

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, December 17, 2007 at 4:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston. Also present were Mr. John Owings, Knox County Law Director, Mr. Mike Ragsdale, Knox County Mayor, Mr. John Troyer, Director, Knox County Finance, Mr. Dwight Van de Vate, Director, Governmental Affairs, Ms. Cynthia Finch, Director, Community Services, Mr. Bruce Wuethrich, Director, Engineering and Public Works, Mr. Richard Walls, Knox County Internal Auditor and news media.

The following proceedings were had and entered of record to-wit:
Commissioner Scott Moore, Chairman, presided.

* * * * *

IN RE: ROLL CALL:

Ms. Martha Beeler, Administrative Assistance to Chief Deputy George Stooksbury, “under the Authority 18-6-115”, called the roll.

* * * * *

IN RE: ZONINGS: 4:00 P.M.

IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Moore amended the zoning agenda as follows:

Commissioner Craig Leuthold moved to withdraw from the agenda 8-A-07-SP – Request of Michael C. Rhodes for South County Sector Plan Amendment from A/RR (Agricultural)/Rural Residential) to LDR (Low Density Residential). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioners Mark Harmon and Norman voted no. The motion carried 9-2-0-0.

Property located on the south and east sides of Stonecress Lane, south of W. Ford Valley Road. Ninth Commission District.

* * * * *

Commissioner Craig Leuthold moved to withdraw from the agenda 8-C-07-RZ – Request of Michael C. Rhodes for rezoning from A (Agricultural) to PR (Planned Residential). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Ivan Harmon,

Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. Commissioners Mark Harmon and Norman voted no. The motion carried 9-2-0-0. Property located on the south and east sides of Stonecress Lane, south of W. Ford Valley Road. Ninth Commission District.

* * * * *

Commissioner Lambert moved to defer to the February 2008 Board of Commissioners meeting 6-A-06-SP Appeal by W. C. Development, owner, of MPC Denial of Northwest County Sector Plan Amendment from LDR (Low Density Residential) and SLPA (Slope Protection Area) to C (Commercial) and SLPA (Slope Protection Area). The motion was seconded and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

* * * * *

Commissioner Lambert moved to defer to the February 2008 Board of Commissioners meeting 6-H-06-RZ Appeal by W. C. Development, owner, of MPC Denial of rezoning from PR (Planned Residential) to CA (General Business). The motion was seconded and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the south side of Hardin Valley Road, east side of Thompson Road. Sixth Commission District.

* * * * *

Request of J. D. Robison for rezoning from A (Agricultural) to RB (General Residential) 11-Q-05-RZ was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

Without objection, Commissioner Moore deferred the above item to the end of the agenda.

* * * * *

Request of Justin Mitchell for rezoning from I (Industrial) to A (Agricultural) 10-G-07-RZ was before the Board of Commissioners. Property located on the northwest side of Brackett Road, northeast of Bell Road. Eighth Commission District.

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

Commissioner Ballard moved to approve 10-G-07-RZ - Request of Justin Mitchell for rezoning from I (Industrial) to A (Agricultural) as per

Metropolitan Planning Commission's Recommendation: Approve A (Agricultural). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of Brackett Road, northeast of Bell Road. Eighth Commission District.

* * * * *

Request of Briartowne LLC for rezoning from A (Agricultural) to PR (Planned Residential) 10-P-07-RZ was before the Board of Commissioners. Property located on the northeast end of Fisher Lane, north of Hammer Road. Eighth Commission District.

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

Mr. Dennis Gore, representing applicant, was present and spoke on behalf of the request.

Commissioner Ballard moved to approve 10-P-07-RZ - Request of Briartowne LLC for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density up to 3 dwelling units per acre. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northeast end of Fisher Lane, north of Hammer Road. Eighth Commission District.

* * * * *

Request of Travis Fuller for Southwest County Sector Plan Amendment from LDR (Low Density Residential) and SLPA (Slope Protection Area) to MDR (Medium Density Residential) and SLPA (Slope Protection Area) 10-D-07-SP was before the Board of Commissioners. Property located on the northeast side of Canton Hollow Road, southeast of Deep Woods Lane. Fifth Commission District.

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

Mr. Travis Fuller, applicant, was present and spoke on behalf of the request.

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

Mr. D. H. Andrew, area resident, was present and spoke in opposition to the request.

Mr. John Schoonmaker, representing Council of West Knox County Homeowners, and also serves as President, was present and spoke on the matter.

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

Mr. Lee Varner, owner of the property, was present and spoke on the matter.

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

Commissioner Craig Leuthold moved there would be no change on 10-D-07-SP - Request of Travis Fuller for Southwest County Sector Plan Amendment from LDR (Low Density Residential) and SLPA (Slope Protection Area) to MDR (Medium Density Residential) and SLPA (Slope Protection Area). Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northeast side of Canton Hollow Road, southeast of Deep Woods Lane. Fifth Commission District.

* * * * *

Request of Travis Fuller for rezoning from A (Agricultural) and RA (General Residential) to PR (Planned Residential) 10-Q-07-RZ was before the Board of Commissioners. Property located on the northeast side of Canton Hollow Road, southeast of Deep Woods Lane. Fifth Commission District.

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

Mr. Travis Fuller, applicant, was present and spoke on behalf of the request.

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

Mr. D. H. Andrew, area resident, was present and spoke in opposition to the request.

Mr. John Schoonmaker, representing Council of West Knox County Homeowners, and also serves as President, was present and spoke on the matter.

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

Mr. Lee Varner, owner of the property, was present and spoke on the matter.

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

Commissioner Craig Leuthold moved to approve 10-Q-07-RZ - Request of Travis Fuller for rezoning from A (Agricultural) and RA (General Residential) to PR (Planned Residential) at 1-4 dwelling units per acre. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northeast side of Canton Hollow Road, southeast of Deep Woods Lane. Fifth Commission District.

* * * * *

Request of Wells Creek LLC for South County Sector Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) 10-E-07-SP was before the Board of Commissioners. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

Mr. John King, Attorney, representing applicant, was present and spoke on deferring the above request to February 2008.

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

Mr. Bob Dykes, representing South Doyle Homeowners Association, was present and spoke in opposition to deferring the Request of Wells Creek LLC.

Mr. Victor Jernigan, Developer, was present and spoke on the matter.

Mr. Mike Brown, area resident, spoke in opposition to deferring the Request of Wells Creek LLC.

Commissioner Pinkston moved to deny deferring to February 2008 Board of Commissioners meeting and hear today 10-E-07-SP Request of Wells Creek LLC for South County Sector Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential). Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Moore, Ballard and Pinkston voted aye. Commissioners Lambert and Smith voted no. The motion carried 9-2-0-0. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

* * * * *

Request of Wells Creek LLC for rezoning from A (Agricultural) and PR (Planned Residential) at 1-5 DU/AC to PR (Planned Residential) at up to 12 DU/AC 10-T-07-RZ was before the Board of Commissioners. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

Mr. John King, Attorney, representing applicant, was present and spoke on the matter.

Mr. Victor Jernigan, Developer, was present and spoke on the matter. Commissioner Moore asked if there was any opposition to the request.

Mr. Bob Dykes, representing South Doyle Homeowners Association, was present and spoke in opposition to deferring the Request of Wells Creek LLC.

Ms. Victoria Defreese, concerned resident, was present and spoke in opposition to the request.

Mr. Bob Dykes, concerned resident, was present and spoke in opposition to the request.

Mr. Mike Brown, area resident, spoke in opposition to deferring the Request of Wells Creek LLC.

Commissioner Pinkston moved to deny deferring to February 2008 Board of Commissioners meeting and hear today 10-T-07-RZ Request of Wells Creek LLC for rezoning from A (Agricultural) and PR (Planned Residential) at 1-5 DU/AC to PR (Planned Residential) at up to 12 DU/AC. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Moore, Ballard and Pinkston voted aye. Commissioners Lambert and Smith voted no. The motion carried 9-2-0-0. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

* * * * *

Request of Wells Creek LLC for South County Sector Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential) 10-E-07-SP was before the Board of Commissioners. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

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 the matter.

Mr. Victor Jernigan, Developer, was present and spoke on the matter. Commissioner Moore asked if there was any opposition to the request. Ms. Victoria Defreese, concerned resident, was present and spoke in opposition to the request.

Mr. Bob Dykes, concerned resident, was present and spoke in opposition to the request.

Mr. Mike Brown, concerned resident, was present and spoke in opposition to the request.

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

Commissioner Pinkston moved to deny 10-E-07-SP - Request of Wells Creek LLC for South County Sector Plan Amendment from LDR (Low Density Residential) to MDR (Medium Density Residential). Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Moore, Ballard and Pinkston voted aye. Commissioners Lambert and Smith voted no. The motion carried 9-2-0-0. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

* * * * *

Request of Wells Creek LLC for rezoning from A (Agricultural) and PR (Planned Residential) at 1-5 DU/AC to PR (Planned Residential) at up to 12 DU/AC 10-T-07-RZ was before the Board of Commissioners. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

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 the matter.

Mr. Victor Jernigan, Developer, was present and spoke on the matter. Commissioner Moore asked if there was any opposition to the request.

Ms. Victoria Defreese, concerned resident, was present and spoke in opposition to the request.

Mr. Bob Dykes, concerned resident, was present and spoke in opposition to the request.

Mr. Mike Brown, concerned resident, was present and spoke in opposition to the request.

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

Commissioner Pinkston moved to deny 10-T-07-RZ - Request of Wells Creek LLC for rezoning from A (Agricultural) and PR (Planned Residential) at 1-5 DU/AC to PR (Planned Residential) at up to 12 DU/AC. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Moore, Ballard and Pinkston voted aye. Commissioners Lambert and Smith voted no. The motion carried 9-2-0-0. Property located on the south side of W. Governor John Sevier Highway, east side of Winkle Lane, north of Tipton Station Road. Ninth Commission District.

* * * * *

Request of William David Hurst/Russ Lewis for rezoning from A (Agricultural) to I (Industrial) 11-A-07-RZ was before the Board of Commissioners. Property located on the northwest side of East Raccoon Valley Drive, southwest of Diggs Gap Road. Seventh Commission District.

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

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

Commissioner Smith moved to approve 11-A-07-RZ - Request of William David Hurst/Russ Lewis for rezoning from A (Agricultural) to I (Industrial) as per Metropolitan Planning Commission's Recommendation: Approve LI (Light Industrial) Zoning to a Depth of 1,000 feet from the Northwest right of way line of East Raccoon Valley Drive. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore and Pinkston voted aye. Commissioners Lambert and Ballard were absent from the vote. The motion carried 9-0-0-2. Property located on the northwest side of East Raccoon Valley Drive, southwest of Diggs Gap Road. Seventh Commission District.

* * * * *

Request of Cliff Helton for rezoning from CA (General Business) to CB (Business and Manufacturing) 11-B-07-RZ was before the Board of Commissioners. Property located on the north side of Kingston Pike, east of Lovell Road. Fifth Commission District.

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

Commissioner Hammond moved to approve 11-B-07-RZ - Request of Cliff Helton for rezoning from CA (General Business) to CB (Business and Manufacturing) as per Metropolitan Planning Commission's

Recommendation: Approve CB (Business and Manufacturing).
Commissioner Smith seconded the motion and upon roll call vote
Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon,
Hammond, Leuthold, Smith, Moore and Pinkston voted aye.
Commissioners Lambert and Ballard were absent from the vote. The motion
carried 9-0-0-2. Property located on the north side of Kingston Pike, east of
Lovell Road. Fifth Commission District.

* * * * *

Request of Michael Romines for rezoning from PR (Planned
Residential) and F (Floodway) to A (Agricultural) and F (Floodway)
11-C-07-RZ was before the Board of Commissioners. Property located on
the south end of Signal Station Road, southeast of Tipton Station. Ninth
Commission District.

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

Commissioner Pinkston moved to approve 11-C-07-RZ – Request of
Michael Romines for rezoning from PR (Planned Residential) and F
(Floodway) to A (Agricultural) and F (Floodway) as per Metropolitan
Planning Commission’s Recommendation: Approve A (Agricultural) and F
(Floodway). Commissioner Craig Leuthold seconded the motion and upon
roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan
Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted
aye. Commissioner Lambert was absent from the vote. The motion carried
10-0-0-1. Property located on the south end of Signal Station Road,
southeast of Tipton Station. Ninth Commission District.

* * * * *

Request of Kenna Stephens for North County Sector Plan Amendment
from LDR (Low Density Residential) to O (Office) 11-C-07-SP was before
the Board of Commissioners. Property located on the southeast side of W.
Beaver Creek Drive, southwest side of Bayless Lane. Sixth Commission
District.

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

Commissioner Smith moved to approve 11-C-07-SP - Request of
Kenna Stephens for North County Sector Plan Amendment from LDR (Low
Density Residential) to O (Office) as per Metropolitan Planning
Commission’s Recommendation: Approve O (Office). Commissioner
Pinkston seconded the motion and upon roll call vote Commissioners
Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold,
Smith, Moore, Ballard and Pinkston voted aye. Commissioner Lambert was

absent from the vote. The motion carried 10-0-0-1. Property located on the southeast side of W. Beaver Creek Drive, southwest side of Bayless Lane. Sixth Commission District.

* * * * *

Request of Kenna Stephens for rezoning from A (Agricultural) to OB (Office, Medical and Related Services) 11-E-07-RZ was before the Board of Commissioners. Property located on the southeast side of W. Beaver Creek Drive, southwest side of Bayless Lane. Sixth Commission District.

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

Commissioner Smith moved to approve 11-E-07-RZ - Request of Kenna Stephens for rezoning from A (Agricultural) to OB (Office, Medical and Related Services) as per Metropolitan Planning Commission's Recommendation: Approve OB (Office, Medical and Related Services). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Lambert was absent from the vote. The motion carried 10-0-0-1. Property located on the southeast side of W. Beaver Creek Drive, southwest side of Bayless Lane. Sixth Commission District.

* * * * *

Request of Barbara Pratt Cavalaris and Charles D. Cavalaris, Jr. for rezoning from A (Agricultural) to OB (Office, Medical and Related Services) 11-F-07-RZ was before the Board of Commissioners. Property located on the southeast side of Strawberry Plains Pike, southwest side of Bell Lane. Eighth Commission District.

Without objection, Commissioner Moore deferred to the January 2008 Board of Commissioners meeting 11-F-07-RZ - Request of Barbara Pratt Cavalaris and Charles D. Cavalaris, Jr. for rezoning from A (Agricultural) to OB (Office, Medical and Related Services). Property located on the southeast side of Strawberry Plains Pike, southwest side of Bell Lane. Eighth Commission District.

* * * * *

Request of Martin Delozier for rezoning from A (Agricultural)/TO (Technology Overlay) to OB (Office, Medical and Related Services)/TO (Technology Overlay) 11-G-07-RZ was before the Board of Commissioners. Property located on the west side of Lovell Road, south of Snyder Road. Fifth Commission District.

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

Commissioner Craig Leuthold moved to approve 11-G-07-RZ - Request of Martin Delozier for rezoning from A (Agricultural)/TO (Technology Overlay) to OB (Office, Medical and Related Services)/TO (Technology Overlay) as per Metropolitan Planning Commission's Recommendation: Approve OB (Office, Medical and Related Services)/TO (Technology Overlay). Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Lambert was absent from the vote. The motion carried 10-0-0-1. Property located on the west side of Lovell Road, south of Snyder Road. Fifth Commission District.

* * * * *

Request of MPM Development Company for rezoning from RA (Low Density Residential) to PR (Planned Residential) 11-H-07-RZ was before the Board of Commissioners. Property located on the northwest side of Irwin Drive, northeast side of Oakmeade Road. Sixth Commission District.

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

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

Commissioner Smith moved to approve 11-H-07-RZ - Request of MPM Development Company for rezoning from RA (Low Density Residential) to PR (Planned Residential) at a density of 3.4 dwelling units per acre. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Lambert was absent from the vote. The motion carried 10-0-0-1. Property located on the northwest side of Irwin Drive, northeast side of Oakmeade Road. Sixth Commission District.

* * * * *

Request of KR, LLC (Rick Gentry) for rezoning from A (Agricultural) to PR (Planned Residential) 11-J-07-RZ was before the Board of Commissioners. Property located on the southeast side of Edmondson Lane, northeast of Happy Acres Road. Eighth Commission District.

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

Commissioner Ballard moved to approve 11-J-07-RZ - Request of KR, LLC (Rick Gentry) for rezoning from A (Agricultural) to PR (Planned Residential) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density up to 5 dwelling units per

acre. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 10-0-1-0. Commissioner Mark Harmon abstained from the vote. Property located on the southeast side of Edmondson Lane, northeast of Happy Acres Road. Eighth Commission District.

* * * * *

Request of Sadonya Faye Meadows-Allen for rezoning from A (Agricultural) and F (Floodway) to PR (Planned Residential) and F (Floodway) 11-M-07-RZ was before the Board of Commissioners. Property located on the northwest side of West Beaver Creek Drive, northwest of Oakmeade Road. Sixth Commission District.

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

Commissioner Lambert moved to approve 11-M-07-RZ - Request of Sadonya Faye Meadows-Allen for rezoning from A (Agricultural) and F (Floodway) to PR (Planned Residential) and F (Floodway) as per Metropolitan Planning Commission's Recommendation: Approve PR (Planned Residential) at a density up to 4 dwelling units per acre. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of West Beaver Creek Drive, northwest of Oakmeade Road. Sixth Commission District.

* * * * *

IN RE: ZONING APPEALS:

Appeal of Arthur Seymour, Jr., Attorney, for Jack Gibbons, of MPC Denial of East County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 10-B-07-SP was before the Board of Commissioners. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

Mr. Arthur Seymour, Jr., Attorney representing applicant, was present and spoke on deferring until after the appeal is heard in court.

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

Ms. Kathy Atkins, concerned resident, was present and spoke in opposition to the request.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

Commissioner Ballard moved to hear today 10-B-07-SP - Appeal of Arthur Seymour, Jr., Attorney, for Jack Gibbons, of MPC Denial of East County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Lambert voted no. The motion carried 10-1-0-0. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

* * * * *

Appeal of Arthur Seymour, Jr., Attorney for Jack Gibbons of MPC Denial from rezoning from A (Agricultural) to CA (General Business) 10-M-07-RZ was before the Board of Commissioners. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

Mr. Arthur Seymour, Jr., Attorney representing applicant, was present and spoke on deferring until after the appeal is heard in court.

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

Ms. Kathy Atkins, concerned resident, was present and spoke in opposition to the request.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

Commissioner Ballard moved to hear today 10-M-07-RZ - Appeal of Arthur Seymour, Jr., Attorney for Jack Gibbons of MPC Denial from rezoning from A (Agricultural) to CA (General Business). Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. Commissioner Lambert voted no. The motion carried 10-1-0-0. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

* * * * *

Appeal of Arthur Seymour, Jr., Attorney, for Jack Gibbons, of MPC Denial of East County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial) 10-B-07-SP was before the Board of Commissioners. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

Mr. Arthur Seymour, Jr., Attorney representing Jack Gibbons, was present and spoke on behalf of the request.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

Ms. Kathy Atkins, concerned resident, was present and spoke in opposition to the request.

Commissioner Craig Leuthold moved to withdraw from the agenda 10-B-07-SP - Appeal of Arthur Seymour, Jr., Attorney, for Jack Gibbons, of MPC Denial of East County Sector Plan Amendment from LDR (Low Density Residential) to C (Commercial). Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

* * * * *

Appeal of Arthur Seymour, Jr., Attorney for Jack Gibbons of MPC Denial from rezoning from A (Agricultural) to CA (General Business) 10-M-07-RZ was before the Board of Commissioners. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

Mr. Arthur Seymour, Jr., Attorney representing Jack Gibbons, was present and spoke on behalf of the request.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

Ms. Kathy Atkins, concerned resident, was present and spoke in opposition to the request.

Commissioner Craig Leuthold moved to withdraw from the agenda 10-M-07-RZ - Appeal of Arthur Seymour, Jr., Attorney for Jack Gibbons of MPC Denial from rezoning from A (Agricultural) to CA (General Business). Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of Strawberry Plains Pike, southwest of McCubbins Road. Eighth Commission District.

* * * * *

Appeal of Arthur Seymour, Jr., Attorney for Signco, Inc., of TTCDA approval of condition to require indirect illumination or backlit lighting for sign 07.045.0 was before the Board of Commissioners. Property located on the northwest side of Hardin Valley Road, southwest of Charlevoix Road. Sixth Commission District.

Mr. Arthur Seymour, Jr., Attorney representing Signco, Inc., was present and spoke on behalf of the request.

Commissioner Lambert moved to defer to the January 2008 Board of Commissioners meeting 07.045.0 - Appeal of Arthur Seymour, Jr., Attorney for Signco, Inc., of TTCDA approval of condition to require indirect illumination or backlit lighting for sign. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the northwest side of Hardin Valley Road, southwest of Charlevoix Road. Sixth Commission District.

* * * * *

Appeal of James Smith, for Key Real Estate Holdings, LLC, of TTCDA Denial of Certificate of Appropriateness for building permit for a 48,341 square foot mixed use development consisting of professional office space, business office space and warehouse space with three waivers 07.053.0 was before the Board of Commissioners. Property located on the west side of Pellissippi Parkway, west of Valley Vista Road, and southeast of Castaic Lane. Sixth Commission District.

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

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

Commissioner Craig Leuthold moved to approve certificate of appropriateness with the recommended waivers and variances requested on the Appeal of James Smith, for Key Real Estate Holdings, LLC, of TTCDA Denial of Certificate of Appropriateness for building permit for a 48,341 square foot mixed use development consisting of professional office space, business office space and warehouse space with three waivers.

Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0. Property located on the west side of Pellissippi Parkway, west of Valley Vista Road, and southeast of Castaic Lane. Sixth Commission District.

* * * * *

Request of J. D. Robison for rezoning from A (Agricultural) to RB (General Residential) 11-Q-05-RZ was before the Board of Commissioners. Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

Without objection, Commissioner Moore deferred to the January 2008 Board of Commissioners meeting 11-Q-05-RZ - Request of J. D. Robison for rezoning from A (Agricultural) to RB (General Residential). Property located on the southwest side of Old Clinton Highway, northeast of Clinton Highway. Sixth Commission District.

* * * * *

IN RE: ROLL CALL: BUSINESS PORTION:

Those members present were Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston.

* * * * *

IN RE: DEVOTIONAL:

Commissioner Greg Lambert gave the devotional.

* * * * *

IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Thomas Strickland led the Pledge of Allegiance to the Flag.

* * * * *

IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Moore amended the agenda as follows:

Withdraw from the agenda R-07-12-913 – Resolution of the Commission of Knox County, Tennessee authorizing the Internal Auditor to answer or obtain answers to citizens’ questions regarding Knox County finance records.

* * * * *

At this time there was discussion to amend the agenda to add R-07-12-916 – Resolution of the Commission of Knox County, Tennessee providing for the appointments to fill vacant offices in Knox County Government pursuant to Tennessee Code Annotated, Section 5-5-111 et seq.

Upon roll call vote to add R-07-12-916 - Resolution of the Commission of Knox County, Tennessee providing for the appointments to fill vacant offices in Knox County Government pursuant to Tennessee Code Annotated, Section 5-5-111 et seq Commissioners Ivan Harmon, Lambert, Moore and Pinkston voted aye. Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Smith and Ballard voted no. The motion to add to the agenda failed 4-7-0-0.

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

* * * * *

At this time Mr. John Owings, Knox County Law Director, was present and spoke on the Licensing requirements and regulations for sexually oriented businesses within Knox County. The Federal Court granted Knox County motion for judgment.

* * * * *

At this time there was discussion on the time frame of the commission meetings.

Without objection, Commissioner Moore sent this to the Rules Committee.

* * * * *

Commissioner Norman moved to withdraw from the agenda R-07-12-919 – Resolution of the Commission of Knox County, Tennessee approving an investigation of Tyler Harber as provided in Section 2.02(H) of the Knox County Charter. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith and Ballard voted aye. Commissioners Lambert, Moore and Pinkston voted no. The motion carried 8-3-0-0.

* * * * *

Commissioner Norman moved to add to the top of the agenda R-07-12-906 – Resolution of the Commission of Knox County, Tennessee requesting the Industrial Development Board of the County of Knox to prepare an Economic Impact Plan pursuant to Chapter 53, Title 7 of the Tennessee Code Annotated, as amended, in connection with a commercial retail Maynardville Highway #33 and Quarry Road to be known as Willow Creek Shopping Center. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

Without objection, Commissioner Moore amended the agenda to move O-07-12-102 – Ordinance of the Commission of Knox County, Tennessee amending Chapter 6, Article II of the Knox County Code relating to Animal Control on first reading and to be heard after R-07-12-906- Resolution of the Commission of Knox County, Tennessee requesting the Industrial Development Board of the County of Knox to prepare an Economic Impact Plan pursuant to Chapter 53, Title 7 of the Tennessee Code Annotated, as amended, in connection with a commercial retail

Maynardville Highway #33 and Quarry Road to be known as Willow Creek Shopping Center.

* * * * *

Without objection, Commissioner Moore amended the agenda to withdraw from the agenda R-07-12-918 – Resolution of the Commission of Knox County, Tennessee making Knox County Beer Laws consistent with the City of Knoxville.

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

* * * * *

IN RE: CONSENT ITEMS:

Tax Refunds:
No tax refunds received.

* * * * *

Notary Public Applications: 136 received.

Commissioner Craig Leuthold moved to approve the consent items. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH FM GEORGE SAFE AND LOCK COMPANY FOR KEYS, LOCKS AND LOCKING SYSTEMS: R-07-12-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with FM George Safe and Lock Company for keys, locks and locking systems was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with FM George Safe and Lock Company for keys, locks and locking systems. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

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

CONTRACT WITH STEVE WARD AND ASSOCIATES FOR AUDITORIUM SEATING AND REPAIRS: R-07-12-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Steve Ward and Associates for auditorium seating and repairs was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Steve Ward and Associates for auditorium seating and repairs. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH TENN-ED PRODUCTS, INC. FOR CAFETERIA SEATING: R-07-12-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Tenn-Ed Products, Inc. for cafeteria seating was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Tenn-Ed Products, Inc. for cafeteria seating. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT FOR AN UNDERGROUND UTILITY EASEMENT AT HALLS HIGH SCHOOL FOR THE HALLSDALE-POWELL UTILITY DISTRICT: R-07-12-204:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for an underground utility easement at Halls High School for the Hallsdale-Powell Utility District was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-204 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for an underground utility easement at Halls

High School for the Hallsdale-Powell Utility District. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE MEMORIALIZING BERT WEAVER: R-07-12-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Bert Weaver was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee memorializing Bert Weaver. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT IN THE AMOUNT OF \$15,000.00 WITH THE ADMINISTRATIVE OFFICE OF THE COURTS TO IMPROVE SECURITY IN THE COURTS: R-07-12-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant in the amount of \$15,000.00 with the Administrative office of the courts to improve security in the Courts was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-301- Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant in the amount of \$15,000.00 with the Administrative office of the courts to improve security in the Courts. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY S & E PROPERTIES FOR PROPERTY LOCATED AT 10707 DUTCHTOWN ROAD: R-07-12-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by S & E Properties for property located at 10707 Dutchtown Road was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by S & E Properties for property located at 10707 Dutchtown Road. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY WORLEY BUILDERS, INC. FOR PROPERTY LOCATED AT STONEWOOD CREEK DRIVE: R-07-12-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Worley Builders, Inc. for property located at Stonewood Creek Drive was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Worley Builders, Inc. for property located at Stonewood Creek Drive. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

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

**COVENANTS FOR PERMANENT MAINTENANCE OF
STORMWATER FACILITIES BY SOUTHLAND GROUP, INC. FOR
PROPERTY LOCATED AT MURPHY ROAD: R-07-12-403:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Southland Group, Inc. for property located at Murphy Road was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Southland Group, Inc. for property located at Murphy Road. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING
COVENANTS FOR PERMANENT MAINTENANCE OF
STORMWATER FACILITIES BY TGB PROPERTIES, LLC FOR
PROPERTY LOCATED AT 7644 BISHOP ROAD: R-07-12-404:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by TGB Properties, LLC for property located at 7644 Bishop Road was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-404 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by TGB Properties, LLC for property located at 7644 Bishop Road. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING
COVENANTS FOR PERMANENT MAINTENANCE OF
STORMWATER FACILITIES BY MELL MASHBURN AND ROSA
MASHBURN FOR PROPERTY LOCATED AT OLD MAYNARDVILLE
PIKE: R-07-12-405:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Mell Mashburn and Rosa Mashburn for property located at Old Maynardville Pike was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-405 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Mell Mashburn and Rosa Mashburn for property located at Old Maynardville Pike. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY GLENN E. WORLEY FOR PROPERTY LOCATED AT SHIPETOWN ROAD: R-07-12-406:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Glenn E. Worley for property located at Shipetown Road was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-406 Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Glenn E. Worley for property located at Shipetown Road. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES BY COTTAGES AT GOVERNOR'S LANDING, LLC FOR PROPERTY LOCATED AT 4613 E. GOVERNOR JOHN SEVIER HIGHWAY: R-07-12-407:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Cottages at Governor's Landing, LLC for property located at

4613 E. Governor John Sevier Highway was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-407 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving covenants for permanent maintenance of stormwater facilities by Cottages at Governor’s Landing, LLC for property located at 4613 E. Governor John Sevier Highway. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE AMOUNT OF \$212,500.00 WITH RICH CONSTRUCTION, INC. FOR A RETAINING WALL AT DUTCHTOWN HARBOR SUBDIVISION: R-07-12-408:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$212,500.00 with Rich Construction, Inc. for a retaining wall at Dutchtown Harbor Subdivision was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-408 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$212,500.00 with Rich Construction, Inc. for a retaining wall at Dutchtown Harbor Subdivision. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CHANGE ORDER IN THE AMOUNT OF \$56,651.60 WITH W. M. VAUGHN, INC., FOR THE DYESTONE GAP ROAD IMPROVEMENT PROJECT: R-07-12-409:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a change order in the amount of \$56,651.60 with W. M. Vaughn, Inc., for the Dyestone Gap Road Improvement project was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-409 -

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a change order in the amount of \$56,651.60 with W. M. Vaughn, Inc., for the Dyestone Gap Road Improvement project. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AMENDED LEASE AGREEMENT WITH JOHN K. CHESNEY FOR THE CARTER CONVENIENCE CENTER: R-07-12-410:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended lease agreement with John K. Chesney for the Carter Convenience Center was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-410 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an amended lease agreement with John K. Chesney for the Carter Convenience Center. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$270,900.00 WITH THE STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR THE PROVISION OF HIV/AIDS PREVENTION, SURVEILLANCE, AND SEXUALLY TRANSMITTED DISEASE PROGRAM SERVICES: R-07-12-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$270,900.00 with the State of Tennessee Department of Health for the provision of HIV/AIDS Prevention, Surveillance, and Sexually Transmitted Disease program services was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$270,900.00 with the State of Tennessee Department of Health for the provision of HIV/AIDS Prevention, Surveillance, and Sexually Transmitted

Disease program services. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$15,789.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR TOBACCO USE PREVENTION: R-07-12-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$15,789.00 with the Tennessee Department of Health for Tobacco Use Prevention was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-602 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$15,789.00 with the Tennessee Department of Health for Tobacco Use Prevention. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE DONATION OF \$100,000.00 FROM RADIO SYSTEMS CORPORATION THROUGH LEGACY PARKS FOUNDATION FOR THE PETS SAFE DOG PARK AT TOMMY SCHUMPERT PARK: R-07-12-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the donation of \$100,000.00 from Radio Systems Corporation through Legacy Parks foundation for the Petsafe Dog Park at Tommy Schumpert Park was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-701 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving the donation of \$100,000.00 from Radio Systems corporation through Legacy Parks foundation for the Petsafe Dog Park at Tommy Schumpert Park. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman,

Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT FOR THE PURCHASE OF A 32-ACRE TRACT OF LAND FROM THE KNOXVILLE UTILITIES BOARD FROM FUNDS GENERATED THROUGH THE SALE OF PROPERTY THAT IS PART OF NICHOLAS BALL PARK: R-07-12-702:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for the purchase of a 32-acre tract of land from the Knoxville Utilities board from funds generated through the sale of property that is part of Nicholas Ball Park was before the Board of Commissioners.

Mr. Doug Bataille, Director, Parks and Recreation, was present and spoke on the matter.

Commissioner Craig Leuthold moved to approve R-07-12-702 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract for the purchase of a 32-acre tract of land from the Knoxville Utilities board from funds generated through the sale of property that is part of Nicholas Ball Park. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT FOR A UTILITY EASEMENT THROUGH CONCORD PARK FOR THE FIRST UTILITY DISTRICT OF KNOX COUNTY: R-07-12-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement for a utility easement through Concord Park for the First Utility District of Knox County was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-801 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement for a utility easement through Concord Park for the First Utility District of Knox County. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland,

Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$71,100.00 WITH THE STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR THE PROVISION OF URINE-BASED SCREENING SERVICES FOR JUVENILES BOOKED AT THE RICHARD L. BEAN JUVENILE SERVICE CENTER: R-07-12-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$71,100.00 with the State of Tennessee Department of Health for the provision of urine-based screening services for juveniles booked at the Richard L. Bean Juvenile Service Center was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$71,100.00 with the State of Tennessee Department of Health for the provision of urine-based screening services for juveniles booked at the Richard L. Bean Juvenile Service Center. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT (CONTRACT NUMBER: 08-03-FY8-403-DSLWK) IN THE AMOUNT OF \$624,152.00 WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR ESTABLISHING PROGRAMS TO PREPARE DISLOCATED WORKS FOR RE-ENTRY INTO THE LABOR FORCE AND TO OFFER TRAINING TO THOSE FACING SERIOUS BARRIERS TO PRODUCTIVE EMPLOYMENT: R-07-12-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-FY8-403-DSLWK) in the amount of \$624,152.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare dislocated works for re-entry into the labor force and to offer

training to those facing serious barriers to productive employment was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-902 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-FY8-403-DSLWK) in the amount of \$624,152.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare dislocated works for re-entry into the labor force and to offer training to those facing serious barriers to productive employment. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT (CONTRACT NUMBER:08-03-FY8-203-ADULT) IN THE AMOUNT OF \$699,445.00 WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR ESTABLISHING PROGRAMS TO PREPARE ADULTS FOR RE-ENTRY INTO THE LABOR FORCE AND TO OFFER TRAINING TO THOSE FACING SERIOUS BARRIERS TO PRODUCTIVE EMPLOYMENT: R-07-12-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-FY8-203-ADULT) in the amount of \$699,445.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare adults for re-entry into the labor force and to offer training to those facing serious barriers to productive employment was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement (contract number: 08-03-FY8-203-ADULT) in the amount of \$699,445.00 with the Tennessee Department of Labor and Workforce Development for establishing programs to prepare adults for re-entry into the labor force and to offer training to those facing serious barriers to productive employment. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold,

Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$38,767.58 WITH THE EAST TENNESSEE FOUNDATION FOR THE 1ST DAY FESTIVAL IN 2007: R-07-12-905:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$38,767.58 with the East Tennessee Foundation for the 1st Day Festival in 2007 was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$38,767.58 with the East Tennessee Foundation for the 1st Day Festival in 2007. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF APPROVAL OF MINUTES OF THE PREVIOUS MEETING ON NOVEMBER 19, 2007:

Consideration of approval of minutes of the previous meeting on November 19, 2007 was before the Board of Commissioners.

Commissioner Strickland moved to approve the minutes of the previous meeting held on November 19, 2007. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE RE-APPOINTMENT OF JEFF WELCH TO THE KNOX COUNTY AIR POLLUTION CONTROL BOARD: R-07-12-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the re-appointment of Jeff Welch to the Knox County Air Pollution Control Board was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-07-12-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the re-appointment of Jeff Welch to the Knox County Air Pollution Control Board. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE RE-APPOINTMENT OF STEVE J. HILLENBRAND TO THE KNOX COUNTY AIR POLLUTION CONTROL BOARD: R-07-12-111:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the re-appointment of Steve J. Hillenbrand to the Knox County Air Pollution Control Board was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-07-12-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the re-appointment of Steve J. Hillenbrand to the Knox County Air Pollution Control Board. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE RE-APPOINTMENT OF DR. WAYNE T. DAVIS TO THE KNOX COUNTY AIR POLLUTION CONTROL BOARD: R-07-12-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the re-appointment of Dr. Wayne T. Davis to the Knox County Air Pollution Control Board was before the Board of Commissioners.

Commissioner Pinkston moved to approve R-07-12-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the re-appointment of Dr. Wayne T. Davis to the Knox County Air Pollution Control Board. Commissioner Craig Leuthold

seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING TERRY SISK TO THE KNOX COUNTY AIR POLLUTION CONTROL BOARD: R-07-12-113:

Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Terry Sisk to the Knox County Air Pollution Control Board was before the Board of Commissioners meeting.

Ms. Lynne Liddington, Director, Air Quality Management, was present and spoke on the matter.

Commissioner Mark Harmon moved to approve R-07-12-113 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Terry Sisk to the Knox County Air Pollution Control Board. Commissioner Ivan Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENT OF THOMAS DEAKINS TO THE KNOX COUNTY ETHICS COMMITTEE: R-07-12-114:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Thomas Deakins to the Knox County Ethics Committee was before the Board of Commissioners.

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

Commissioner Hammond moved to defer to the January 2008 Board of Commissioners meeting and hold a workshop in conjunction with the next committee meeting on R-07-12-114 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of Thomas Deakins to the Knox County Ethics Committee. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: DRIVES AND ROADS:

No Drives and Roads received.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Moore amended the agenda to hear O-07-12-102 next on the agenda.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING CHAPTER 6, ARTICLE II OF THE KNOX COUNTY CODE RELATING TO ANIMAL CONTROL: O-07-12-102: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 6, Article II of the Knox County Code relating to Animal Control was before the Board of Commissioners on first reading.

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

Mr. James Pipes, Uncle of Jennifer Nichole Lowe, was present and spoke in support of the ordinance.

Mr. Joseph Pipes, Father of Jennifer Nichole Lowe, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve O-07-12-102 – Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 6, Article II of the Knox County Code relating to Animal Control on first reading. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Commissioner Moore stepped down as Chairman and Vice Chairman Thomas Strickland presided.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THE INDUSTRIAL DEVELOPMENT BOARD OF THE COUNTY OF KNOX TO PREPARE AN ECONOMIC IMPACT PLAN PURSUANT TO CHAPTER 53, TITLE 7 OF THE TENNESSEE CODE ANNOTATED, AS AMENDED, IN CONNECTION WITH A COMMERCIAL RETAIL

**MAYNARDVILLE HIGHWAY #33 AND QUARRY ROAD TO BE
KNOWN AS WILLOW CREEK SHOPPING CENTER:**

R-07-12-906:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Industrial Development Board of the County of Knox to prepare an Economic Impact Plan pursuant to Chapter 53, Title 7 of the Tennessee Code Annotated, as amended, in connection with a commercial retail Maynardville Highway #33 and Quarry Road to be known as Willow Creek Shopping Center was before the Board of Commissioners.

Mr. Arthur Seymour, Attorney, representing Graham Corporation, was present and spoke on the matter.

Mr. Tim Graham, Graham Corporation, was present and spoke on the matter.

Ms. Liz Porter, Senior Project Manager, representing, SM&E, Inc., was present and spoke on the matter.

Mr. Roy Arthur, Knox County Engineering, Beaver Creek Watershed, was present and spoke on the matter.

Mr. Bob Bowers, representing Wilbur Smith and Associates, was present and spoke on the matter.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

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

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

Mr. James McMillan, concerned citizen, was present and spoke in opposition to the request.

Mr. Mike Edwards, Knox County Development Corporation, was present and spoke on the matter.

Mr. Allen Summers, concerned citizen, was present and spoke on the matter.

Mr. Joseph Minichiello, concerned citizen, was present and spoke on the matter.

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

Commissioner Pinkston moved as an amendment on R-07-12-906 – Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Industrial Development Board of the County of Knox to prepare an Economic Impact Plan pursuant to Chapter 53, Title 7 of the Tennessee Code Annotated, as amended, in connection with a

commercial retail Maynardville Highway #33 and Quarry Road to be known as Willow Creek Shopping Center add the following amendments: If this project is annexed in the city the tif will be paid off immediately. Put on 15 years limitation and lower to 5 million Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion on the amendments carried 10-0-1-0. Commissioner Moore recused himself from the vote.

Commissioner Smith moved to approve with amendments R-07-12-906 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Industrial Development Board of the County of Knox to prepare an Economic Impact Plan pursuant to Chapter 53, Title 7 of the Tennessee Code Annotated, as amended, in connection with a commercial retail Maynardville Highway #33 and Quarry Road to be known as Willow Creek Shopping Center with the following amendments: If this project is annexed in the city the tif will be paid off immediately. Put on 15 years limitation and lower to 5 million. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Ballard and Pinkston voted aye. The motion carried 8-2-1-0. Commissioners Mark Harmon and Norman voted no. Commissioner Moore recused himself from the vote.

* * * * *

IN RE: AMENDMENT TO THE AGENDA:

At this time Vice Chairman Strickland stepped down from the Chair and Chairman Moore presided.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE CALLING UPON STATE SENATOR TIM BURCHETT TO INTRODUCE LEGISLATION IN THE NEXT LEGISLATIVE SESSION TO MANDATE A SPECIAL ELECTION, AND TO SPECIFY THOSE ELECTION PROCEDURES, WHEN IN THE FUTURE MULTIPLE, SIMULTANEOUS VACANCIES OCCUR IN THE ELECTIVE OFFICES OF ANY TENNESSEE COUNTY: R-07-12-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee calling upon State Senator Tim Burchett to introduce legislation in the next legislative session to mandate a special election, and to specify those election procedures, when in the future multiple, simultaneous vacancies occur in the elective offices of any Tennessee county.

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

Commissioner Mark Harmon moved to approve R-07-12-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee calling upon State Senator Tim Burchett to introduce legislation in the next legislative session to mandate a special election, and to specify those election procedures, when in the future multiple, simultaneous vacancies occur in the elective offices of any Tennessee county. Commissioner Lambert seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 9-1-0-1. Commissioner Ivan Harmon voted no. Commissioner Lambert was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THE STREAMING OVER THE INTERNET OF THE OFFICIAL MONTHLY COUNTY COMMISSION MEETING AND ANY SPECIAL CALLED MEETING BY FEBRUARY 1, 2008: R-07-12-907:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the streaming over the internet of the official monthly County Commission meeting and any special called meeting by February 1, 2008 was before the Board of Commissioners.

Commissioner Mike Hammond moved to have a report by February 1, 2008 on R-07-12-907 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the streaming over the internet of the official monthly County Commission meeting and any special called meeting by February 1, 2008. Commissioner Craig Leuthold seconded the motion the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 10-0-0-1. Commissioner Lambert was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN AGREEMENT TO REVIEW BY WRITTEN CONSENT BETWEEN KNOX COUNTY, THE CITY OF KNOXVILLE AND THE DEVELOPMENT CORPORATION OF KNOX COUNTY DESIGNATING THE DEVELOPMENT CORPORATION TO ACT AS THE JOINT ECONOMIC AND COMMUNITY DEVELOPMENT BOARD FOR THE CITY OF KNOXVILLE AND KNOX COUNTY: R-07-12-908:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement to review by written consent between Knox County, the City of Knoxville and the Development Corporation of Knox County designating the Development Corporation to act as the Joint Economic and Community Development Board for the City of Knoxville and Knox County was before the Board of Commissioners.

Commissioners Pinkston, Leuthold and Moore made disclosures that they were on the Development Corporation Board.

Commissioner Pinkston moved to approve R-07-12-908 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement to review by written consent between Knox County, the City of Knoxville and the Development Corporation of Knox County designating the Development Corporation to act as the Joint Economic and Community Development Board for the City of Knoxville and Knox County. Commissioner Ballard seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 9-1-0-1. Commissioner Mark Harmon voted no. Commissioner Lambert was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE INVOKING THE KNOX COUNTY COMMISSION'S SUBPOENA POWERS AS PROVIDED FOR IN SECTION 2.02(H) OF THE KNOX COUNTY CHARTER AND APPROVED BY THE KNOX COUNTY COMMISSION IN SEPTEMBER 2007: R-07-12-909:

Consideration of a Resolution of the Commission of Knox County, Tennessee invoking the Knox County Commission's subpoena powers as provided for in Section 2.02(H) of the Knox County Charter and approved by the Knox County Commission in September 2007 was before the Board of Commissioners.

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

Mr. Richard Walls, Knox County Internal Auditor, was present and spoke on the matter.

Mr. Dwight Van de Vate, Director, Governmental Affairs, was present and spoke on the matter.

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

Mr. Mike Simpson, concerned citizens, was present and spoke on the matter.

Mr. Joseph Minichiello, concerned citizen, was present and spoke on the matter.

Chief Spangler, Knox County Sheriff's Department, was present and spoke on the matter.

Commissioner Pinkston moved to refer to Knox County Law Director for guidance on R-07-12-909 - Consideration of a Resolution of the Commission of Knox County, Tennessee invoking the Knox County Commission's subpoena powers as provided for in Section 2.02(H) of the Knox County Charter and approved by the Knox County Commission in September 2007. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AN ADDENDUM TO A CONTRACT WITH TAX MANAGEMENT ASSOCIATES, INC. FOR BUSINESS PERSONAL PROPERTY AUDIT SERVICES: R-07-12-910:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an addendum to a contract with Tax Management Associates, Inc. for business personal property audit services was before the Board of Commissioners.

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

Commissioner Mark Harmon moved to approve R-07-12-910 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an addendum to a contract with Tax Management Associates, Inc. for business personal property audit services. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ASKING THE STATE OF TENNESSEE DIVISION OF COUNTY AUDIT TO

PERFORM KNOX COUNTY'S ANNUAL AUDIT FOR FISCAL YEAR 2007-2008: R-07-12-911:

Consideration of a Resolution of the Commission of Knox County, Tennessee asking the State of Tennessee Division of County Audit to perform Knox County's Annual audit for fiscal year 2007-2008 was before the Board of Commissioners.

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

Commissioner Craig Leuthold moved to defer to the January 2008 Board of Commissioners meeting R-07-12-911 - Consideration of a Resolution of the Commission of Knox County, Tennessee asking the State of Tennessee Division of County Audit to perform Knox County's Annual audit for fiscal year 2007-2008. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENT THREE TO A GRANT AGREEMENT WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY FOR AN ADDITIONAL \$106,587.69 IN PASS-THROUGH FUNDING FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY: R-07-12-912:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendment three to a grant agreement with the Tennessee Emergency Management Agency for an additional \$106,587.69 in pass-through funding from the U.S. Department of Homeland Security was before the Board of Commissioners.

Commissioner Ballard moved to approve R-07-12-912 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendment three to a grant agreement with the Tennessee Emergency Management Agency for an additional \$106,587.69 in pass-through funding from the U.S. Department of Homeland Security. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 10-0-0-1. Commissioner Lambert was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENTS TO SECTION 4 OF THE KNOX COUNTY CODE OF ETHICS: R-07-12-914:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendments to section 4 of the Knox County Code of Ethics was before the Board of Commissioners.

Commissioner Hammond moved to defer to the January 2008 Board of Commissioners meeting R-07-12-914 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving amendments to section 4 of the Knox County Code of Ethics. Commissioner Pinkston seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 10-0-0-1. Commissioner Lambert was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ALLOWING FREE PARKING AT THE DWIGHT KESSEL PARKING GARAGE DURING KNOX COUNTY COMMISSION MEETINGS: R-07-12-915:

Consideration of a Resolution of the Commission of Knox County, Tennessee allowing free parking at the Dwight Kessel Parking Garage during Knox County Commission meetings was before the Board of Commissioners.

Commissioner Craig Leuthold moved to approve R-07-12-915 – Consideration of a Resolution of the Commission of Knox County, Tennessee allowing free parking at the Dwight Kessel Parking Garage during Knox County Commission meetings and to work with the Public Building Authority. Commissioner Mark Harmon seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 10-0-0-1. Commissioner Lambert was absent from the vote.

* * * * *

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE URGING ALL AMERICAN CITIZENS TO PROCLAIM TO EVERY LEVEL OF GOVERNMENT ITS RESPONSIBILITY TO PUBLICLY RECOGNIZE GOD AS THE FOUNDATION OF OUR NATIONAL HERITAGE: R-07-12-917:

Consideration of a Resolution of the Commission of Knox County, Tennessee urging all American citizens to proclaim to every level of government its responsibility to publicly recognize God as the foundation of our National Heritage was before the Board of Commissioners.

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

Ms. Margaret Cline, concerned citizen, was present and spoke on the matter.

Mr. Harry Wiersema, concerned citizen, was present and spoke on the matter.

Mr. Arnold Cohen, concerned citizen, was present and spoke on the matter.

Mr. William Mayes, concerned citizen, was present and spoke on the matter.

Commissioner Ivan Harmon moved to approve R-07-12-917 - Consideration of a Resolution of the Commission of Knox County, Tennessee urging all American citizens to proclaim to every level of government its responsibility to publicly recognize God as the foundation of our National Heritage with the following amendment: "That the Knox County Commission hereby urges all American citizens, who have similar beliefs, to proclaim to every level of Government (Local, State, and Federal) its responsibility to publicly recognize God As the Foundation of Our National Heritage,...LEST OUR NATION FORGET AND OUR CHILDREN NEVER KNOW". Commissioner Smith seconded the motion.

Commissioner Mark Harmon moved as a substitute motion to postpone indefinitely R-07-12-917 - Consideration of a Resolution of the Commission of Knox County, Tennessee urging all American citizens to proclaim to every level of government its responsibility to publicly recognize God as the foundation of our National Heritage. Commissioner Norman seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon and Norman voted aye. Commissioners Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted no. The substitute motion failed 3-8-0-0.

Upon roll call vote to approve R-07-12-917 - Consideration of a Resolution of the Commission of Knox County, Tennessee urging all American citizens to proclaim to every level of government its responsibility to publicly recognize God as the foundation of our National Heritage with the following amendment: "That the Knox County Commission hereby urges all American citizens, who have similar beliefs, to proclaim to every level of Government (Local, State, and Federal) its responsibility to publicly

recognize God As the Foundation of Our National Heritage,...LEST OUR NATION FORGET AND OUR CHILDREN NEVER KNOW”
Commissioners Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 8-3-0-0.
Commissioners Strickland, Mark Harmon and Norman voted no.

* * * * *

IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RESCINDING THE APPROVAL OF ORDINANCE O-07-8-101 AND APPROVING THE STORMWATER ORDINANCE AS AMENDED: O-07-12-101: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee rescinding the approval of Ordinance O-07-8-101 and approving the Stormwater Ordinance as amended was before the Board of Commissioners on first reading.

Mr. Bruce Wuethrich, Director, Engineering and Public Works, was present and spoke on the matter.

Ms. Cortney Piper, Tennessee Clean Water Network, was present and spoke on the matter.

Commissioner Craig Leuthold moved to request Mr. John Owings, Knox County Law Director send a letter to the City asking the city to pass a Resolution withdrawing their lawsuit and the city agrees this Ordinance as written meets our agreement to be as strict as. Commissioner Smith seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

Commissioner Lambert moved to approve O-07-12-101 -
Consideration of an Ordinance of the Commission of Knox County, Tennessee rescinding the approval of Ordinance O-07-8-101 and approving the Stormwater Ordinance on first reading as amended: See Amendment attached. Commissioner Strickland seconded the motion and upon roll call vote Commissioners Strickland, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 10-1-0-0. Commissioner Mark Harmon voted no.

* * * * *

IN RE: ORDINANCES ON SECOND READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING THE KNOX COUNTY PERSONNEL POLICY TO ESTABLISH A HEALTH INSURANCE APPEAL BOARD: O-07-11-102: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Personnel Policy to establish a Health Insurance Appeal Board was before the Board of Commissioners on second reading.

Commissioner Mark Harmon moved to approve O-07-11-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending the Knox County Personnel Policy to establish a Health Insurance Appeal Board. Commissioner Craig Leuthold seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE VII OF THE KNOX COUNTY CHARTER TO ESTABLISH, AS SEC. 7.05, A PROVISION TO RECALL AN ELECTED OFFICIAL FROM OFFICE (KNOX COUNTY CHARTER AS ADOPTED 11-8-88, AS AMENDED THROUGH REFERENDUMS OF 8-1-96 AND 11-7-06): O-07-11-103: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VII of the Knox County Charter to establish, as Sec. 7.05, a provision to recall an elected official from office (Knox County Charter as adopted 11-8-88, as amended through Referendums of 8-1-96 and 11-7-06) O-07-11-103 was before the Board of Commissioners on second reading.

Commissioner Mark Harmon moved to approve O-07-11-103 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article VII of the Knox County Charter to establish, as Sec. 7.05, a provision to recall an elected official from office (Knox County Charter as adopted 11-8-88, as amended through Referendums of 8-1-96 and 11-7-06) on second reading. Commissioner Hammond seconded the motion and upon roll call vote Commissioners Strickland, Mark Harmon, Norman, Ivan Harmon, Hammond, Leuthold, Lambert, Smith, Moore, Ballard and Pinkston voted aye. The motion carried 11-0-0-0.

* * * * *

IN RE: PUBLIC FORUM:

Mr. Lynn Mayes, concerning Natural Resources Recovery/Knox
County Greenways Facility on odor problems.

* * * * *

IN RE: ADJOURNMENT:

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

SCOTT MOORE, CHAIRMAN