

***KNOX COUNTY BOARD OF COMMISSIONERS***

The Knox County Board of Commissioners met in Regular Session on Monday, September 27, 2010 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. Joe Jarret, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. John Troyer, Senior Director for Knox County Finance, Mr. Tim Burchett, Knox County Mayor, Mr. Dean Rice, Chief of Staff for the Knox County Mayor, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Ewing “Buzz” Johnson, Deputy Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Hammond, Chairman, presided.

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

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**IN RE:      ROLL CALL:**

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

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**IN RE:      DEVOTIONAL:**

Commissioner Wright gave the devotional.

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**IN RE:      PLEDGE OF ALLEGIANCE:**

Commissioner Ownby led the Pledge of Allegiance to the Flag.

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**IN RE: AMENDMENTS TO THE AGENDA:**

1. Without objection, Commissioner Hammond amended the agenda to defer the following item to the October 2010 Board of Commissioners meeting: Resolution R-10-9-601 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Cherokee Health Systems for a Primary Care Provider for Children on TennCare, CoverKids, or those without insurance.

Dr. Martha Buchanan, Health Officer and Director for the Knox County Health Department, was present and spoke on the matter.

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2. Commissioner Hammond amended the agenda to remove the following items from the consent calendar: Resolution R-10-9-102 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the Knoxville Habitat for Humanity upon the occasion of its 25<sup>th</sup> Anniversary and declaring October 1<sup>st</sup> as “Knoxville Habitat for Humanity Day”; Resolution R-10-9-903 - Consideration of a resolution of the Commission of Knox County, Tennessee, extending the Billboard Moratorium for an additional six months, expiring March 31, 2011; and Resolution R-10-9-101 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Vicki Carter for earning the Cadastral Mapping Specialist (CMS) Designation.

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3. Commissioner Wright moved to amend the agenda to add the following items: Resolution R-10-9-114 - Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Commissioner

Larry Smith to serve on the Employee Insurance Benefits Committee;

Resolution R-10-9-410 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Waste Connections of Tennessee, Inc. for Solid Waste Roll-Off Hauling Services with cost based on the distance hauled and an average haul rate of \$101.56 per haul;

Resolution R-10-9-605 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$216,000.00 with the Tennessee Department of Health to provide emergency dental services for uninsured adults; Resolution R-10-9-606 - Consideration of a resolution of the Commission of Knox County, Tennessee, a grant agreement in the amount of \$348,200.00 with the Tennessee Department of Health for the HIV/Aids Center of Excellence Program; Resolution R-10-9-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property at 232 Churchwell Avenue known as Oakwood School; and Ordinance O-10-9-103 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 2, Article VIII, Division 2, Section 2-496 relative to the composition and terms of the members of the Knox County Investment Committee (amending Ordinance O-05-6-104, adopted July 25, 2005). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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4. Commissioner Wright moved to amend the agenda to withdraw the following item: Ordinance O-10-7-101 - Consideration of an

Ordinance of the Commission of Knox County, Tennessee, amending Chapter 12 of the Knox County Code entitled “Businesses” by adding a new Article IV to prohibit a business or entity in possession of a Knox County Business License from knowingly employing an illegal alien and providing for penalties (amending Knox County Code, Chapter 12, establishing Article IV). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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5. The agenda was amended to hear the Education Consent Calendar at this time.

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**IN RE: EDUCATION CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CONTRACTS IN THE AMOUNT OF \$30,900.00 PER COUNSELOR WITH THE HELEN ROSS MCNABB CENTER AND PENINSULA, A DIVISION OF PARKWEST MEDICAL CENTER, FOR STUDENT ASSISTANCE COUNSELING SERVICES – R-10-9-201:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving contracts in the amount of \$30,900.00 per counselor with the Helen Ross McNabb Center and Peninsula, a division of Parkwest Medical Center, for student assistance counseling services was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-10-9-201 - Resolution of the Commission of Knox County, Tennessee, approving contracts in the amount of \$30,900.00 per counselor with the Helen Ross McNabb Center and Peninsula, a division of Parkwest Medical Center, for student assistance counseling services. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$147,000.00 (WITH A LOCAL MATCH IN THE AMOUNT OF \$52,570.00) WITH THE TENNESSEE ARTS COMMISSION FOR THE ARTS360 PROGRAM –**

**R-10-9-202:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$147,000.00 (with a local match in the amount of \$52,570.00) with the Tennessee Arts Commission for the ARTS360 Program was before the Board of Commissioners

Commissioner Wright moved to approve Resolution R-10-9-202 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$147,000.00 (with a local match in the amount of \$52,570.00) with the Tennessee Arts Commission for the ARTS360 Program. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby,

Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye.

The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE EXTENDED CONTRACT PROGRAM PROPOSAL FOR PROVIDING EXTENDED LEARNING TIME THROUGH EXTENDED LEARNING PROGRAMS IN THE AMOUNT OF \$983,113.41 – R-10-9-203:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the extended contract program proposal for providing extended learning time through extended learning programs in the amount of \$983,113.41 was before the Board of Commissioners

Commissioner Wright moved to approve Resolution R-10-9-203 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the extended contract program proposal for providing extended learning time through extended learning programs in the amount of \$983,113.41. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$80,000.00 WITH FINCHUM SPORTS FLOORS FOR THE PROVISION OF INDOOR RESILIENT ATHLETIC FLOORING SERVICES – R-10-9-204:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$80,000.00 with Finchum Sports Floors for the provision of indoor resilient athletic flooring services was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-10-9-204 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$80,000.00 with Finchum Sports Floors for the provision of indoor resilient athletic flooring services. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE**  
**FY 2010-2011 NO CHILD LEFT BEHIND GRANT IN THE AMOUNT**  
**OF \$400,000.00 WITH THE TENNESSEE DEPARTMENT OF**  
**EDUCATION RELATIVE TO THE 21<sup>ST</sup> CENTURY COMMUNITY**  
**LEARNING CENTERS PROGRAM – R-10-9-205:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the FY 2010-2011 No Child Left Behind grant in the amount of \$400,000.00 with the Tennessee Department of Education relative to the 21<sup>st</sup> Century Community Learning Centers Program was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-10-9-205 - Resolution of the Commission of Knox County, Tennessee, approving the FY 2010-2011 No Child Left Behind grant in the amount of \$400,000.00 with the Tennessee Department of Education relative to the 21<sup>st</sup> Century Community Learning Centers Program. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN**  
**AGREEMENT IN THE AMOUNT OF \$65,106.00 BETWEEN KNOX**  
**COUNTY SCHOOLS ADULT EDUCATION AND THE KNOX COUNTY**  
**SHERIFF'S OFFICE TO PROVIDE TWO TEACHERS AND A TEST**  
**ADMINISTRATOR AT THE KNOX COUNTY DETENTION FACILITY**  
**AND THE KNOX COUNTY JAIL FOR THE PURPOSE OF GED AND**  
**LITERACY LEVEL CLASS INSTRUCTION WITH COSTS SPLIT**  
**EVENLY BETWEEN KNOX COUNTY SCHOOLS AND THE KNOX**  
**COUNTY SHERIFF'S OFFICE – R-10-9-206:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement in the amount of \$65,106.00 between Knox County Schools Adult Education and the Knox County Sheriff's Office to provide two teachers and a test administrator at the Knox County Detention Facility and the Knox County Jail for the purpose of GED and literacy level class instruction with costs split evenly between Knox

County Schools and the Knox County Sheriff's Office was before the Board of Commissioners.

Commissioner Wright moved to approve Resolution R-10-9-206 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement in the amount of \$65,106.00 between Knox County Schools Adult Education and the Knox County Sheriff's Office to provide two teachers and a test administrator at the Knox County Detention Facility and the Knox County Jail for the purpose of GED and literacy level class instruction with costs split evenly between Knox County Schools and the Knox County Sheriff's Office. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSENT ITEMS**

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

217 Notary Public Applications received.

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3. Reports of Officials: (Quarterly)

A. County Mayor

B. County Law Director

C. Superintendent of Schools

D. Trustee

E. Medical Examiner

F. Sheriff

G. Public Libraries

H. Old Records

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4. Reports of County Agencies: (Quarterly)

A. Department of Human Services

B. Department of Child and Family Services

C. Department of Air Quality Management

D. Metropolitan Planning Commission

E. Sheriff's Merit System

F. Pre-Trial Release

G. Jail Inspection Committee

H. Alternative Sentencing Program

I. Ambulance Review Commission

Commissioner McKenzie moved to approve all Consent Items.

Commissioner Anders seconded the motion and upon roll call vote

Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders,

Smith, Wright, Brown, Hammond and Shouse voted aye. The motion

carried 11-0-0-0.

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**IN RE: CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE  
APPOINTMENT OF GREG HAROLD AS THE FIFTH DISTRICT**

**REPRESENTATIVE ON THE KNOX COUNTY LIBRARY ADVISORY**

**BOARD – R-10-9-111:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of Greg Harold as the Fifth District Representative on the Knox County Library Advisory Board was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-111 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the appointment of Greg Harold as the Fifth District Representative on the Knox County Library Advisory Board. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING COMMISSIONER AMY BROYLES, AND REAPPOINTING COMMISSIONER ED SHOUSE, COMMISSIONER DAVE WRIGHT, DR. JOE CARCELLO AND MS. MARY KISER TO THE KNOX COUNTY AUDIT COMMITTEE – R-10-9-113:**

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Commissioner Amy Broyles, and reappointing Commissioner Ed Shouse, Commissioner Dave Wright, Dr. Joe Carcello and Ms. Mary Kiser to the Knox County Audit Committee was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-113 - Resolution of the Commission of Knox County, Tennessee, appointing Commissioner Amy Broyles, and reappointing Commissioner Ed Shouse, Commissioner Dave Wright, Dr. Joe Carcello and Ms. Mary Kiser to the Knox County Audit Committee. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING COMMISSIONER LARRY SMITH TO SERVE ON THE EMPLOYEE INSURANCE BENEFITS COMMITTEE – R-10-9-114:**

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Commissioner Larry Smith to serve on the Employee Insurance Benefits Committee was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-114 - Resolution of the Commission of Knox County, Tennessee, appointing Commissioner Larry Smith to serve on the Employee Insurance Benefits Committee. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:        CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A**  
**GRANT AGREEMENT IN THE AMOUNT OF \$97,902.00 WITH THE**  
**TENNESSEE STATE LIBRARY AND ARCHIVES FOR GENERAL**  
**LIBRARY SERVICES, LIBRARY MATERIALS FOR THE**  
**DISADVANTAGED AND INTERLIBRARY LOAN SERVICES –**  
**R-10-9-207:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$97,902.00 with the Tennessee State Library and Archives for general library services, library materials for the disadvantaged and interlibrary loan services was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-207 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$97,902.00 with the Tennessee State Library and Archives for general library services, library materials for the disadvantaged and interlibrary loan services.

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

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**IN RE:        CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A**  
**GRANT AGREEMENT IN THE AMOUNT OF \$174,828.00 RELATIVE**

**TO THE PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT**

**GRANTS PROGRAM – R-10-9-301:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$174,828.00 relative to the Paul Coverdell Forensic Science Improvement Grants Program was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-301 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$174,828.00 relative to the Paul Coverdell Forensic Science Improvement Grants Program.

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

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE**  
**COST REIMBURSEMENT AGREEMENT BETWEEN THE FEDERAL**  
**BUREAU OF INVESTIGATION (FBI) AND THE KNOX COUNTY**  
**SHERIFF’S OFFICE FOR THE EAST TENNESSEE MORTGAGE**  
**FRAUD TASK FORCE – R-10-9-302:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the cost reimbursement agreement between the Federal Bureau of Investigation (FBI) and the Knox County Sheriff’s Office for the East Tennessee Mortgage Fraud Task Force was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-302 - Resolution of the Commission of Knox County, Tennessee, approving the cost reimbursement agreement between the Federal Bureau of Investigation (FBI) and the Knox County Sheriff's Office for the East Tennessee Mortgage Fraud Task Force. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH WASTE CONNECTIONS OF TENNESSEE, INC. FOR SOLID WASTE DISPOSAL SERVICES AT A RATE OF \$22.35 PER TON FOR MUNICIPAL SOLID WASTE – R-10-9-401:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Waste Connections of Tennessee, Inc. for Solid Waste Disposal Services at a rate of \$22.35 per ton for municipal solid waste was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-401 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Waste Connections of Tennessee, Inc. for Solid Waste Disposal Services at a rate of \$22.35 per ton for municipal solid waste. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A**  
**CONTRACT WITH POPLAR VIEW LANDFILL, LLC FOR SOLID**  
**WASTE DISPOSAL SERVICES AT A RATE OF \$17 PER TON FOR**  
**BULKY CONSTRUCTION AND DEMOLITION DISPOSAL, \$34 PER**  
**TON FOR BULKY CONSTRUCTION AND DEMOLITION**  
**RECYCLING, AND \$0 PER TON FOR CLEAN FILL DISPOSAL –**  
**R-10-9-402:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Poplar View Landfill, LLC for Solid Waste Disposal Services at a rate of \$17 per ton for bulky construction and demolition disposal, \$34 per ton for bulky construction and demolition recycling, and \$0 per ton for clean fill disposal was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-402 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Poplar View Landfill, LLC for Solid Waste Disposal Services at a rate of \$17 per ton for bulky construction and demolition disposal, \$34 per ton for bulky construction and demolition recycling, and \$0 per ton for clean fill disposal. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A  
CONTRACT WITH RIVERSIDE C & D LANDFILL, LLC FOR SOLID  
WASTE DISPOSAL SERVICES AT A RATE OF \$0 FOR CLEAN FILL  
DISPOSAL – R-10-9-403:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Riverside C & D Landfill, LLC for Solid Waste Disposal Services at a rate of \$0 for clean fill disposal was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-403 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Riverside C & D Landfill, LLC for Solid Waste Disposal Services at a rate of \$0 for clean fill disposal. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING  
COVENANTS FOR PERMANENT MAINTENANCE OF  
STORMWATER FACILITIES AND BEST MANAGEMENT  
PRACTICES WITH THE CAROLINE FISER IRREVOCABLE TRUST  
FOR PROPERTY LOCATED AT 8455 WALBROOK DRIVE –  
R-10-9-404:**

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

Stormwater Facilities and Best Management Practices with The Caroline Fiser Irrevocable Trust for property located at 8455 Walbrook Drive was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-404 - Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with The Caroline Fiser Irrevocable Trust for property located at 8455 Walbrook Drive. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING**  
**COVENANTS FOR PERMANENT MAINTENANCE OF**  
**STORMWATER FACILITIES AND BEST MANAGEMENT**  
**PRACTICES WITH THE DAVID BOYD FISER IRREVOCABLE**  
**TRUST FOR PROPERTY LOCATED AT 8455 WALBROOK DRIVE –**  
**R-10-9-405:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with The David Boyd Fiser Irrevocable Trust for property located at 8455 Walbrook Drive was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-405 - Resolution of the Commission of Knox County, Tennessee, approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with The David Boyd Fiser Irrevocable Trust for property located at 8455 Walbrook Drive. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A JOINT FUNDING AGREEMENT IN THE AMOUNT OF \$106,200.00 (KNOX COUNTY TO CONTRIBUTE \$53,100.00) WITH THE U.S. GEOLOGICAL SURVEY FOR THE OPERATION AND MAINTENANCE OF STREAMFLOW AND PRECIPITATION GAGES IN KNOX COUNTY FOR FY 2010-2011 – R-10-9-406:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a joint funding agreement in the amount of \$106,200.00 (Knox County to contribute \$53,100.00) with the U.S. Geological Survey for the operation and maintenance of streamflow and precipitation gages in Knox County for FY 2010-2011 was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-406 - Resolution of the Commission of Knox County, Tennessee, approving a joint funding agreement in the amount of \$106,200.00 (Knox County to contribute \$53,100.00) with the U.S. Geological Survey for the

operation and maintenance of streamflow and precipitation gages in Knox County for FY 2010-2011. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A**  
**CONSTRUCTION CONTRACT IN THE AMOUNT OF \$481,899.38**  
**WITH ROGERS GROUP, INC. FOR THE PARKSIDE DRIVE AND**  
**HAYFIELD ROAD INTERSECTION IMPROVEMENT PROJECT –**  
**R-10-9-407:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a construction contract in the amount of \$481,899.38 with Rogers Group, Inc. for the Parkside Drive and Hayfield Road Intersection Improvement Project was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-407 - Resolution of the Commission of Knox County, Tennessee, approving a construction contract in the amount of \$481,899.38 with Rogers Group, Inc. for the Parkside Drive and Hayfield Road Intersection Improvement Project. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$44,100.00 WITH THE KNOX COUNTY CAC AMERICORPS TO SUPPORT THE AMERICORPS WATER QUALITY TEAM, INCLUDING WITHOUT LIMITATION, IMPLEMENT WATER QUALITY EDUCATION PROGRAMS AND ASSIST WITH EPA STORMWATER PERMIT COMPLIANCE –**

**R-10-9-408:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$44,100.00 with the Knox County CAC Americorps to support the AmeriCorps Water Quality Team, including without limitation, implement water quality education programs and assist with EPA Stormwater Permit Compliance was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-408 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$44,100.00 with the Knox County CAC Americorps to support the AmeriCorps Water Quality Team, including without limitation, implement water quality education programs and assist with EPA Stormwater Permit Compliance. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

**CONTRACT IN THE AMOUNT OF \$48,500.00 WITH THE**  
**UNIVERSITY OF TENNESSEE FOR ADMINISTRATIVE SUPPORT**  
**FOR THE CAC AMERICORPS WATER QUALITY TEAM,**  
**INCLUDING WITHOUT LIMITATION, IMPLEMENT WATER**  
**QUALITY EDUCATION PROGRAMS AND ASSIST WITH EPA**  
**STORMWATER COMPLIANCE – R-10-9-409:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$48,500.00 with the University of Tennessee for administrative support for the CAC AmeriCorps Water Quality Team, including without limitation, implement water quality education programs and assist with EPA Stormwater Compliance was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-409 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$48,500.00 with the University of Tennessee for administrative support for the CAC AmeriCorps Water Quality Team, including without limitation, implement water quality education programs and assist with EPA Stormwater Compliance.

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

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A**  
**CONTRACT WITH WASTE CONNECTIONS OF TENNESSEE, INC.**

**FOR SOLID WASTE ROLL-OFF HAULING SERVICES WITH COST  
BASED ON THE DISTANCE HAULED AND AN AVERAGE HAUL  
RATE OF \$101.56 PER HAUL – R-10-9-410:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Waste Connections of Tennessee, Inc. for Solid Waste Roll-Off Hauling Services with cost based on the distance hauled and an average haul rate of \$101.56 per haul was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-410 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Waste Connections of Tennessee, Inc. for Solid Waste Roll-Off Hauling Services with cost based on the distance hauled and an average haul rate of \$101.56 per haul. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A  
CONTRACT IN THE AMOUNT OF \$71,748.00 PLUS MILEAGE  
REIMBURSEMENT WITH WILLIAM E. COLE FOR HOMELAND  
SECURITY REGIONAL PLANNER CONSULTING SERVICES FOR  
KNOX COUNTY GOVERNMENT WITH PASS THROUGH FUNDING  
FROM THE FEDERAL HOMELAND SECURITY GRANT PROGRAM  
FULLY FUNDING THIS POSITION – R-10-9-501:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$71,748.00 plus mileage reimbursement with William E. Cole for Homeland Security Regional Planner Consulting Services for Knox County Government with pass through funding from the Federal Homeland Security Grant Program

Commissioner Anders moved to approve Resolution R-10-9-501 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$71,748.00 plus mileage reimbursement with William E. Cole for Homeland Security Regional Planner Consulting Services for Knox County Government with pass through funding from the Federal Homeland Security Grant Program fully funding this position. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A  
GRANT AGREEMENT IN THE AMOUNT OF \$1,732,300.00 WITH  
THE TENNESSEE DEPARTMENT OF HEALTH FOR THE WOMEN,  
INFANTS, AND CHILDREN (WIC) PROGRAM – R-10-9-602:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$1,732,300.00 with the Tennessee Department of Health for the Women, Infants, and Children (WIC) Program was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-602 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$1,732,300.00 with the Tennessee Department of Health for the Women, Infants, and Children (WIC) Program. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE**  
**FLUSTATIONS PROGRAM VACCINATION SERVICES AGREEMENT**  
**BETWEEN VAXCARE CORPORATION AND THE KNOX COUNTY**  
**HEALTH DEPARTMENT – R-10-9-603:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the FluStations Program Vaccination Services Agreement between VaxCare Corporation and the Knox County Health Department was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-603 - Resolution of the Commission of Knox County, Tennessee, approving the FluStations Program Vaccination Services Agreement between VaxCare Corporation and the Knox County Health Department. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE  
DELTA DENTAL PROVIDER SERVICE AGREEMENT FOR  
TENNDENT – R-10-9-604:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Delta Dental Provider Service Agreement for TennDent was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-604 - Resolution of the Commission of Knox County, Tennessee, approving the Delta Dental Provider Service Agreement for TennDent. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A  
GRANT AGREEMENT IN THE AMOUNT OF \$216,000.00 WITH THE  
TENNESSEE DEPARTMENT OF HEALTH TO PROVIDE  
EMERGENCY DENTAL SERVICES FOR UNINSURED ADULTS –  
R-10-9-605:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$216,000.00 with the Tennessee Department of Health to provide emergency dental services for uninsured adults was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-605 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$216,000.00 with the Tennessee Department of Health to provide emergency dental services for uninsured adults. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A GRANT AGREEMENT IN THE AMOUNT OF \$348,200.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR THE HIV/AIDS CENTER OF EXCELLENCE PROGRAM – R-10-9-606:**

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

Commissioner Anders moved to approve Resolution R-10-9-606 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$348,200.00 with the Tennessee Department of Health for the HIV/Aids Center of Excellence Program. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN**  
**AGREEMENT OF SALE IN THE AMOUNT OF \$225,000.00 (THE**  
**CITY OF KNOXVILLE TO CONTRIBUTE \$112,500.00) WITH BEN F.**  
**MCAULEY, JR. DBA CUSTOM CRAFTED FENCE FOR THE**  
**ACQUISITION OF PROPERTY LOCATED AT 4630 ASHEVILLE**  
**HIGHWAY FOR THE PURPOSE OF EXPANDING BURLINGTON**  
**PARK – R-10-9-701:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$225,000.00 (the City of Knoxville to contribute \$112,500.00) with Ben F. McAuley, Jr. dba Custom Crafted Fence for the acquisition of property located at 4630 Asheville Highway for the purpose of expanding Burlington Park was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-701 - Resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$225,000.00 (the City of Knoxville to contribute \$112,500.00) with Ben F. McAuley, Jr. dba Custom Crafted Fence for the acquisition of property located at 4630 Asheville Highway for the purpose of expanding Burlington Park. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, DETERMINING**  
**THE METHOD OF DISPOSAL OF PROPERTY AT 232**  
**CHURCHWELL AVENUE KNOWN AS OAKWOOD SCHOOL –**  
**R-10-9-801:**

Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property at 232 Churchwell Avenue known as Oakwood School was before the Board of Commissioners.

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

Commissioner Anders moved to approve Resolution R-10-9-801 - Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of property at 232 Churchwell Avenue known as Oakwood School and that the method of disposal be the Request for Proposals process. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN**  
**AGREEMENT FOR THE CONVEYANCE OF A PERMANENT**  
**UTILITY EASEMENT AND TEMPORARY CONSTRUCTION**  
**EASEMENT ON PROPERTY LOCATED AT 708 SOUTH PETERS**

**ROAD (CLT MAP 132LA, PARCEL 013) TO THE FIRST UTILITY**

**DISTRICT – R-10-9-802:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement for the conveyance of a permanent utility easement and temporary construction easement on property located at 708 South Peters Road (CLT Map 132LA, Parcel 013) to the First Utility District was before the Board of Commissioners.

Commissioner Anders moved to approve Resolution R-10-9-802 - Resolution of the Commission of Knox County, Tennessee, approving an agreement for the conveyance of a permanent utility easement and temporary construction easement on property located at 708 South Peters Road (CLT Map 132LA, Parcel 013) to the First Utility District. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF CLOSURE OF UNNAMED RIGHT OF WAY LOCATED OFF OF STEKOIA LANE. PROPERTY LOCATED AT THE INTERSECTION OF AQUONI DRIVE AND STEKOIA LANE. BRENDA STARNES, PROPERTY OWNER – (FIRST READING):**

Consideration of closure of unnamed right of way located off of Stekoia Lane was before the Board of Commissioners on first reading. Property located at the intersection of Aquoni Drive and Stekoia Lane. Brenda Starnes, property owner.

Commissioner Anders moved to approve the closure of unnamed right of way located off of Stekoia Lane on first reading. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located at the intersection of Aquoni Drive and Stekoia Lane. Brenda Starnes, property owner.

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**IN RE:      LINE ITEM TRANSFERS:**

Consideration of Line Item Transfers and the additional Line Item Transfer for legal advertisement for the Beer Board was before the Board of Commissioners.

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

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

Consideration of approval of minutes from the previous meeting held on August 23, (Regular Session) was before the Board of Commissioners.

Commissioner McKenzie moved to approve the minutes from the previous meeting held on August 23, (Regular Session). Commissioner

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

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**IN RE: ELECTIONS AND APPOINTMENTS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING A SEVENTH DISTRICT REPRESENTATIVE TO THE KNOX COUNTY BOARD OF ZONING APPEALS – R-10-9-110:**

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing a Seventh District Representative to the Knox County Board of Zoning Appeals was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-10-9-110 - Resolution of the Commission of Knox County, Tennessee, appointing Bill Sewell as the Seventh District Representative on the Knox County Board of Zoning Appeals. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONFIRMING THE APPOINTMENT OF THE “HEARING OFFICER” FOR**

**VIOLATIONS ASSOCIATED WITH THE ORDINANCE REGULATING  
SEXUALLY ORIENTED BUSINESSES WITHIN KNOX COUNTY –**

**R-10-9-112:**

Consideration of a resolution of the Commission of Knox County, Tennessee, confirming the appointment of the “Hearing Officer” for violations associated with the Ordinance regulating sexually oriented businesses within Knox County was before the Board of Commissioners.

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

Commissioner Wright moved to defer to the October 2010 Board of Commissioners meeting Resolution R-10-9-112 - Resolution of the Commission of Knox County, Tennessee, confirming the appointment of the “Hearing Officer” for violations associated with the Ordinance regulating sexually oriented businesses within Knox County. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

6. Commissioner Hammond amended the agenda to hear the following items at this time: Resolutions R-10-9-101 and R-10-9-102.

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**IN RE: RESOLUTIONS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING VICKI**

**CARTER FOR EARNING THE CADASTRAL MAPPING SPECIALIST**

**(CMS) DESIGNATION – R-10-9-101:**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Vicki Carter for earning the Cadastral Mapping Specialist (CMS) Designation was before the Board of Commissioners.

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

Commissioner Broyles moved to approve Resolution R-10-9-101 - Resolution of the Commission of Knox County, Tennessee, honoring Vicki Carter for earning the Cadastral Mapping Specialist (CMS) Designation. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

Ms. Vicki Carter was present to accept the resolution and expressed appreciation to the commission for the resolution.

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

7. At this time, Mr. Phil Ballard, Knox County Property Assessor, was present and indicated he and the following Property Assessor employees had received certificates: Mr. Stuart Blackstock, Mr. Doug Russell, Ms. Heather Young, Ms. Linda Turner, Mr. Jim Weaver, Mr. Dean Lewis, Ms. Teresa Dalton, Mr. Roger Ownby, Mr. Scott McPhetridge, Mr. Jordan Taylor and Mr. Andy Keeler.

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**IN RE:        CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE**  
**KNOXVILLE HABITAT FOR HUMANITY UPON THE OCCASION OF**  
**ITS 25<sup>TH</sup> ANNIVERSARY AND DECLARING OCTOBER 1<sup>ST</sup> AS**  
**“KNOXVILLE HABITAT FOR HUMANITY DAY” – R-10-9-102:**

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring the Knoxville Habitat for Humanity upon the occasion of its 25<sup>th</sup> Anniversary and declaring October 1<sup>st</sup> as “Knoxville Habitat for Humanity Day” was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-10-9-102 - Resolution of the Commission of Knox County, Tennessee, honoring the Knoxville Habitat for Humanity upon the occasion of its 25<sup>th</sup> Anniversary and declaring October 1<sup>st</sup> as “Knoxville Habitat for Humanity Day”. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

Mr. Archie Ellis and Mr. Greg McMillan were present to accept the resolution and expressed appreciation to the commission for the resolution.

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**IN RE:        PUBLIC FORUM**

1. Mr. Danny Amanns, concerned citizen, spoke during the discussion of Resolution R-10-9-903. (See Page 250)

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2. Mr. Randy Nichols, Knox County Attorney General, spoke during the discussion of Resolution R-10-9-904. (See Page 246 & 247)

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3. Mr. Bryan Testerman, concerned citizen, was present and spoke concerning variances for swimming pools in Planned Residential Zones.

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

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

8. Commissioner Hammond amended the agenda to hear Resolution R-10-9-904 at this time.

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**IN RE: RESOLUTIONS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY CRIMINAL JUSTICE COMMITTEE, IN CONJUNCTION WITH THE HELEN ROSS MCNABB CENTER, EXHAUSTIVELY STUDY ALL AVAILABLE/POTENTIAL FUNDING SOURCES, PUBLIC-PRIVATE PARTNERSHIPS, AND INTER-GOVERNMENTAL PARTNERSHIPS BETWEEN THE COUNTY, CITY, STATE AND FEDERAL GOVERNMENT FOR THE PURPOSE OF CREATING A PUBLIC SAFETY CENTER AND REPORT THEIR FINDINGS ACCORDINGLY – R-10-9-904:**

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Criminal Justice Committee, in conjunction with the Helen Ross McNabb Center, exhaustively study all available/potential funding sources, public-private partnerships, and inter-governmental partnerships between the County, City, State and Federal Government for the purpose of creating a Public Safety Center and report their findings accordingly was before the Board of Commissioners.

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

Commissioner Briggs moved to approve Resolution R-10-9-904 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Criminal Justice Committee, in conjunction with the Helen Ross McNabb Center, exhaustively study all available/potential funding sources, public-private partnerships, and inter-governmental partnerships between the County, City, State and Federal Government for the purpose of creating a Public Safety Center and report their findings accordingly. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING VICKI**  
**CARTER FOR EARNING THE CADASTRAL MAPPING SPECIALIST**  
**(CMS) DESIGNATION – R-10-9-101:**

This item was heard earlier on the day's agenda. (See Page 243  
& 244)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING THE**  
**KNOXVILLE HABITAT FOR HUMANITY UPON THE OCCASION OF**  
**ITS 25<sup>TH</sup> ANNIVERSARY AND DECLARING OCTOBER 1<sup>ST</sup> AS**  
**“KNOXVILLE HABITAT FOR HUMANITY DAY” – R-10-9-102:**

This item was heard earlier on the day's agenda. (See Page  
245)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A**  
**CONTRACT WITH CHEROKEE HEALTH SYSTEMS FOR A**  
**PRIMARY CARE PROVIDER FOR CHILDREN ON TENNCARE,**  
**COVERKIDS, OR THOSE WITHOUT INSURANCE – R-10-9-601:**

This item was deferred to the October 2010 Board of  
Commissioners meeting. (See Amendments to the Agenda, Page 212)

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING**  
**THAT THE COUNTY MAYOR AMEND THE KNOX COUNTY**  
**EMPLOYEE HANDBOOK TO ADD A SECTION TO PRECLUDE**  
**KNOX COUNTY FROM REMITTING SEVERANCE PAYMENTS TO**  
**COUNTY EMPLOYEES FOR WORK NOT PERFORMED –**  
**R-10-9-901:**

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the County Mayor amend the Knox County Employee Handbook to add a section to preclude Knox County from remitting severance payments to county employees for work not performed was before the Board of Commissioners.

Ms. Frances Fogerson, Director for Knox County Human Resources, and Mr. Joe Jarret, Knox County Law Director, were present and spoke on the matter.

Commissioner McKenzie moved to defer to the November 2010 Board of Commissioners meeting Resolution R-10-9-901 - Resolution of the Commission of Knox County, Tennessee, requesting that the County Mayor amend the Knox County Employee Handbook to add a section to preclude Knox County from remitting severance payments to county employees for work not performed. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, EXTENDING BY ONE (1) MONTH, THROUGH OCTOBER 31, 2010, THE TERMS OF THE FOLLOWING MEMBERS OF THE KNOX COUNTY BOARD OF ZONING APPEALS WHOSE TERMS ARE EXPIRING SEPTEMBER 30, 2010: CYNTHIA STANCIL (DISTRICT 1); JEAN TEAGUE (DISTRICT 3); JOHN SCHOONMAKER (DISTRICT 5); AND CARSON DAILEY (DISTRICT 9) – R-10-9-902:**

Consideration of a resolution of the Commission of Knox County, Tennessee, extending by one (1) month, through October 31, 2010, the terms of the following members of the Knox County Board of Zoning Appeals whose terms are expiring September 30, 2010: Cynthia Stancil (District 1); Jean Teague (District 3); John Schoonmaker (District 5); and Carson Dailey (District 9) was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-10-9-902 - Resolution of the Commission of Knox County, Tennessee, extending by one (1) month, through October 31, 2010, the terms of the following members of the Knox County Board of Zoning Appeals whose terms are expiring September 30, 2010: Cynthia Stancil (District 1); Jean Teague (District 3); John Schoonmaker (District 5); and Carson Dailey (District 9). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, EXTENDING THE**  
**BILLBOARD MORATORIUM FOR AN ADDITIONAL SIX MONTHS,**  
**EXPIRING MARCH 31, 2011 – R-10-9-903:**

Consideration of a resolution of the Commission of Knox County, Tennessee, extending the Billboard Moratorium for an additional six months, expiring March 31, 2011 was before the Board of Commissioners.

Mr. Danny Amanns, employee and partial owner of Outdoor Displays Advertising, and Mr. Joe Jarret, Knox County Law Director, were present and spoke on the matter.

Commissioner Briggs made disclosure that he is one of the founding members of Scenic Knoxville prior to voting on the matter.

Commissioner Norman moved to approve Resolution R-10-9-903 - Resolution of the Commission of Knox County, Tennessee, extending the Billboard Moratorium for an additional six months, expiring March 31, 2011. Commissioner Briggs seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE:      CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING**  
**THAT THE KNOX COUNTY CRIMINAL JUSTICE COMMITTEE, IN**  
**CONJUNCTION WITH THE HELEN ROSS MCNABB CENTER,**  
**EXHAUSTIVELY STUDY ALL AVAILABLE/POTENTIAL FUNDING**  
**SOURCES, PUBLIC-PRIVATE PARTNERSHIPS, AND INTER-**  
**GOVERNMENTAL PARTNERSHIPS BETWEEN THE COUNTY,**  
**CITY, STATE AND FEDERAL GOVERNMENT FOR THE PURPOSE**  
**OF CREATING A PUBLIC SAFETY CENTER AND REPORT THEIR**  
**FINDINGS ACCORDINGLY – R-10-9-904:**

This item was heard earlier on the day's agenda. (See Page 246 & 247)

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

**IN RE:        CONSIDERATION OF AN ORDINANCE OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING**  
**CHAPTER II, ARTICLE X, DIVISION 2 OF THE KNOX COUNTY**  
**CODE ENTITLED “BASE PERSONNEL POLICIES” BY ADDING A**  
**NEW SECTION 2-774 TO PRECLUDE KNOX COUNTY FROM**  
**REMITTING SEVERANCE PAYMENTS TO COUNTY EMPLOYEES**  
**FOR WORK NOT PERFORMED (AMENDING KNOX COUNTY CODE,**  
**CHAPTER 2, ARTICLE X, DIVISION 2, ESTABLISHING SECTION 2-**  
**774, PREVIOUSLY RESERVED) – O-10-9-101 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Chapter II, Article X, Division 2 of the Knox County Code entitled “Base Personnel Policies” by adding a new Section 2-774 to preclude Knox County from remitting severance payments to county employees for work not performed (amending Knox County Code, Chapter 2, Article X, Division 2, establishing Section 2-774, previously reserved) was before the Board of Commissioners on first reading.

Commissioner Smith moved to defer to the November 2010 Board of Commissioners meeting Ordinance O-10-9-101 - Ordinance of the Commission of Knox County, Tennessee, amending Chapter II, Article X, Division 2 of the Knox County Code entitled “Base Personnel Policies” by adding a new Section 2-774 to preclude Knox County from remitting severance payments to county employees for work not performed (amending Knox County Code, Chapter 2, Article X, Division 2, establishing Section 2-774, previously reserved) on first reading. Commissioner Anders seconded

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

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**IN RE:        CONSIDERATION OF AN ORDINANCE OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING**  
**ARTICLE 4 OF THE KNOX COUNTY ZONING ORDINANCE TO ADD**  
**A NEW SECTION 4.103 REGARDING STANDARDS AND**  
**REQUIREMENTS FOR FLEA MARKETS (AMENDING ORDINANCE**  
**O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) –**  
**O-10-9-102 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 4 of the Knox County Zoning Ordinance to add a new Section 4.103 regarding standards and requirements for flea markets (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner Smith moved to defer to the October 2010 Board of Commissioners meeting Ordinance O-10-9-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 4 of the Knox County Zoning Ordinance to add a new Section 4.103 regarding standards and requirements for flea markets (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) on first reading.

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

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**IN RE: CONSIDERATION OF AN ORDINANCE OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING KNOX  
COUNTY CODE, CHAPTER 2, ARTICLE VIII, DIVISION 2, SECTION  
2-496 RELATIVE TO THE COMPOSITION AND TERMS OF THE  
MEMBERS OF THE KNOX COUNTY INVESTMENT COMMITTEE  
(AMENDING ORDINANCE O-05-6-104, ADOPTED JULY 25, 2005) –  
O-10-9-103 – (FIRST READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 2, Article VIII, Division 2, Section 2-496 relative to the composition and terms of the members of the Knox County Investment Committee (amending Ordinance O-05-6-104, adopted July 25, 2005) was before the Board of Commissioners on first reading.

Commissioner Anders moved to approve Ordinance O-10-9-103 - Ordinance of the Commission of Knox County, Tennessee, amending Knox County Code, Chapter 2, Article VIII, Division 2, Section 2-496 relative to the composition and terms of the members of the Knox County Investment Committee (amending Ordinance O-05-6-104, adopted July 25, 2005) on first reading. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING CHAPTER 12 OF THE KNOX COUNTY CODE ENTITLED “BUSINESSES” BY ADDING A NEW ARTICLE IV TO PROHIBIT A BUSINESS OR ENTITY IN POSSESSION OF A KNOX COUNTY BUSINESS LICENSE FROM KNOWINGLY EMPLOYING AN ILLEGAL ALIEN AND PROVIDING FOR PENALTIES (AMENDING KNOX COUNTY CODE, CHAPTER 12, ESTABLISHING ARTICLE IV) – O-10-7-101 – (SECOND READING):**

This item was withdrawn from the agenda. (See Amendments to the Agenda, Page 213 & 214)

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**IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, TO REPEAL AND REPLACE CHAPTER 22, ARTICLE III OF THE KNOX COUNTY CODE RELATIVE TO EMERGENCY MEDICAL SERVICE PROVIDERS (AMENDING ORDINANCE O-92-1-102, ADOPTED APRIL 27, 1992; ORDINANCE O-92-11-102, ADOPTED JANUARY 25, 1993; ORDINANCE O-97-1-101, ADOPTED FEBRUARY 24, 1997; AND ORDINANCE O-98-12-104, ADOPTED DECEMBER 21, 1998) – O-10-8-101 – (SECOND READING):**

Consideration of an Ordinance of the Commission of Knox County, Tennessee, to repeal and replace Chapter 22, Article III of the Knox County Code relative to Emergency Medical Service Providers (amending

Ordinance O-92-1-102, adopted April 27, 1992; Ordinance O-92-11-102, adopted January 25, 1993; Ordinance O-97-1-101, adopted February 24, 1997; and Ordinance O-98-12-104, adopted December 21, 1998) was before the Board of Commissioners on second reading.

Commissioner Anders moved approve Ordinance O-10-8-101 - Ordinance of the Commission of Knox County, Tennessee, to repeal and replace Chapter 22, Article III of the Knox County Code relative to Emergency Medical Service Providers (amending Ordinance O-92-1-102, adopted April 27, 1992; Ordinance O-92-11-102, adopted January 25, 1993; Ordinance O-97-1-101, adopted February 24, 1997; and Ordinance O-98-12-104, adopted December 21, 1998) on second reading.

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

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

9. At this time, there was discussion regarding copies of Knox County road projects.

No action was taken.

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10. At this time, there was discussion regarding the budget report to the citizenry.

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

No action was taken.

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11. At this time, there was discussion regarding the Procurement Committee meeting to be held on Monday, October 18, 2010 at 1:00 p.m.

No action was taken.

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12. At this time, there was discussion regarding the sunshine law and public notices.

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

No action was taken.

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**IN RE: ROLL CALL – (6:00 P.M.)**

Mrs. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

\* \* \* \* \*

**IN RE: ZONING REQUEST:**

1. Consideration of the request of Linda Hurd for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located northeast end of Messer Lane, northeast Weaver Road. (6<sup>th</sup> Commission District)

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

Commissioner Anders moved to approve zoning request RZ-10-9-101 – Request of Linda Hurd for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC’s recommendation. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located northeast end of Messer Lane, northeast Weaver Road. (6<sup>th</sup> Commission District) MPC’s file number: 8-D-10-RZ.

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2. Consideration of the request of Hunter Valley Farm for rezoning from A Agricultural Zone to T Transition Zone was before the Board of Commissioners. Property located northwest side Hunter Valley Lane, east of Keller Bend Road. (4<sup>th</sup> Commission District)

Mr. Arthur Seymour, Attorney representing Hunter Valley Farm, was present and spoke on behalf of the request.

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

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

Commissioner Ownby moved to approve zoning request RZ-10-9-102 – Request of Hunter Valley Farm for rezoning from A Agricultural Zone to T Transition Zone limited to use as an event facility, subject to use on review development plan approval of the use by MPC as per MPC’s recommendation. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman,

Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located northwest side Hunter Valley Lane, east of Keller Bend Road. (4<sup>th</sup> Commission District) MPC's file number: 8-E-10-RZ.

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3. Consideration of the request of Bob Gage, GBT Realty Corporation for Northeast County Sector Plan Amendment from LDR Low Density Residential Zone to NC Neighborhood Commercial Zone or RC Rural Commercial Zone was before the Board of Commissioners. Property located southeast side Rutledge Pike, southwest side Shipetown Road. (8<sup>th</sup> Commission District)

Mr. Kenneth Church, representing Bob Gage, GBT Realty Corporation, was present and spoke on behalf of the request.

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

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

Commissioner Wright made disclosure that he has no personal interest in this property but he had been contacted by his constituents and also the property owner asking for his support prior to voting on the matter.

Commissioner Wright moved to approve zoning request RZ-10-9-103 - Request of Bob Gage, GBT Realty Corporation for Northeast County Sector Plan Amendment from LDR Low Density Residential Zone to RC Rural Commercial Zone. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse

voted aye. The motion carried 11-0-0-0. Property located southeast side Rutledge Pike, southwest side Shipetown Road. (8<sup>th</sup> Commission District) MPC's file number: 8-C-10-SP.

This item was reconsidered later at the day's meeting. (See Amendments to the Agenda, Page 260)

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

13. Commissioner Anders moved to amend the agenda to reconsider the following item at this time: Request of Bob Gage, GBT Realty Corporation for Northeast County Sector Plan Amendment from LDR Low Density Residential Zone to NC Neighborhood Commercial Zone or RC Rural Commercial Zone. Property located southeast side Rutledge Pike, southwest side Shipetown Road. (8<sup>th</sup> Commission District) Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. Joe Jarret, Knox County Law Director, were present and spoke on the matter.

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**IN RE: ZONING REQUEST – (CONTINUED):**

4. Consideration of the request of Bob Gage, GBT Realty Corporation for Northeast County Sector Plan Amendment from LDR Low Density Residential Zone to NC Neighborhood Commercial Zone or RC Rural Commercial Zone was before the Board of Commissioners. Property

located southeast side Rutledge Pike, southwest side Shipetown Road. (8<sup>th</sup> Commission District)

Mr. Kenneth Church, representing Bob Gage, GBT Realty Corporation, was present and spoke on behalf of the request.

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

Commissioner McKenzie moved to approve zoning request RZ-10-9-103 – Request of Bob Gage, GBT Realty Corporation for Northeast County Sector Plan Amendment from LDR Low Density Residential Zone to NC Neighborhood Commercial Zone as per MPC’s recommendation.

Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located southeast side Rutledge Pike, southwest side Shipetown Road. (8<sup>th</sup> Commission District) MPC’s file number: 8-C-10-SP.

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

14. The following items heard at this time: 8-D-10-SP and 8-H-10-RZ.

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**IN RE: ZONING REQUEST – (CONTINUED):**

5. Consideration of the request of Pebblestone Condominiums HOA for North City Sector Plan Amendment from LDR Low Density Residential and HP Hillside/Ridge Top Protection Area Zone to MDR

Medium Density Residential and HP Hillside/Ridge Top Protection Area Zone was before the Board of Commissioners. Property located southwest side Murphy Road, southeast of Tazewell Pike. (7<sup>th</sup> Commission District)

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

Commissioner Smith moved to approve zoning request RZ-10-9-105 - Request of Pebblestone Condominiums HOA for North City Sector Plan Amendment from LDR Low Density Residential and HP Hillside/Ridge Top Protection Area Zone to MDR Medium Density Residential and HP Hillside/Ridge Top Protection Area Zone as per MPC's recommendation. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located southwest side Murphy Road, southeast of Tazewell Pike. (7<sup>th</sup> Commission District) MPC's file number: 8-D-10-SP.

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6. Consideration of the request of Pebblestone Condominiums HOA for rezoning from RB General Residential and A Agricultural Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located southwest side Murphy Road, southeast of Tazewell Pike. (7<sup>th</sup> Commission District)

Mr. Robert Campbell, representing Pebblestone Condominiums HOA, was present and spoke on behalf of the request.

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

Commissioner Smith moved to approve zoning request RZ-10-9-106 – Request of Pebblestone Condominiums HOA for rezoning from RB General Residential and A Agricultural Zone to PR Planned Residential Zone at a density up to 7 dwelling units per acre as per MPC’s recommendation. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located southwest side Murphy Road, southeast of Tazewell Pike. (7<sup>th</sup> Commission District) MPC’s file number: 8-H-10-RZ.

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7. Consideration of the request of Bob Gage, GBT Realty Corporation for rezoning from A Agricultural Zone to CR Rural Commercial Zone was before the Board of Commissioners. Property located southeast side Rutledge Pike, southwest side Shipetown Road. (8<sup>th</sup> Commission District)

Commissioner Wright moved to approve zoning request RZ-10-9-104 - Request of Bob Gage, GBT Realty Corporation for rezoning from A Agricultural Zone to CN Neighborhood Commercial Zone as per MPC’s recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Property located southeast side Rutledge Pike, southwest side Shipetown Road. (8<sup>th</sup> Commission District) MPC’s file number: 8-G-10-RZ.

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8. Consideration of the request of Metropolitan Planning Commission to adopt the amended East County Sector Plan was before the Board of Commissioners. (8<sup>th</sup> Commission District)

Mr. Joe Jarret, Knox County Law Director, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and Mr. Tim Burchett, Knox County Mayor, were present and spoke on the matter.

Mr. Todd Napier, Development Corporation, was present and spoke in support of the request.

Ms. Elaine Clark, concerned citizen, was present and spoke on the matter.

Commissioner Wright moved to defer to the November 2010 Board of Commissioners meeting the request of Metropolitan Planning Commission to adopt the amended East County Sector Plan and that the Mayor's office schedule two (2) structured public hearings. Commissioner McKenzie seconded the motion.

Commissioner Briggs moved as a substitute motion to vote on the matter at the day's meeting. There was no second to the motion. The substitute motion failed due to lack of a second.

Upon roll call vote of the original motion to defer to the November 2010 Board of Commissioners meeting the request of Metropolitan Planning Commission to adopt the amended East County Sector Plan and that the Mayor's office schedule two (2) structured public hearings, Commissioners McKenzie, Broyles, Norman, Ownby, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner

Briggs voted no. The motion carried 10-1-0-0. MPC's file number:  
2-A-10-SAP.

\* \* \* \* \*

**IN RE: ZONING APPEALS:**

1. Consideration of the appeal by Arthur G. Seymour, Jr. for CGK, Inc. of MPC denial of rezoning from A Agricultural Zone to CR Rural Commercial Zone was before the Board of Commissioners. Property located southeast side Fox Road, northeast of Canton Hollow Road. (5<sup>th</sup> Commission District)

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

Mr. Arthur Seymour, appellant, and Mr. Chad Kennedy, applicant/property owner, were present and spoke in support of the appeal.

The following area residents were present and spoke in opposition to the appeal: Mr. John Carniff, Mr. Steve Haygood, Mr. John Schoonmaker, Ms Elizabeth Barnes-Griffin, Mr. Bob Green, Ms. Lori Spalding and Ms. Susan Jordan.

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

Commissioner Briggs moved to deny the appeal by Arthur G. Seymour, Jr. for CGK, Inc. of MPC denial of rezoning from A Agricultural Zone to CR Rural Commercial Zone. Commissioner McKenzie seconded the motion.

Commissioner Brown moved as a substitute motion to refer the appeal by Arthur G. Seymour, Jr. for CGK, Inc. of MPC denial of rezoning from A Agricultural Zone to CR Rural Commercial Zone to MPC to initiate for the Planning Commission's consideration a Sector Plan Amendment to Rural Commercial land use classification for the subject property.

Commissioner Smith seconded the motion and upon roll call vote Commissioners Ownby, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioners McKenzie, Broyles, Norman, Briggs and Shouse voted no. The substitute motion carried 6-5-0-0. MPC's file number: 6-C-10-RZ.

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**IN RE:      ADJOURNMENT:**

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

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***KNOX COUNTY BOARD OF COMMISSIONERS***

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***MIKE HAMMOND, CHAIRMAN***