

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, August 22, 2011 at 1:45 p.m. in the Main Assembly Room of the City-County Building. 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. Tim Burchett, Knox County Mayor, Mr. Dean Rice, Chief of Staff, Knox County Mayor's Office, Mr. John Troyer, Director, Knox County Finance, Dr. Martha Buchanan, Director, Knox County Health Department, Dr. Jim McIntyre, Jr., Superintendent, Knox County Schools, Mr. J. J. Jones, Knox County Sheriff, Mr. Richard Walls, Knox County Internal Auditor and news media.

Commissioner Hammond, Chairman, presided.

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

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IN RE: CALL TO ORDER:

Commissioner Hammond called the meeting to order.

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IN RE: ROLL CALL:

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk, called the roll. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse.

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IN RE: PUBLIC FORUM:

No one was present to speak.

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IN RE: HONORARY RESOLUTIONS:

IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Hammond heard R-11-8-102 next on the agenda.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING KNOXVILLE NEWS-SENTINEL REPORTER REBECCA FERRAR UPON THE OCCASION OF HER RETIREMENT:R-11-8-102:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Knoxville News-Sentinel Reporter Rebecca Ferrar upon the occasion of her retirement was before the Board of Commissioners.

Commissioner Hammond presented Ms. Ferrar with a Resolution from the Knox County Commission.

Ms. Rebecca Ferrar, News Sentinel Reporter, was present and thanked the Commissioners for the Resolution.

Commissioner Broyles moved to approve R-11-8-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Knoxville News-Sentinel Reporter Rebecca Ferrar upon the occasion of her retirement. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond voted aye. The motion carried 10-0-0-1. Commissioner Shouse was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE DECLARING A MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF THE TERRORIST ATTACKS COMMITTED AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001: R-11-8-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee declaring a Moment of Remembrance of the 10th Anniversary of the terrorist attacks committed against the United States on September 11, 2001 was before the Board of Commissioners.

Commissioner Brown moved to approve R-11-8-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee declaring a Moment of Remembrance of the 10th Anniversary of the terrorist attacks committed against the United States on September 11, 2001. Commissioners Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond voted aye. The motion carried 10-0-0-1. Commissioner Shouse was absent from the vote.

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IN RE: CALL TO ORDER: 2:00 P.M.

Commissioner Hammond called the meeting to order.

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IN RE: DEVOTIONAL:

Commissioner Jeff Ownby gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Tony Norman led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA:

Without objection, Commissioner Hammond amended the agenda as follows:

Add R-11-8-102 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Knoxville News-Sentinel Reporter Rebecca Ferrar upon the occasion of her retirement.

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Withdraw R-11-8-906 – Consideration of a Resolution of the Commission of Knox County, Tennessee amending the previously adopted Five-Year Capital Improvement Plan for fiscal years 2012-2016 and appropriating funds not previously appropriated for the first year of the plan.

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Withdraw R-11-8-903 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving the following documents related to the new Carter Elementary School: (1) an Interlocal Cooperation Agreement between Knox County, The Industrial Development Board of the County of Knox and the Knox County Board of Education; (2) a Purchase Agreement between Knox County and the Industrial Development Board of the County of Knox; and (3) a Memorandum of Understanding and Agreement between Knox County and the Industrial Development Board of the County of Knox.

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Add R-11-8-905 and place on the Consent Agenda: Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with FIS-Metavante PayDirect Solutions for tax payment processing Services for the Knox County Trustee’s Office.

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Defer to the September Board of Commissioners meeting R-11-8-804 Consideration of a Resolution of the Commission of Knox County, Tennessee approving an appropriation in the amount of \$134,277.95 from the General Fund Balance for the purpose of reimbursing former Knox County Sheriff Timothy Hutchison for reasonable attorney’s fees incurred while successfully defending an ouster lawsuit, as provided by Tennessee law.

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

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Add discussion on Carter Elementary School.

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Defer to the September Board of Commissioners meeting R-11-8-901
Consideration of a Resolution of the Commission of Knox County,
Tennessee placing employees of the Knox County Commission under the
general Knox County Employee Handbook.

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Hear R-11-8-802 after the Consent Calendar: Consideration of a
Resolution of the Commission of Knox County, Tennessee designating and
appropriating funds from fiscal year 2011 to fiscal year 2012 for various
funds and departments.

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Defer to the September Board of Commissioners meeting
Consideration of the closure of road and right of way at the intersection of
Pleasant Ridge Road and Clinton Highway on first reading.

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Add R-11-8-101 – Consideration of a Resolution of the Commission
of Knox County, Tennessee declaring a Moment of Remembrance of the
10th Anniversary of the terrorist attacks committed against the United States
on September 11, 2001.

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Withdraw R-11-8-202 – Consideration of a Resolution of the
Commission of Knox County, Tennessee authorizing the acceptance of a
grant award in the amount of \$212,190.00 for the U.S. Department of Health
and Human Services to expand the Vine Middle School Health Clinic to the
following eight (8) Schools: Lonsdale Elementary, Christenberry
Elementary, Dogwood Elementary, Sarah Moore Greene Elementary, Belle
Morris Elementary, Pond Gap Elementary, South Doyle Middle and Austin-
East High.

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Add R-11-8-606 – Consideration of a Resolution of the Commission
of Knox County, Tennessee approving a grant agreement in the amount of
\$250,000.00 (requires an in-kind services match of \$99,700.00) with the
Tennessee Department of Health for Project Diabetes Initiative Services.

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Add R-11-8-705 – Consideration of a Resolution of the Commission
of Knox County, Tennessee approving a Local Agency Project Agreement
with the Tennessee Department of Transportation and the City of Knoxville
for Phase I of the Knox-Blount Greenway Project for an estimated project
cost of \$1,451,975.00 with \$1,161,580.00 (80%) provided by the State and

\$190,395.00 (20%) provided jointly by the City (\$145,194.50) and the County (\$145,197.50).

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Defer to the September Board of Commissioners meeting discussion regarding an amendment to the Commission meeting Rules of Procedure.

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

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

Consideration of approval of minutes of the previous meetings held on July 18, 2011 (Public Hearing) and Regular Session held on July 25, 2011 was before the Board of Commissioners.

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

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IN RE: DRIVES AND ROADS:

Consideration of the closure of a portion of Kathy Lane off Everett Road was before the Board of Commissioners on first reading. Property owners: Blue Beacon, USA L.P. and CWW Enterprises, L.P.

Commissioner Anders moved to approve consideration of the closure of a portion of Kathy Lane off Everett Road on first reading. Property owners: Blue Beacon, USA L.P. and CWW Enterprises, L.P. 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: LINE ITEM TRANSFERS:

Consideration of line item transfers was before the Board of Commissioners.

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

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IN RE: NOTARY APPLICATIONS:

Consideration of notary applications was before the Board of Commissioners.

Commissioner Smith moved to approve 177 notary applications. 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 REAPPOINTING DAVE PARMLY, A CITIZEN MEMBER WITH BENEFITS ADMINISTRATION EXPERIENCE, AND FRANK ROBINSON, A CITIZEN MEMBER WITH FINANCIAL MANAGEMENT EXPERIENCE, TO THE KNOX COUNTY HEALTH INSURANCE APPEAL BOARD: R-11-8-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee reappointing Dave Parmly, a citizen member with benefits administration experience, and Frank Robinson, a citizen member with financial management experience, to the Knox County Health Insurance Appeal Board was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee reappointing Dave Parmly, a citizen member with benefits administration experience, and Frank Robinson, a citizen member with financial management experience, to the Knox County Health Insurance Appeal Board. 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 CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006 YEAR FOUR ACTION PLAN AND FUNDING IN THE AMOUNT OF \$806,834.00 FOR THE KNOX COUNTY SCHOOLS CAREER AND TECHNICAL EDUCATION PROGRAM FOR THE PERIOD BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2012: R-11-8-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Carl D. Perkins Career and Technical Education Act of 2006 Year Four Action Plan and funding in the amount of \$806,834.00 for the Knox County Schools Career and Technical Education Program for the period beginning July 1, 2011 and ending June 30, 2012 was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Carl D. Perkins Career and Technical Education Act of 2006 Year Four Action Plan and funding in the amount of \$806,834.00 for the Knox County Schools Career and Technical Education Program for the period beginning July 1, 2011 and ending June 30, 2012. 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 AUTHORIZING THE ACCEPTANCE OF THE FY2011-2012 NO CHILD LEFT BEHIND GRANT AWARD IN THE AMOUNT OF \$388,000.00 FROM THE TENNESSEE DEPARTMENT OF EDUCATION RELATIVE TO THE 21ST CENTURY COMMUNITY LEARNING CENTERS PROGRAM FOR AFTER SCHOOL PROGRAMS AT CARTER ELEMENTARY, CARTER MIDDLE, CARTER HIGH, EAST KNOX ELEMENTARY, WEST HILLS ELEMENTARY AND WEST HAVEN ELEMENTARY SCHOOLS: R-11-8-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of the FY2011-2012 No Child Left Behind grant award in the amount of \$388,000.00 from the Tennessee Department of Education relative to the 21st Century Community Learning Centers Program for after school programs at Carter Elementary, Carter Middle, Carter High, East Knox Elementary, West Hills Elementary and West Haven Elementary Schools was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of the FY2011-2012 No Child Left Behind grant award in the amount of \$388,000.00 from the Tennessee Department of Education relative to the 21st Century Community Learning Centers Program for after school programs at Carter Elementary, Carter Middle, Carter High, East Knox Elementary, West Hills Elementary and West Haven Elementary

Schools. 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 AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$12,000.00 FROM THE JANE L. PETTWAY FOUNDATION FOR THE "SATURDAY STORIES AND SONGS" PROGRAM:R-11-8-204:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of a grant award in the amount of \$12,000.00 from the Jane L. Pettway Foundation for the "Saturday Stories and Songs" program was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-204 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of a grant award in the amount of \$12,000.00 from the Jane L. Pettway Foundation for the "Saturday Stories and Songs" 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 KNOX COUNTY, TENNESSEE APPROVING CONTRACTS WITH ROGERS GROUP, INC. AND DURACAP ASPHALT PAVING COMPANY, INC. FOR HOT MIX ASPHALT PICK UP: R-11-8-401:

Consideration of a Resolution of the Commission Knox County, Tennessee approving contracts with Rogers Group, Inc. and Duracap Asphalt Paving Company, Inc. for hot mix asphalt pick up was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-401 - Consideration of a Resolution of the Commission Knox County, Tennessee approving contracts with Rogers Group, Inc. and Duracap Asphalt Paving Company, Inc. for hot mix asphalt pick up. 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 OF SALE IN THE AMOUNT OF \$55,050.00 WITH HEIRS OF JEAN SAUSVILLE AND THE LIFE ESTATE OF MAE MILLER (BOTH DECEASED) FOR THE RIGHT-OF-WAY ACQUISITION AND SLOPE AND TEMPORARY CONSTRUCTION EASEMENTS ON PROPERTY LOCATED AT 11616 SNYDER ROAD FOR THE OUTLET DRIVE EXPANSION PROJECT: R-11-8-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$55,050.00 with heirs of Jean Sausville and the life estate of Mae Miller (both deceased) for the right-of-way acquisition and slope and temporary construction easements on property located at 11616 Snyder Road for the Outlet Drive Expansion Project was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$55,050.00 with heirs of Jean Sausville and the life estate of Mae Miller (both deceased) for the right-of-way acquisition and slope and temporary construction easements on property located at 11616 Snyder Road for the Outlet Drive Expansion Project. 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 OF SALE IN THE AMOUNT OF \$6,000.00 WITH ANNIVERSARY HOLDING COMPANY, LLC FOR THE RIGHT-OF-WAY ACQUISITION AND A TEMPORARY CONSTRUCTION EASEMENT ON PROPERTY LOCATED AT 11706 SNYDER ROAD FOR THE OUTLET DRIVE EXPANSION PROJECT: R-11-8-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement of sale in the amount of \$6,000.00 with Anniversary Holding Company, LLC for the right-of-way acquisition and a temporary construction easement on property located at 11706 Snyder Road for the Outlet Drive Expansion Project was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving

an agreement of sale in the amount of \$6,000.00 with Anniversary Holding Company, LLC for the right-of-way acquisition and a temporary construction easement on property located at 11706 Snyder Road for the Outlet Drive Expansion Project. 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 WITH J.C. AND SHIRLEY LETSINGER FOR THE DONATION TO KNOX COUNTY OF RIGHT-OF-WAY AND DRAINAGE, SLOPE AND TEMPORARY CONSTRUCTION EASEMENTS ON PROPERTY LOCATED AT 11609 HAYES LANE FOR THE OUTLET DRIVE EXPANSION PROJECT:R-11-8-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with J.C. and Shirley Letsinger for the donation to Knox County of right-of-way and drainage, slope and temporary construction easements on property located at 11609 Hayes Lane for the Outlet Drive Expansion project was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with J.C. and Shirley Letsinger for the donation to Knox County of right-of-way and drainage, slope and temporary construction easements on property located at 11609 Hayes Lane for the Outlet Drive Expansion project. 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 DEEDS OF EASEMENT IN THE AMOUNT OF \$927.50 PAYABLE TO KNOX COUNTY FOR TWO PERMANENT UTILITY EASEMENTS AND ONE TEMPORARY CONSTRUCTION EASEMENT ON PROPERTIES LOCATED AT 7128 (PARCEL ID 021 05815) AND 7201 (PARCEL ID 021 05121) TAZEWELL PIKE TO HALLSDALE POWELL UTILITY DISTRICT FOR A NEW SEWER LINE: R-11-8-406:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving deeds of easement in the amount of \$927.50 payable to

Knox County for two permanent utility easements and one temporary construction easement on properties located at 7128 (Parcel ID 021 05815) and 7201 (Parcel ID 021 05121) Tazewell Pike to Hallsdale Powell Utility District for a new sewer line was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-406 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving deeds of easement in the amount of \$927.50 payable to Knox County for two permanent utility easements and one temporary construction easement on properties located at 7128 (Parcel ID 021 05815) and 7201 (Parcel ID 021 05121) Tazewell Pike to Hallsdale Powell Utility District for a new sewer line. 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 WITH MAC'S TIRE RECYCLING INC. AT A COST OF \$50.00 PER TON FOR THE PROCESSING OF WASTE TIRES COLLECTED BY KNOX COUNTY AND GENERATORS REGISTERED WITH THE STATE OF TENNESSEE WASTE TIRE DISPOSAL PROGRAM: R-11-8-407:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Mac's Tire Recycling Inc. at a cost of \$50.00 per ton for the processing of waste tires collected by Knox County and generators registered with the State of Tennessee Waste Tire Disposal Program was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-407 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Mac's Tire Recycling Inc. at a cost of \$50.00 per ton for the processing of waste tires collected by Knox County and generators registered with the State of Tennessee Waste Tire Disposal 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 A MEMORANDUM OF UNDERSTANDING (MOU) IN THE AMOUNT

OF \$397,546.00 BETWEEN THE KNOX COUNTY HEALTH DEPARTMENT AND THE KNOX COUNTY SCHOOL SYSTEM FOR THE CONTINUATION OF THE "IN SCHOOL HEALTH PROGRAM" FOR FY2011-2012: R-11-8-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding (MOU) in the amount of \$397,546.00 between the Knox County Health Department and the Knox County School System for the continuation of the "In School Health Program" for FY2011-2012 was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding (MOU) in the amount of \$397,546.00 between the Knox County Health Department and the Knox County School System for the continuation of the "In School Health Program" for FY2011-2012. 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 \$199,410.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH TO PROVIDE EMERGENCY DENTAL SERVICES FOR UNINSURED ADULTS: R-11-8-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$199,410.00 with the Tennessee Department of Health to provide emergency dental services for uninsured adults was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$199,410.00 with the Tennessee Department of Health to provide emergency dental services for uninsured adults. 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 WITH UNIVERSITY PHYSICIAN'S ASSOCIATION, INC. FOR THIRD PARTY INSURANCE BILLING SERVICES FOR THE KNOX COUNTY HEALTH DEPARTMENT TO EXPAND ITS ABILITY TO BILL INSURANCE COMPANIES FOR SERVICES PROVIDED BY THE KNOX COUNTY HEALTH DEPARTMENT AND THE SCHOOL LOCATED VACCINATION CLINICS, ALSO KNOWN AS THE FLUMIST PROGRAM: R-11-8-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with University Physician's Association, Inc. for third party insurance billing services for the Knox County Health Department to expand its ability to bill insurance companies for services provided by the Knox County Health Department and the School Located Vaccination Clinics, also known as the FluMist Program was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with University Physician's Association, Inc. for third party insurance billing services for the Knox County Health Department to expand its ability to bill insurance companies for services provided by the Knox County Health Department and the School Located Vaccination Clinics, also known as the FluMist 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 A LEASE AGREEMENT IN THE MONTHLY RENTAL AMOUNT OF \$3,800.00 WITH JEFFERSON FEDERAL BANK FOR SPACE KNOWN AS THE HARDY CLINIC LOCATED AT 2202 MARTIN LUTHER KING AVENUE FOR A FOUR (4) YEAR TERM BEGINNING JULY 1, 2011 AND ENDING JUNE 30, 2015: R-11-8-604:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease agreement in the monthly rental amount of \$3,800.00 with Jefferson Federal Bank for space known as the Hardy Clinic located at 2202 Martin Luther King Avenue for a four (4) year term beginning July 1, 2011 and ending June 30, 2015 was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-604 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a

lease agreement in the monthly rental amount of \$3,800.00 with Jefferson Federal Bank for space known as the Hardy Clinic located at 2202 Martin Luther King Avenue for a four (4) year term beginning July 1, 2011 and ending June 30, 2015. 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 PROFESSIONAL SERVICES AGREEMENT WITH MEDICAL SOLUTIONS TO PROVIDE TEMPORARY CLINICAL AND NON-CLINICAL SUPPORT TO THE KNOX COUNTY HEALTH DEPARTMENT FOR THE SCHOOL LOCATED VACCINATION CLINICS, ALSO KNOWN AS THE FLUMIST PROGRAM, AND AS NECESSARY TO SUPPLEMENT THE HEALTH DEPARTMENT DURING INFLUENZA SEASON FROM SEPTEMBER 2011 THROUGH JANUARY 2012: R-11-8-605:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Professional Services Agreement with Medical Solutions to provide temporary clinical and non-clinical support to the Knox County Health Department for the School Located Vaccination Clinics, also known as the FluMist Program, and as necessary to supplement the Health Department during influenza season from September 2011 through January 2012 was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-605 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Professional Services Agreement with Medical Solutions to provide temporary clinical and non-clinical support to the Knox County Health Department for the School Located Vaccination Clinics, also known as the FluMist Program, and as necessary to supplement the Health Department during influenza season from September 2011 through January 2012. 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 \$72,898.00 WITH KNOXVILLE

FOOTBALL OFFICIALS ASSOCIATION FOR PROVIDING OFFICIALS TO THE KNOX COUNTY PARKS & RECREATION DEPARTMENT'S YOUTH FOOTBALL PROGRAM:

R-11-8-701:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$72,898.00 with Knoxville Football Officials Association for providing officials to the Knox County Parks & Recreation Department's Youth Football Program was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-701 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$72,898.00 with Knoxville Football Officials Association for providing officials to the Knox County Parks & Recreation Department's Youth Football 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 A GRANT AGREEMENT IN THE AMOUNT OF \$80,000.00 WITH A \$20,000.00 IN-KIND SERVICES MATCH WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION AND THE CITY OF KNOXVILLE TO CONSTRUCT THE BEARDEN CIRCLE GREENWAY:R-11-8-702:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$80,000.00 with a \$20,000.00 in-kind services match with the Tennessee Department of Environment and Conservation and the City of Knoxville to construct the Bearden Circle Greenway was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-702 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$80,000.00 with a \$20,000.00 in-kind services match with the Tennessee Department of Environment and Conservation and the City of Knoxville to construct the Bearden Circle Greenway. 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 LOCAL AGENCY PROJECT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF PHASE II OF THE HALLS PARK TO SCHOOL GREENWAY LINK FOR AN ESTIMATED PROJECT COST OF \$626,602.50 WITH \$501,282.00 (80%) PROVIDED BY THE STATE AND \$125,320.50 (20%) PROVIDED BY KNOX COUNTY: R-11-8-703:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Local Agency Project Agreement with the Tennessee Department of Transportation for the construction of Phase II of the Halls Park to School Greenway Link for an estimated project cost of \$626,602.50 with \$501,282.00 (80%) provided by the State and \$125,320.50 (20%) provided by Knox County was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-703 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Local Agency Project Agreement with the Tennessee Department of Transportation for the construction of Phase II of the Halls Park to School Greenway Link for an estimated project cost of \$626,602.50 with \$501,282.00 (80%) provided by the State and \$125,320.50 (20%) provided by Knox County. 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 WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION IN THE AMOUNT OF \$80,000.00 WITH LOCAL MATCH IN THE AMOUNT OF \$20,000.00 TO CONSTRUCT A GREENWAY AT PLUMB CREEK PARK: R-11-8-704:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the Tennessee Department of Environment and Conservation in the amount of \$80,000.00 with local match in the amount of \$20,000.00 to construct a greenway at Plumb Creek Park was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-704 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement with the Tennessee Department of Environment and

Conservation in the amount of \$80,000.00 with local match in the amount of \$20,000.00 to construct a greenway at Plumb Creek Park. 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 LOCAL AGENCY PROJECT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION AND THE CITY OF KNOXVILLE FOR PHASE I OF THE KNOX-BLOUNT GREENWAY PROJECT FOR AN ESTIMATED PROJECT COST OF \$1,451,975.00 WITH \$1,161,580.00 (80%) PROVIDED BY THE STATE AND \$190,395.00 (20%) PROVIDED JOINTLY BY THE CITY (\$145,194.50) AND THE COUNTY (\$145,197.50): R-11-8-705:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Local Agency Project Agreement with the Tennessee Department of Transportation and the City of Knoxville for Phase I of the Knox-Blount Greenway Project for an estimated project cost of \$1,451,975.00 with \$1,161,580.00 (80%) provided by the State and \$190,395.00 (20%) provided jointly by the City (\$145,194.50) and the County (\$145,197.50) was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-705 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Local Agency Project Agreement with the Tennessee Department of Transportation and the City of Knoxville for Phase I of the Knox-Blount Greenway Project for an estimated project cost of \$1,451,975.00 with \$1,161,580.00 (80%) provided by the State and \$190,395.00 (20%) provided jointly by the City (\$145,194.50) and the County (\$145,197.50).

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 WITH RITE WAY SERVICE INC. FOR JANITORIAL AND CARPET CLEANING SERVICES FOR KNOX COUNTY FACILITIES:R-11-8-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Rite Way Service Inc. for janitorial and carpet cleaning services for Knox County facilities was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Rite Way Service Inc. for janitorial and carpet cleaning services for Knox County facilities. 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 WITH BRENTWOOD SERVICES FOR WORKERS' COMPENSATION CLAIMS ADMINISTRATION AND INTEGRATED OCCUPATIONAL HEALTH RELATED SERVICES: R-11-8-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Brentwood Services for Workers' Compensation Claims Administration and Integrated Occupational Health related services was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Brentwood Services for Workers' Compensation Claims Administration and Integrated Occupational Health related 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 REQUESTING THAT THE METROPOLITAN PLANNING COMMISSION CONDUCT A STUDY TO DETERMINE WHICH LAND USE AND ZONING CATEGORIES ARE BEST SUITED FOR THE CONSTRUCTION AND/OR PLACEMENT OF PAIN MANAGEMENT CLINICS, AND MAKE RECOMMENDATIONS TO THE KNOX COUNTY COMMISSION OF SUCH AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE: R-11-8-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Metropolitan Planning Commission conduct a study to determine which land use and zoning categories are best suited for the construction and/or placement of pain management clinics and make recommendations to the Knox County Commission of such amendments to the Knox County Zoning Ordinance was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Metropolitan Planning Commission conduct a study to determine which land use and zoning categories are best suited for the construction and/or placement of pain management clinics and make recommendations to the Knox County Commission of such amendments to the Knox County Zoning Ordinance. 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 WITH FIS-METAVANTE PAYDIRECT SOLUTIONS FOR TAX PAYMENT PROCESSING SERVICES FOR THE KNOX COUNTY TRUSTEES OFFICE:R-11-8-905:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with FIS-Metavante PayDirect Solutions for tax payment processing services for the Knox County Trustees Office was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-8-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with FIS-Metavante PayDirect Solutions for tax payment processing services for the Knox County Trustees 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:** Consideration of the acceptance of new county roads:
A. Dannaher Drive in the Dannaher Place Subdivision, District 7 was before the Board of Commissioners.

Commissioner Smith moved to approve consideration of the acceptance of new county road; Dannaher Drive in the Dannaher Place

Subdivision, District 7. 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 DESIGNATING AND APPROPRIATING FUNDS FROM FISCAL YEAR 2011 TO FISCAL YEAR 2012 FOR VARIOUS FUNDS AND DEPARTMENTS: R-11-8-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee designating and appropriating funds from fiscal year 2011 to fiscal year 2012 for various funds and departments was before the Board of Commissioners.

Mr. Grant Rosenberg, Director, Knox County Community Development, was present and spoke on the matter.

Mr. Bob Sexton, Executive Director, Cerebral Palsy Center, was present and spoke on the matter.

Ms. Tammy Cook and son Billy Cook, were present and stated Billy receives services from the Cerebral Palsy Center and how good they have been to help Billy.

Mr. Steve Rose and daughter Amy Rose, were present and stated Amy receives services from the Cerebral Palsy Center and how good they have been to help Amy.

Mr. Matthew Jones, representing East Tennessee Access Center, was present and spoke on the matter.

Ms. Pam Zackery, Board member, Sertoma Center, was present and spoke on the matter.

Commissioner Anders moved to approve R-11-8-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee designating and appropriating funds from fiscal year 2011 to fiscal year 2012 for various funds and departments. 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 APPROVING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,073,604.04

**WITH APAC-ATLANTIC, INC. FOR THE OUTLET DRIVE
EXTENSION PROJECT: R-11-8-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$3,073,604.04 with APAC-Atlantic, Inc. for the Outlet Drive Extension Project was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-8-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$3,073,604.04 with APAC-Atlantic, Inc. for the Outlet Drive Extension Project. Commissioner Ownby seconded the motion and upon roll call vote Commissioners Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-1-0-0. Commissioner McKenzie voted no.

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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 \$250,000.00 (REQUIRES
AN IN-KIND SERVICES MATCH OF \$99,700.00) WITH THE
TENNESSEE DEPARTMENT OF HEALTH FOR PROJECT
DIABETES INITIATIVE SERVICES:R-11-8-606:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$250,000.00 (Requires an in-kind services match of \$99,700.00) with the Tennessee Department of Health for Project Diabetes Initiative Services was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-8-606 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant agreement in the amount of \$250,000.00 (Requires an in-kind services match of \$99,700.00) with the Tennessee Department of Health for Project Diabetes Initiative Services. 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 REQUESTING
THAT THE CHAIRMAN OF THE KNOX COUNTY COMMISSION
FORWARD A LETTER TO THE KNOX COUNTY LEGISLATIVE
DELEGATION REQUESTING THAT A BILL BE INTRODUCED**

**THAT SERVES TO AMEND TENNESSEE CODE SECTION 13-3-101
BY REQUIRING THAT PROSPECTIVE APPOINTEES TO LOCAL
PLANNING COMMISSIONS NOMINATED BY A COUNTY'S CHIEF
EXECUTIVE BE REPRESENTATIVE OF ALL COUNTY
COMMISSION DISTRICTS: R-11-8-904:**

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that a bill be introduced that serves to amend Tennessee Code Section 13-3-101 by requiring that prospective appointees to local planning commissions nominated by a county's Chief Executive be representative of all County Commission districts was before the Board of Commissioners.

Commissioner Brown moved to approve R-11-8-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting that the Chairman of the Knox County Commission forward a letter to the Knox County Legislative Delegation requesting that a bill be introduced that serves to amend Tennessee Code Section 13-3-101 by requiring that prospective appointees to local planning commissions nominated by a county's Chief Executive be representative of all County Commission districts. 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: ORDINANCES ON FIRST READING:

No Ordinances received.

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IN RE: ORDINANCES ON SECOND READING:

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING
CHAPTER 2, ARTICLE X, DIVISION 6 OF THE KNOX COUNTY
CODE BY ADDING A NEW SECTION 2-838, PREVIOUSLY
RESERVED, TO PROVIDE THAT ANY EMPLOYEE HAVING DIRECT
OR INDIRECT KNOWLEDGE OF ANY SUSPECTED ILLEGAL,
IMPROPER, WASTEFUL OR FRAUDULENT ACTIVITY, OR ANY
VIOLATIONS OF THE KNOX COUNTY EMPLOYEE HANDBOOK
HAS AN ABSOLUTE, UNQUALIFIED DUTY TO IMMEDIATELY
REPORT SUCH ACTIVITIES TO HIS OR HER SUPERVISOR,
DEPARTMENT DIRECTOR, OR THE DIRECTOR OF HUMAN**

RESOURCES AND FAILURE TO DO SO MAY LEAD TO DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION FROM EMPLOYMENT WITH KNOX COUNTY (ORD. NO. O-02-7-101, ADOPTED 8-26-02): O-11-7-101: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2, Article X, Division 6 of the Knox County Code by adding a new Section 2-838, previously reserved, to provide that any employee having direct or indirect knowledge of any suspected illegal, improper, wasteful or fraudulent activity, or any violations of the Knox County Employee Handbook has an absolute, unqualified duty to immediately report such activities to his or her Supervisor, Department Director, or the Director of Human Resources and failure to do so may lead to disciplinary action up to and including termination from employment with Knox County (Ord. No. O-02-7-101, adopted 8-26-02) on second reading was before the Board of Commissioners.

Commissioner Anders moved to approve O-11-7-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2, Article X, Division 6 of the Knox County Code by adding a new Section 2-838, previously reserved, to provide that any employee having direct or indirect knowledge of any suspected illegal, improper, wasteful or fraudulent activity, or any violations of the Knox County Employee Handbook has an absolute, unqualified duty to immediately report such activities to his or her Supervisor, Department Director, or the Director of Human Resources and failure to do so may lead to disciplinary action up to and including termination from employment with Knox County (Ord. No. O-02-7-101, adopted 8-26-02) on second reading. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING SECTION 2-286 OF THE KNOX COUNTY CODE ENTITLED "DEFENSE AND INDEMNIFICATION OF COUNTY EMPLOYEES" TO ADD NEW SUBSECTIONS 2-286 (E) AND 2-286 (F) TO PROVIDE FOR THE REIMBURSEMENT OF KNOX COUNTY EMPLOYEES AND ELECTED AND APPOINTED OFFICIALS FOR COURT COSTS AND ATTORNEY'S FEES IN CERTAIN INSTANCES (ORD. NO. O-94-12-101, ADOPTED 1-23-95): O-11-7-102: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Section 2-286 of the Knox County Code entitled "Defense and Indemnification of County Employees" to add new subsections 2-286 (e) and 2-286 (f) to provide for the reimbursement of Knox County employees and elected and appointed officials for court costs and attorney's fees in certain instances (Ord. No. O-94-12-101, adopted 1-23-95) on second reading was before the Board of Commissioners.

Commissioner Anders moved to approve O-11-7-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Section 2-286 of the Knox County Code entitled "Defense and Indemnification of County Employees" to add new subsections 2-286 (e) and 2-286 (f) to provide for the reimbursement of Knox County employees and elected and appointed officials for court costs and attorney's fees in certain instances (Ord. No. O-94-12-101, adopted 1-23-95) on second reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-1-0. Commissioner Smith abstained from the vote.

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IN RE: OTHER BUSINESS:

IN RE: Discussion regarding Carter Elementary School.
No action was taken.

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IN RE: ZONING REQUESTS: 6:00 P.M.

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

Those responding were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse. Commissioner Anders was absent from the evening session.

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IN RE: Request of the Metropolitan Planning Commission to approve the report of the Knox County Stormwater Ordinance Review 6-D-11-OB was before the Board of Commissioners.

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

Commissioner Norman moved to approve 6-D-11-OB - Request of the Metropolitan Planning Commission to approve the report of the Knox County Stormwater Ordinance Review. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman,

Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session. RZ-11-8-101

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IN RE: Request of PSC Metals, Inc. for Northwest County Sector Plan Amendment from LI (Light Industrial) to HI (Heavy Industrial) 6-A-11-SP was before the Board of Commissioners. Property located northeast side Cogdill Road, southeast of Starkey Lane. 6th Commission District.

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

Mr. John King, Attorney, representing joining property owner 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 6-A-11-SP Request of PSC Metals, Inc. for Northwest County Sector Plan Amendment from LI (Light Industrial) to HI (Heavy Industrial) as per Metropolitan Planning Commission's Recommendation: Adopt Resolution amending the Northwest County Sector Plan to HI (Heavy Industrial) limited to 4.76 acres, current lease area for Metal Solutions, future lease area for PSC Metals and recommend the Knox County Commission also adopt the Sector Plan Amendment. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session. RZ-11-8-102.

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IN RE: Request of PSC Metals, Inc. for rezoning from RA (Low Density Residential)/TO (Technology Overlay) and CB (Business and Manufacturing)/TO (Technology Overlay) to I (Industrial)/TO (Technology Overlay) 6-B-11-RZ was before the Board of Commissioners. Property located northeast side Cogdill Road, southeast of Starkey Lane. 6th Commission District.

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

Commissioner McKenzie moved to approve 6-B-11-RZ - Request of PSC Metals, Inc. for rezoning from RA (Low Density Residential)/TO (Technology Overlay) and CB (Business and Manufacturing)/TO (Technology Overlay) to I (Industrial)/TO (Technology Overlay) as per Metropolitan Planning Commission's Recommendation: Recommend the

Knox County Commission approve I (K) (Industrial) /TO (Technology Overlay) zoning subject to two conditions. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session. RZ-11-8-103.

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IN RE: Request of Leon Vineyard for North County Sector Plan Amendment from AG/RR (Agricultural/Rural Residential) to RC (Rural Commercial) 7-A-11-SP was before the Board of Commissioners. Property located southeast side Raccoon Valley Drive, northeast of Norris Freeway. 8th Commission District.

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

Commissioner Wright moved to approve 7-A-11-SP - Request of Leon Vineyard for North County Sector Plan Amendment from AG/RR (Agricultural/Rural Residential) to RC (Rural Commercial) as per Metropolitan Planning Commission's Recommendation: Adopt 7-A-11-SP; amending the North County Sector Plan to RC (Rural Commercial) and recommend the Knox County Commission adopt the amendment. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session. RZ-11-8-104.

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IN RE: Request of Leon Vineyard for rezoning from A (Agricultural) to CR (Rural Commercial) 7-A-11-RZ was before the Board of Commissioners. Property located southeast side Raccoon Valley Drive, northeast of Norris Freeway. 8th Commission District.

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

Commissioner Wright moved to approve 7-A-11-RZ - Request of Leon Vineyard for rezoning from A (Agricultural) to CR (Rural Commercial) as per Metropolitan Planning Commission's Recommendation; Recommend the Knox County Commission Approve CR (Rural Commercial). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session.

RZ-11-8-105

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IN RE: Request of Autumn Care, LLC II for rezoning from CA (General Business) to OB (Office, Medical, and Related Services) 7-B-11-RZ was before the Board of Commissioners. Property located east side Canton Hollow Road, west end Flickenger Lane, south of Kingston Pike. 5th Commission District.

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

Commissioner Briggs moved to approve 7-B-11-RZ – Request of Autumn Care, LLC II for rezoning from CA (General Business) to OB (Office, Medical, and Related Services) as per Metropolitan Planning Commission’s Recommendation: Recommend the Knox County Commission approve OB (Office, Medical, and Related Services). Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session.
RZ-11-8-106.

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IN RE: Request of John Wm. Mase for rezoning from A (Agricultural) to RA (Low Density Residential) 7-E-11-RZ was before the Board of Commissioners. Property located northeast side Andes Road, southeast of Fry Road. 6th Commission District.

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

Commissioner Ownby moved to approve 7-E-11-RZ - Request of John Wm. Mase for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission’s Recommendation: Recommend the Knox County Commission approve RA (Low Density Residential). Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session.
RZ-11-8-107

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IN RE: Request of Judy Payne, Amy and Brad Sabol for rezoning from A (Agricultural) to RA (Low Density Residential) 7-F-11-RZ was before the Board of Commissioners. Property located southeast side Foust Drive, southwest of Mascot Road. 8th Commission District.

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

Commissioner Wright moved to approve 7-F-11-RZ - Request of Judy Payne, Amy and Brad Sabol for rezoning from A (Agricultural) to RA (Low Density Residential) as per Metropolitan Planning Commission's Recommendation: Approve RA (Low Density Residential). Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session. RZ-11-8-108

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING ORDINANCE:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLES 5, SECTIONS 5.31 GENERAL BUSINESS ZONE, 5.32 BUSINESS AND MANUFACTURING ZONE, 5.33 PLANNED COMMERCIAL ZONE, 5.34 SHOPPING CENTER ZONE, 5.35 HIGHWAY COMMERCIAL ZONE, 5.50 BUSINESS AND TECHNOLOGY PARK AND 5.51 EMPLOYMENT CENTER ZONE OF THE KNOX COUNTY ZONING ORDINANCE REGARDING LOCATIONS OF ESTABLISHMENTS SELLING BEER FOR CONSUMPTION ON PREMISE (ORD. NO. O-90-9-130, ADOPTED 9-10-90, AS AMENDED): O-11-7-103: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Articles 5, Sections 5.31 General Business Zone, 5.32 Business and Manufacturing Zone, 5.33 Planned Commercial Zone, 5.34 Shopping Center Zone, 5.35 Highway Commercial Zone, 5.50 Business and Technology Park and 5.51 Employment Center Zone of the Knox County Zoning Ordinance regarding locations of establishments selling beer for consumption on premise (Ord. No. O-90-9-130, adopted 9-10-90, as amended) on second reading was before the Board of Commissioners.

Commissioner Ownby moved to approve O-11-7-103 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Articles 5, Sections 5.31 General Business Zone, 5.32 Business and Manufacturing Zone, 5.33 Planned Commercial Zone, 5.34 Shopping Center Zone, 5.35 Highway Commercial Zone, 5.50 Business and Technology Park and 5.51 Employment Center Zone of the Knox County Zoning Ordinance regarding locations of establishments selling beer for consumption on

premise (Ord. No. O-90-9-130, adopted 9-10-90, as amended) on second reading. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING ARTICLE 5, SECTION 5.90 (TECHNOLOGY OVERLAY ZONE) OF THE KNOX COUNTY ZONING ORDINANCE TO REFLECT RECENT CHANGES TO THE TENNESSEE TECHNOLOGY CORRIDOR DEVELOPMENT AUTHORITY (TTCDA) ENABLING LEGISLATION (ORD. NO. O-06-1-101, ADOPTED 2-27-06): O-11-7-104: SECOND READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 5, Section 5.90 (Technology Overlay Zone) of the Knox County Zoning Ordinance to reflect recent changes to the Tennessee Technology Corridor Development Authority (TTCDA) enabling legislation (Ord. No. O-06-1-101, adopted 2-27-06) O-11-7-104 on second reading was before the Board of Commissioners.

Commissioner Ownby moved to approve O-11-7-104 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Article 5, Section 5.90 (Technology Overlay Zone) of the Knox County Zoning Ordinance to reflect recent changes to the Tennessee Technology Corridor Development Authority (TTCDA) enabling legislation (Ord. No. O-06-1-101, adopted 2-27-06) on second reading. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Anders was absent from the zoning session.

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IN RE: ADJOURNMENT:

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

COMMISSIONER MIKE HAMMOND, CHAIRMAN