ENTRANCE OF SEVEN ISLAND WILDLIFE REFUGE TO THE END OF THE PUBLIC RIGHT OF WAY:**

Consideration of the closure of public right of way on Kelly Lane from the entrance of Seven Island Wildlife Refuge to the end of the public right of way was before the Board of Commissioners.

Commissioner Wright moved to approve the closure of public right of way on Kelly Lane from the entrance of Seven Island Wildlife Refuge to the end of the public right of way. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: LINE ITEM TRANSFERS.**

Consideration of Line Item Transfers was before the Board of Commissioners.

Commissioner Anders moved to approve all request for Line Item Transfers. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: NOTARY PUBLIC APPLICATIONS:**

99 Notary Public Applications received.

Commissioner McKenzie moved to approve the 99 Notary Public Applications. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GOVERNMENT OBLIGATION CONTRACT WITH KANSAS STATE BANK OF MANHATTAN FOR THE FINANCING OF AN AMOUNT NOT TO EXCEED \$242,181.50 FOR THE PURCHASE OF DIGITAL TWO-WAY RADIO SYSTEMS FOR SCHOOL BUSES – R-13-11-201:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Government Obligation Contract with Kansas State Bank of Manhattan for the financing of an amount not to exceed \$242,181.50 for the purchase of digital two-way radio systems for school buses was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-201 Resolution of the Commission of Knox County, Tennessee, approving a Government Obligation Contract with Kansas State Bank of Manhattan for the financing of an amount not to exceed \$242,181.50 for the purchase of digital two-way radio systems for school buses. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$242,181.50 WITH METRO COMMUNICATIONS, LLC FOR DIGITAL TWO-WAY RADIO SYSTEMS FOR SCHOOL BUSES (FUNDED BY RESOLUTION R-13-11-201) – R-13-11-202:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$242,181.50 with Metro Communications, LLC for digital two-way radio systems for school buses (funded by Resolution R-13-11-201) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-202 Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$242,181.50 with Metro Communications, LLC for digital two-way radio systems for school buses (funded by Resolution R-13-11-201).

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE PACT AGREEMENT WITH TRANE U.S. INC. FOR PHASE III-C OF THE ENERGY CONSERVATION AND INFRASTRUCTURE IMPROVEMENT PROGRAM FOR KNOX COUNTY SCHOOLS (FUNDED THROUGH ENERGY SAVINGS) – R-13-11-203:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the PACT Agreement with Trane U.S. Inc. for Phase III-C of the Energy Conservation and Infrastructure Improvement Program for Knox County Schools (funded through Energy Savings) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-203 Resolution of the Commission of Knox County, Tennessee, approving the PACT Agreement with Trane U.S. Inc. for Phase III-C of the Energy Conservation and Infrastructure Improvement Program for Knox County Schools (funded through Energy Savings). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN AN AMOUNT NOT TO EXCEED \$100,000.00 ANNUALLY WITH GALLAHER & ASSOCIATES, INC. TO PROVIDE WIRELESS CLOCK SYSTEMS FOR THE KNOX COUNTY SCHOOLS MAINTENANCE AND OPERATIONS DEPARTMENT (FIRST YEAR FUNDED IN THE CURRENT BUDGET) – R-13-11-204:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in an amount not to exceed \$100,000.00 annually with Gallaher & Associates, Inc. to provide wireless clock systems for the Knox County Schools Maintenance and Operations Department (first year funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-204 Resolution of the Commission of Knox County, Tennessee, approving a contract in an amount not to exceed \$100,000.00 annually with Gallaher & Associates, Inc. to provide wireless clock systems for the Knox County Schools Maintenance and Operations Department (first year funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN AN AMOUNT NOT TO EXCEED \$500,000.00 ANNUALLY WITH DURACAP ASPHALT PAVING COMPANY, INC. TO PROVIDE PAVING SERVICES FOR THE KNOX COUNTY SCHOOLS MAINTENANCE AND OPERATIONS DEPARTMENT (FIRST YEAR FUNDED IN THE CURRENT BUDGET) R-13-11-205:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a contract in an amount not to exceed \$500,000.00 annually with Duracap Asphalt Paving Company, Inc. to provide paving services for the Knox County Schools Maintenance and Operations Department (first year funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-205 Resolution of the Commission of Knox County, Tennessee, approving a contract in an amount not to exceed \$500,000.00 annually with Duracap Asphalt Paving Company, Inc. to provide paving services for the Knox County Schools



Maintenance and Operations Department (first year funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING TWO (2) AGREEMENTS OF SALE WITH THE CITY OF KNOXVILLE FOR THE CITY'S ACQUISITION OF PERMANENT GREENWAY EASEMENTS, PERMANENT DRAINAGE EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS ON PROPERTY KNOWN AS FULTON HIGH SCHOOL FOR THE FURTHERANCE OF THE FIRST CREEK GREENWAY PROJECT (KNOX COUNTY SCHOOLS WILL RECEIVE A TOTAL OF \$14,700.00 FOR CONVEYING THESE EASEMENTS TO THE CITY) – R-13-11-206:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving two (2) agreements of sale with the City of Knoxville for the City's acquisition of permanent greenway easements, permanent drainage easements, and temporary construction easements on property known as Fulton High School for the furtherance of the First Creek Greenway Project (Knox County Schools will receive a total of \$14,700.00 for conveying these easements to the City) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-206 Resolution of the Commission of Knox County, Tennessee, approving two (2) agreements of sale with the City of Knoxville for the City's acquisition of permanent greenway easements, permanent drainage easements, and temporary construction easements on property known as Fulton High School for the furtherance of the First Creek Greenway Project (Knox County Schools will receive a total of \$14,700.00 for conveying these easements to the City).

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE ANNUAL LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) GRANT CONTRACT IN THE AMOUNT OF \$8,494.00 (REQUIRES A LOCAL MATCH OF \$8,494.00) WITH**

**THE TENNESSEE STATE LIBRARY AND ARCHIVES (LOCAL MATCH FUNDED IN THE CURRENT BUDGET) – R-13-11-207:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the annual Library Services and Technology Act (LSTA) Grant Contract in the amount of \$8,494.00 (requires a local match of \$8,494.00) with the Tennessee State Library and Archives (local match funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-207 Resolution of the Commission of Knox County, Tennessee, approving the annual Library Services and Technology Act (LSTA) Grant Contract in the amount of \$8,494.00 (requires a local match of \$8,494.00) with the Tennessee State Library and Archives (local match funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

The caption was revised to read as follows:

Resolution of the Commission of Knox County, Tennessee, approving the annual Library Services and Technology Act (LSTA) Grant Contract in the amount of \$8,494.00 with the Tennessee State Library and Archives (requires a local match of \$8,494.00 which is funded in the current budget).

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$3,450.00 WITH THE TENNESSEE ARTS COMMISSION TO SUPPORT THE 2014 CHILDREN’S FESTIVAL OF READING (GRANT REQUIRES A LOCAL MATCH OF \$3,450.00 TO BE FUNDED BY THE FRIENDS OF THE KNOX COUNTY PUBLIC LIBRARY) – R-13-11-208:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$3,450.00 with the Tennessee Arts Commission to support the 2014 Children’s Festival of Reading (grant requires a local match of \$3,450.00 to be funded by the Friends of the Knox County Public Library) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-208 Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$3,450.00 with the Tennessee Arts Commission to support the 2014 Children’s Festival of Reading (grant requires a local match of \$3,450.00 to be funded by the Friends of the Knox County Public Library).

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT OF SALE WITH THE CITY OF KNOXVILLE FOR THE CITY'S ACQUISITION OF A TEMPORARY CONSTRUCTION EASEMENT ON PROPERTY LOCATED AT 2901 OCOEE TRAIL, ALSO KNOWN AS THE NORTH KNOXVILLE BRANCH LIBRARY, FOR THE FURTHERANCE OF THE FIRST CREEK GREENWAY PROJECT (KNOX COUNTY WILL RECEIVE THE AMOUNT OF \$300.00 FOR CONVEYING THIS EASEMENT TO THE CITY) – R-13-11-209:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement of sale with the City of Knoxville for the City's acquisition of a temporary construction easement on property located at 2901 Ocoee Trail, also known as the North Knoxville Branch Library, for the furtherance of the First Creek Greenway Project (Knox County will receive the amount of \$300.00 for conveying this easement to the City) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-209 Resolution of the Commission of Knox County, Tennessee, approving an agreement of sale with the City of Knoxville for the City's acquisition of a temporary construction easement on property located at 2901 Ocoee Trail, also known as the North Knoxville Branch Library, for the furtherance of the First Creek Greenway Project (Knox County will receive the amount of \$300.00 for conveying this easement to the City). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH CARIS HEALTHCARE, L.P. FOR PROPERTY LOCATED AT 10709 COWARD MILL ROAD – R-13-11-401:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Caris HealthCare, L.P. for property located at 10709 Coward Mill Road was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-401 Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Caris HealthCare, L.P. for property located at 10709 Coward Mill Road. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH GRAD LAND DEVELOPMENT FOR PROPERTY LOCATED AT 0 ANCIENT OAK LANE – R-13-11-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with GRAD Land Development for property located at 0 Ancient Oak Lane was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-402 Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with GRAD Land Development for property located at 0 Ancient Oak Lane. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH PRIMOS LAND COMPANY, LLC FOR PROPERTY LOCATED AT 0 ANDES ROAD – R-13-11-403:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater

Facilities and Best Management Practices with Primos Land Company, LLC for property located at 0 Andes Road was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-403 Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Primos Land Company, LLC for property located at 0 Andes Road. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH ALDI INC. (TENNESSEE) FOR PROPERTY LOCATED AT 4109 EAST EMORY ROAD – R-13-11-404:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Aldi Inc. (Tennessee) for property located at 4109 East Emory Road was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-404 Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Aldi Inc. (Tennessee) for property located at 4109 East Emory Road. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AMENDMENT TO KNOX COUNTY CONTRACT NUMBER 12-478 WITH VOLUNTEER EROSION CONTROL, LLC FOR LANDSCAPING SERVICES, WHICH AMENDMENT PROVIDES FOR THE ADDITIONAL SERVICES OF ROOT REMOVAL AND INSTALLING ROOT CONTROL FABRIC AT VARIOUS WALKING TRAIL LOCATIONS (FUNDED IN THE CURRENT BUDGET) – R-13-11-405:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an amendment to Knox County Contract Number 12-478

with Volunteer Erosion Control, LLC for landscaping services, which amendment provides for the additional services of root removal and installing root control fabric at various walking trail locations (funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-405 Resolution of the Commission of Knox County, Tennessee, approving an amendment to Knox County Contract Number 12-478 with Volunteer Erosion Control, LLC for landscaping services, which amendment provides for the additional services of root removal and installing root control fabric at various walking trail locations (funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CONTRACT AMENDMENTS WITH NEFF RENTAL, LLC, APAC ATLANTIC, INC., CLAIBORNE HAULING, LLC, AND STOWERS MACHINERY CORPORATION FOR EQUIPMENT RENTAL AND OPERATOR SERVICES, WHICH AMENDMENTS PROVIDE FOR THE ADDITION OF RENTAL AND OPERATOR SERVICES, WHICH AMENDMENTS PROVIDE FOR THE ADDITION OF RENTAL RATES FOR A CLAW/THUMB ATTACHMENT FOR TRACKHOE AND A SMALL DOZER (FUNDED IN THE CURRENT BUDGET) – R-13-11-406:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving contract amendments with Neff Rental, LLC, APAC Atlantic, Inc., Claiborne Hauling, LLC, and Stowers Machinery Corporation for equipment rental and operator services, which amendments provide for the addition of rental and operator services, which amendments provide for the addition of rental rates for a claw/thumb attachment for trackhoe and a small dozer (funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-406 Resolution of the Commission of Knox County, Tennessee, approving contract amendments with Neff Rental, LLC, APAC Atlantic, Inc., Claiborne Hauling, LLC, and Stowers Machinery Corporation for equipment rental and operator services, which amendments provide for the addition of rental and operator services, which amendments provide for the addition of rental rates for a

claw/thumb attachment for trackhoe and a small dozer (funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT AND AMENDMENT THERETO WITH JOHN'S MOBILE REPAIR SERVICE FOR MAINTENANCE AND REPAIR OF SOLID WASTE EQUIPMENT, WHICH AMENDMENT PROVIDES FOR THE ADDITION OF A CATEGORY FOR SKILLED LABOR AT A RATE OF \$27.50 PER HOUR (CONTRACT AND AMENDMENT FUNDED IN THE CURRENT BUDGET) – R-13-11-408:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement and amendment thereto with John's Mobile Repair Service for maintenance and repair of solid waste equipment, which amendment provides for the addition of a category for skilled labor at a rate of \$27.50 per hour (contract and amendment funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-408 Resolution of the Commission of Knox County, Tennessee, approving an agreement and amendment thereto with John's Mobile Repair Service for maintenance and repair of solid waste equipment, which amendment provides for the addition of a category for skilled labor at a rate of \$27.50 per hour (contract and amendment funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE ACCEPTANCE OF A GIFT CARD IN THE AMOUNT OF \$50.00 FROM KEEP AMERICA BEAUTIFUL AND DONATION OF SAME TO KEEP KNOXVILLE BEAUTIFUL IN SUPPORT OF AMERICA RECYCLES DAY – R-13-11-409:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a gift card in the amount of \$50.00 from Keep America Beautiful and donation of same to Keep Knoxville Beautiful in support of America Recycles Day was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-409 Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a gift card in the amount of \$50.00 from Keep America Beautiful and donation of same to Keep Knoxville Beautiful in support of America Recycles Day. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$195,000.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH TO PROVIDE HEALTH CARE SAFETY NET EMERGENCY DENTAL SERVICES FOR UNINSURED ADULTS AGED 19-64 (NO LOCAL MATCH REQUIRED) – R-13-11-601:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$195,000.00 with the Tennessee Department of Health to provide health care safety net emergency dental services for uninsured adults aged 19-64 (no local match required) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-601 Resolution of the Commission of Knox County, Tennessee, approving a grant contract in the amount of \$195,000.00 with the Tennessee Department of Health to provide health care safety net emergency dental services for uninsured adults aged 19-64 (no local match required). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE ACCEPTANCE OF A DONATION IN THE AMOUNT OF \$1,400.00 FROM PATRICIA TRACY MASSA FOR THE PURCHASE AND PLACEMENT OF A PARK BENCH AT ADMIRAL FARRAGUT PARK – R-13-11-701:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a donation in the amount of \$1,400.00 from Patricia Tracy Massa for the purchase and placement of a park bench at Admiral Farragut Park was before the Board of Commissioners.



Commissioner McKenzie moved to approve Resolution R-13-11-701 Resolution of the Commission of Knox County, Tennessee, authorizing the acceptance of a donation in the amount of \$1,400.00 from Patricia Tracy Massa for the purchase and placement of a park bench at Admiral Farragut Park.

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE ACCEPTANCE OF THREE EASEMENTS FOR THE HALLS PARK TO SCHOOL GREENWAY FROM KUB, TTC HALLS, LLC AND ST. MARY'S VILLA, INC., TO COMPLETE GREENWAY CONNECTIONS FROM CLAYTON PARK TO HALLS ELEMENTARY SCHOOL – R-13-11-703:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving the acceptance of three easements for the Halls Park to School Greenway from KUB, TTC Halls, LLC and St. Mary's Villa, Inc., to complete greenway connections from Clayton Park to Halls Elementary School was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-703 Resolution of the Commission of Knox County, Tennessee, approving the acceptance of three easements for the Halls Park to School Greenway from KUB, TTC Halls, LLC and St. Mary's Villa, Inc., to complete greenway connections from Clayton Park to Halls Elementary School. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT II TO THE DEFINED SERVICES CONTRACT WITH THE ARTS AND CULTURE ALLIANCE OF GREATER KNOXVILLE TO PROVIDE ADDITIONAL FUNDING IN THE TOTAL AMOUNT OF \$29,360.00, WHICH AMOUNT INCLUDES \$20,000.00 FOR THE KUUMBA FESTIVAL AND \$9,360.00 TO EXTEND THE HOURS AT THE EMPORIUM CENTER (FUNDED IN THE CURRENT BUDGET) – R-13-11-801:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving Amendment II to the Defined Services Contract with the Arts and Culture Alliance of Greater Knoxville to provide additional funding in the total amount of \$29,360.00, which amount includes \$20,000.00 for the KUUMBA Festival and \$9,360.00 to extend the hours at the Emporium Center (funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-801 Resolution of the Commission of Knox County, Tennessee, approving Amendment II to the Defined Services Contract with the Arts and Culture Alliance of Greater Knoxville to provide additional funding in the total amount of \$29,360.00, which amount includes \$20,000.00 for the KUUMBA Festival and \$9,360.00 to extend the hours at the Emporium Center (funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A SOFTWARE LICENSE AND SERVICES AGREEMENT WITH ORIGAMI RISK, LLC IN AN AMOUNT NOT TO EXCEED \$169,850.00 OVER A FIVE YEAR TERM FOR THE PROVISION OF WORKERS' COMPENSATION CLAIMS MANAGEMENT SOFTWARE AND SERVICES (FIRST YEAR FUNDED IN THE CURRENT BUDGET) – R-13-11-803:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a software license and services agreement with Origami Risk, LLC in an amount not to exceed \$169,850.00 over a five year term for the provision of Workers' Compensation Claims Management Software and Services (first year funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-803 Resolution of the Commission of Knox County, Tennessee, approving a software license and services agreement with Origami Risk, LLC in an amount not to exceed \$169,850.00 over a five year term for the provision of Workers' Compensation Claims Management Software and Services (first year funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A MASTER SERVICES AGREEMENT WITH HEALTHCARE SOLUTIONS, INC. IN AN AMOUNT NOT TO EXCEED \$350,000.00 ANNUALLY FOR THE PROVISION OF WORKERS' COMPENSATION PHARMACY SERVICES (FIRST YEAR FUNDED IN THE CURRENT BUDGET) – R-13-11-804:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a Master Services Agreement with Healthcare Solutions, Inc. in an amount not to exceed \$350,000.00 annually for the provision of Workers' Compensation Pharmacy Services (first year funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-804 Resolution of the Commission of Knox County, Tennessee, approving a Master Services Agreement with Healthcare Solutions, Inc. in an amount not to exceed \$350,000.00 annually for the provision of Workers' Compensation Pharmacy Services (first year funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT WITH RISING MEDICAL SOLUTIONS, LLC IN AN AMOUNT NOT TO EXCEED \$50,000.00 ANNUALLY FOR THE PROVISION OF WORKERS' COMPENSATION MEDICAL BILL REVIEW SERVICES (FIRST YEAR FUNDED IN THE CURRENT BUDGET) – R-13-11-805:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement with Rising Medical Solutions, LLC in an amount not to exceed \$50,000.00 annually for the provision of Workers' Compensation Medical Bill Review Services (first year funded in the current budget) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-805 Resolution of the Commission of Knox County, Tennessee, approving an agreement with Rising Medical Solutions, LLC in an amount not to exceed \$50,000.00 annually for the provision of Workers' Compensation Medical Bill Review Services (first year funded in the current budget). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles,

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A REAL ESTATE SALES CONTRACT IN THE AMOUNT OF \$385,000.00 PLUS THE BUYER'S PREMIUM WITH WILL BUNCH FOR PROPERTY LOCATED AT 0 MIDDLEBROOK PIKE (PARCEL 106KB02602) (AGREEMENT DOES NOT REQUIRE AN EXPENDITURE OF FUNDS) – R-13-11-806:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving a real estate sales contract in the amount of \$385,000.00 plus the buyer's premium with Will Bunch for property located at 0 Middlebrook Pike (Parcel 106KB02602) (agreement does not require an expenditure of funds) was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-13-11-806 Resolution of the Commission of Knox County, Tennessee, approving a real estate sales contract in the amount of \$385,000.00 plus the buyer's premium with Will Bunch for property located at 0 Middlebrook Pike (Parcel 106KB02602) (agreement does not require an expenditure of funds). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: ACCEPTANCE OF NEW KNOX COUNTY ROADS:**

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

- A. Oakfield Lane, Oakfield Subdivision, District 7.
- B. Mountain Oak Lane, Oakfield Subdivision, District 7.

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

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

6. Without objection, Commissioner Anders amended the agenda to hear the following item at this time: Resolution R-13-11-902 - Consideration of a

Resolution of the Commission of Knox County, Tennessee, selecting an individual to serve as the Knox County Auditor with an annual salary of \$114,000.00 as recommended by the Knox County Audit Committee.

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**IN RE: RESOLUTION:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, SELECTING AN INDIVIDUAL TO SERVE AS THE KNOX COUNTY AUDITOR WITH AN ANNUAL SALARY OF \$114,000.00 AS RECOMMENDED BY THE KNOX COUNTY AUDIT COMMITTEE – R-13-11-902:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, selecting an individual to serve as the Knox County Auditor with an annual salary of \$114,000.00 as recommended by the Knox County Audit Committee was before the Board of Commissioners.

Mr. Mark Jones, Senior Director for Knox County Human Resources and Risk Management, was present and spoke on the matter.

The following applicants seeking the Knox County Auditor position were present and spoke on the matter: Ms. Cindy Kington and Ms. Andrea Williams.

Upon roll call for nominations for the Knox County Auditor, Commissioner McKenzie passed. Commissioner Broyles nominated Ms. Williams. Commissioner Norman passed. Commissioner Ownby passed. Commissioner Briggs nominated Ms. Cindy Kington.

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

Upon roll call for selection of the Knox County Auditor, Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted for Ms. Williams. Ms. Williams received 11 votes. Ms. Kington received 0 votes.

Commissioner Shouse moved to approve Resolution R-13-11-902 Resolution of the Commission of Knox County, Tennessee, selecting Andrea Williams to serve as the Knox County Auditor with an annual salary of \$114,000.00 as recommended by the Knox County Audit Committee. Commissioner McKenzie seconded the motion and upon roll call vote

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

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**IN RE: RESOLUTIONS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE EXCHANGE OF 3.99 ACRES OF REAL PROPERTY LOCATED AT 7330 OAK RIDGE HIGHWAY, KNOX COUNTY, TENNESSEE, AND A PERMANENT INGRESS AND EGRESS EASEMENT TO SAID REAL PROPERTY FROM TRACI K. SMITH, RUFUS HAYNES SMITH, III, AND JAMES THOMAS SMITH TO KNOX COUNTY AND 3.99 ACRES OF REAL PROPERTY LOCATED AT 3106 WATER PLANT ROAD, KNOX COUNTY, TENNESSEE, FROM KNOX COUNTY TO RUFUS H. SMITH, JR. & COMPANY, LLC, A TENNESSEE LLC, SAID TRANSFER OF PROPERTIES AND EASEMENT BEING CONTINGENT UPON THE EXECUTION OF A CONTRACT BY THE PARTIES REGARDING THE TRANSFER OF THE PROPERTIES AND EASEMENT; APPROVING THE SALE BY KNOX COUNTY, TENNESSEE, TO RUFUS H. SMITH, JR. & COMPANY, LLC OF THE REMAINING 8.9 ACRES OF REAL PROPERTY OWNED BY KNOX COUNTY AT 3106 WATER PLANT ROAD FOR THE PURCHASE PRICE OF \$400,465.47; AND APPROVING THE LEASE BY KNOX COUNTY, TENNESSEE OF 2.37 ACRES OF REAL PROPERTY LOCATED AT 3106 WATER PLANT ROAD FROM RUFUS H. SMITH, JR. & COMPANY, LLC TO BE USED BY KNOX COUNTY AS A CONVENIENCE CENTER, CONTINGENT ON THE APPROVAL AND EXECUTION OF THE EXCHANGE OF THE 3.99 ACRES OF PROPERTIES AND EASEMENT AT THE ABOVE-NOTED ADDRESSES R-13-11-407:**

This item was deferred to the December 2013 Board of Commissioners meeting. (See Amendments to the agenda, Page \_\_\_\_\_).

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT BETWEEN REGAL ENTERTAINMENT GROUP AND KNOX COUNTY REGARDING EXPANSION OF THE HALLS GREENWAY – R-13-11-702:**

This item was withdrawn from the agenda. (See Amendments to the agenda, Page \_\_\_\_\_).

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT OF SALE IN THE AMOUNT OF \$500,000.00 WITH SOUTHEASTERN HOUSING FOUNDATION II, INC. AND FAMILY PRIDE CORPORATION FOR PROPERTY LOCATED AT 101 EAST FIFTH AVENUE, ALSO KNOWN AS THE HISTORIC KNOXVILLE HIGH SCHOOL (AGREEMENT DOES NOT REQUIRE AN EXPENDITURE OF FUNDS) – R-13-11-802:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$500,000.00 with Southeastern Housing Foundation II, Inc. and Family Pride Corporation for property located at 101 East Fifth Avenue, also known as the Historic Knoxville High School (agreement does not require an expenditure of funds) was before the Board of Commissioners.

The following concerned citizens were present and spoke on the matter: Ms. Virginia Douglas, Mr. Bill Murrah, Ms. Barbara Simpson and Mr. Todd Rechenbach.

Commissioner Broyles moved to approve Resolution R-13-11-802 Resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$500,000.00 with Southeastern Housing Foundation II, Inc. and Family Pride Corporation for property located at 101 East Fifth Avenue also known as the Historic Knoxville High School (agreement does not require an expenditure of funds). Commissioner Ownby seconded the motion and upon roll call vote Commissioners Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioners McKenzie and Brown voted no. The motion carried 9-2-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONCERNING TAXES AND THE DISPOSAL OF REAL PROPERTY OWNED BY THE CITY OF KNOXVILLE R-13-11-901:**

Consideration of a Resolution of the Commission of Knox County, Tennessee, concerning taxes and the disposal of real property owned by the City of Knoxville was before the Board of Commissioners.

Commissioner Broyles moved to approve Resolution R-13-11-901 Resolution of the Commission of Knox County, Tennessee, concerning taxes and the disposal of real property owned by the City of Knoxville. Commissioner

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, SELECTING AN INDIVIDUAL TO SERVE AS THE KNOX COUNTY AUDITOR WITH AN ANNUAL SALARY OF \$114,000.00 AS RECOMMENDED BY THE KNOX COUNTY AUDIT COMMITTEE – R-13-11-902:**

This item was heard earlier at the meeting. (See Page \_\_\_\_\_)

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

No Ordinances on first reading received.

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

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING KNOX COUNTY CODE, CHAPTER 2, ARTICLE IX ENTITLED “PROCUREMENT CODE” TO PROVIDE FOR VARIOUS CHANGES TO THE PROCUREMENT CODE OF KNOX COUNTY (AMENDING ORDINANCE O-08-5-101, ADOPTED JUNE 23, 2008; AND ORDINANCE O-10-11-101, ADOPTED DECEMBER 17, 2010) – O-13-10-101 – (SECOND READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 2, Article IX entitled “Procurement Code” to provide for various changes to the Procurement Code of Knox County (amending Ordinance O-08-5-101, adopted June 23, 2008; and Ordinance O-10-11-101, adopted December 17, 2010) was before the Board of Commissioners on second reading.

Commissioner Brown moved to approve Ordinance O-13-10-101 Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 2, Article IX entitled “Procurement Code” to provide for various changes to the Procurement Code of Knox County (amending Ordinance O-08-5-101, adopted June 23, 2008; and Ordinance O-10-11-101, adopted December 17, 2010) on second reading. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman,



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

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**IN RE: PUBLIC FORUM:**

No one requested to speak.

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**IN RE: OTHER BUSINESS:**

**IN RE: SPREAD OF RECORD THE KNOX COUNTY MAYOR'S APPOINTMENT OF AN INDIVIDUAL TO SERVE THE REMAINDER OF COMMISSIONER RICHARD BRIGGS' TERM ON THE KNOX COUNTY ETHICS COMMITTEE, A TERM WHICH EXPIRES OCTOBER 31, 2014:**

This item was deferred to the December 2013 Board of Commissioners meeting. (See Amendments to the Agenda, Page \_\_\_\_\_)

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**IN RE: DISCUSSION REGARDING THE JOINT EDUCATION COMMITTEE:**

Discussion regarding the joint Education Committee was before the Board of Commissioners.

No action was taken.

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

7. Commissioner Anders amended the agenda to hear the following item at this time: Discussion regarding the November 6, 2013 Knox County School Board meeting.

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**IN RE: DISCUSSION REGARDING THE NOVEMBER 6, 2013 KNOX COUNTY SCHOOL BOARD MEETING:**

Discussion regarding the November 6, 2013 Knox County School Board meeting was before the Board of Commissioners.

Dr. James McIntyre, Superintendent for Knox County Schools, was present and spoke on the matter.

No action was taken.

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**IN RE: DISCUSSION REGARDING TRANSPARENCY OF COMMISSION TRAVEL:**

Discussion regarding transparency of commission travel was before the Board of Commissioners.

No action was taken.

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**IN RE: DISCUSSION REGARDING THE NOVEMBER 6, 2013 KNOX COUNTY SCHOOL BOARD MEETING:**

This item was heard earlier at the meeting. (See Page \_\_\_\_\_)

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**IN RE: DISCUSSION REGARDING THE IIA RECOMMENDATION TO THE AUDIT COMMITTEE:**

Discussion regarding the IIA recommendation to the Audit Committee was before the Board of Commissioners.

No action was taken.

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

8. Commissioner Anders amended the agenda to hear the zoning agenda at this time followed by all remaining items on the agenda.

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**IN RE: ROLL CALL – (5:00 P.M.)**

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse. Commissioner Norman arrived later in the meeting. Commissioner Brown was absent from the zoning session.

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**IN RE: ZONING REQUESTS:**

1. Consideration of the request of Danny Hamilton for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone was before the Board of Commissioners. Property located on the west side of Fox Road, south of Capital Drive. (5<sup>th</sup> Commission District)

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

Commissioner Briggs moved to approve zoning request RZ-13-11-101 - Request of Danny Hamilton for rezoning from A Agricultural Zone to OB Office, Medical and Related Services Zone as per MPC's

recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioner Norman arrived later in the meeting. Commissioner Brown was absent from the meeting. The motion carried 9-0-0-2. Property located on the west side of Fox Road, south of Capital Drive. (5<sup>th</sup> Commission District) MPC's file number: 10-A-13-RZ.

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2. Consideration of the request of Worley Builders, Inc. for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the east side of Bob Kirby Road, north of Dutchtown Road. (3<sup>rd</sup> Commission District)

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

Commissioner Smith moved to approve zoning request RZ-13-11-102 Request of Worley Builders, Inc. for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC's recommendation. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioner Norman arrived later in the meeting. Commissioner Brown was absent from the meeting. The motion carried 9-0-0-2. Property located on the east side of Bob Kirby Road, north of Dutchtown Road. (3<sup>rd</sup> Commission District) MPC's file number: 10-G-13-RZ.

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3. Consideration of the request of Harley E. Bittle for rezoning from A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the north side of West Gallaher Ferry Road, north of Hickory Creek Road. (6<sup>th</sup> Commission District)

Mr. Harley E. Bittle, applicant, was present and spoke on behalf of the request.

Mr. Ewing "Buz" Johnson, Deputy Director for Metropolitan Planning Commission, and Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, were present and spoke on the matter.

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

Commissioner Anders moved to approve zoning request RZ-13-11-103 - Request of Harley E. Bittle for rezoning from A Agricultural Zone to PR Planned Residential Zone at a density of .8 dwelling units per acre subject to

one condition. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioner Brown was absent from the meeting. The motion carried 10-0-0-1. Property located on the north side of West Gallaher Ferry Road, north of Hickory Creek Road. (6<sup>th</sup> Commission District) MPC's file number: 8-G-13-RZ.

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**IN RE: ZONING APPEALS**

No zoning appeals received.

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**IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE:**

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING ARTICLE 5, SECTION 5.22, A AGRICULTURAL ZONE, OF THE KNOX COUNTY ZONING ORDINANCE (APPENDIX A OF THE KNOX COUNTY CODE) REGARDING RETAIL SALES OF AGRICULTURAL PRODUCTS IN THE A AGRICULTURAL ZONE DISTRICT (AMENDING ORDINANCE O-90-9-130, ADOPTED NOVEMBER 10, 1990, AS AMENDED) – O-13-11-101 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 5, Section 5.22, A Agricultural Zone, of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) regarding retail sales of Agricultural products in the A Agricultural Zone district (amending Ordinance O-90-9-130, adopted November 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner McKenzie moved to approve Ordinance O-13-11-101 Ordinance of the Commission of Knox County, Tennessee, amending Article 5, Section 5.22, A Agricultural Zone, of the Knox County Zoning Ordinance (Appendix A of the Knox County Code) regarding retail sales of Agricultural products in the A Agricultural Zone district (amending Ordinance O-90-9-130, adopted November 10, 1990, as amended) on first reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Hammond and Shouse voted aye. Commissioner Brown was absent from the meeting. The motion carried 10-0-0-1.

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**IN RE: DISCUSSION REGARDING THE OPTIONS ON HOW TO APPROACH A POSSIBLE AUDIT OF THE KNOX COUNTY CRIMINAL COURT CLERK'S OFFICE:**

Discussion regarding the options on how to approach a possible audit of the Knox County Criminal Court Clerk's Office was before the Board of Commissioners.

Mr. David Buuck, Knox County Chief Deputy Law Director, and Mr. Richard Armstrong, Knox County Law Director, were present and spoke on the matter.

No action was taken.

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**IN RE: ADJOURNMENT:**

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

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***KNOX COUNTY BOARD OF COMMISSIONERS***

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***BRAD ANDERS, CHAIRMAN***