

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, February 23, 2009 at 2:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston. Also present were Mr. Mike Ragsdale, Knox County Mayor, Mr. Bill Lockett, Knox County Law Director, Mr. Joe Jarret, Knox County Chief Deputy Law Director, Mr. Bruce Wuethrich, Director, Engineering and Public Works, Mr. Richard Walls, Knox County Internal Auditor, Mr. Grant Rosenberg, Director, Office of Neighborhoods, Mr. John Troyer, Director, Knox County Finance and news media.

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

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**IN RE: ROLL CALL:**

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

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

Commissioner Ivan Harmon led the Pledge of Allegiance to the Flag.

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**IN RE: DEVOTIONAL:**

Ms. Kristina Pleiss of the Losel Shedrup Ling Tibetan Buddhist Center and TJ Blasing, a member of the Thunder Warriors of the Lakota Sioux Nation gave the devotional.

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

Commissioner Ivan Harmon moved to amend the agenda as follows:

Remove from the consent agenda and add to the regular agenda

R-09-2-101 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Kelly Tipton for winning the News Sentinel Knox County Spelling Bee 2009.

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Remove from the consent agenda and add to the regular agenda

R-09-2-110 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of \_\_\_\_\_ as Knox County Judicial Commissioner.

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Add to the regular agenda R-09-2-105 – Consideration of a Resolution of the Commission of Knox County, Tennessee expressing appreciation for the effective action of law enforcement and the judiciary in the prosecution of the shooter at the Tennessee Valley Unitarian Universalist Church.

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Move Resolution R-09-2-907 – Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Knox County Purchasing Division to issue a request for proposals (RFP) for the purchase of the Hillcrest properties to the front of the agenda. (PLEASE NOTE THIS RESOLUTION CAPTION WAS AMENDED LATER ON IN THE AGENDA)

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Add discussion on qualifications for candidates applying for Board of Zoning and Appeals Board.

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Defer to the March Board of Commissioners meeting R-09-2-104 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Madelyn Crawford for achieving a perfect ACT score.

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Add discussion on what authority the Board of Commissioners have in looking into the fee offices regarding the pay practices.

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Remove from the consent agenda and add to the regular agenda R-09-2-905 – Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging Senator Lamar Alexander, Senator Bob Corker and Representative John Duncan, Jr. to support the distribution of economic stimulus monies in full or in part directly to local governments.

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Defer to the March Board of Commissioners meeting R-09-2-904 – Consideration of a Resolution of the Commission of Knox County, Tennessee to take further action in regard to the Vacant, Deteriorated or Blighted Property Ordinance for property located at 5300 Fontaine Road. (CLT #123PA008).

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Remove from the consent agenda and add to the regular agenda R-09-2-803 – Consideration of a Resolution of the Commission of Knox County, Tennessee adopting the State Open Records Commission’s Public Records Fee Schedule.

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Defer to the March Board of Commissioners meeting R-09-2-201 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Waste Management for the provision of Waste Collection Services for Knox County Schools.

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Defer to the March Board of Commissioners meeting R-09-2-501 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with the Helen Ross McNabb Center, Inc., to provide \$200,000.00 for the construction of sixteen (16) one-bedroom efficiency apartments for the chronically homeless.

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Defer to the March Board of Commissioners meeting R-09-2-603 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Indigent Primary Care Services Agreement in the amount of \$1,650,000.00 between Knox County, Tennessee and Cherokee Health Systems for the provision of Indigent Primary Care Services for adult enrollees in the Knox County Indigent Care program.

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Defer to the March Board of Commissioners meeting O-09-1-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee adopting Beer Laws for Knox County (Knox County Code, Part II, Ch. 4, Article I, SEC. 4-1 through SEC. 4-11, previously reserved) on second reading.

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Add to the regular agenda R-09-2-804 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract not to exceed \$229,442.00 with Trane U.S. Inc. for an Investment Grade Energy Audit.

Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSENT ITEMS:**

Consideration of consent items was before the Board of Commissioners:

Tax Refunds: No refunds received.

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Notary Public Applications: 210 applications received.

Commissioner Leuthold moved to approve the consent items. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: EDUCATION CONSENT CALENDAR:**  
**CONSIDERATION OF A RESOLUTION OF THE COMMISSION**  
**OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH**  
**WASTE MANAGEMENT FOR THE PROVISION OF WASTE**  
**COLLECTION SERVICES FOR KNOX COUNTY SCHOOLS:**  
**R-09-2-201:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Waste Management for the provision of Waste Collection Services for Knox County Schools was before the Board of Commissioners.

Without objection, Commissioner Strickland deferred to the March 2009 agenda R-09-2-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Waste Management for the provision of Waste Collection Services for Knox County Schools

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE**  
**COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING**  
**CONTRACTS WITH A&T LAWN CARE, MALACHI LAWN SERVICE,**  
**US LAWNS OF KNOXVILLE, AQUATIC DREAMS AND LASTING**  
**IMPRESSIONS LAWN CARE FOR MOWING SERVICES FOR KNOX**  
**COUNTY SCHOOLS: R-09-2-202:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with A&T Lawn Care, Malachi Lawn Service, US Lawns of Knoxville, Aquatic Dreams and Lasting Impressions Lawn Care for Mowing Services for Knox County Schools was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with A&T Lawn Care, Malachi Lawn Service, US Lawns of Knoxville, Aquatic Dreams and Lasting Impressions Lawn Care for Mowing Services for Knox County Schools. Commissioner Mike Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon,

Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSENT CALENDAR:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RECOGNIZING AND HONORING THE 20<sup>TH</sup> ANNUAL BLACK CHURCH WEEK OF PRAYER FOR THE HEALING OF AIDS: R-09-2-102:**

Consideration of a Resolution of the Commission of Knox County, Tennessee recognizing and honoring the 20<sup>th</sup> Annual Black Church Week of Prayer for the Healing of AIDS was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-102 - Consideration of a Resolution of the Commission of Knox County, Tennessee recognizing and honoring the 20<sup>th</sup> Annual Black Church Week of Prayer for the Healing of AIDS. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE CONGRATULATING COACH PAT SUMMITT ON HER 1,000<sup>TH</sup> CAREER VICTORY: R-09-2-103:**

Consideration of a Resolution of the Commission of Knox County, Tennessee congratulating Coach Pat Summitt on her 1,000<sup>th</sup> career victory was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-103 - Consideration of a Resolution of the Commission of Knox County, Tennessee congratulating Coach Pat Summitt on her 1,000<sup>th</sup> career victory. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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

**MEMORANDUM OF AGREEMENT WITH THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES (ATF) FOR THE PURPOSE OF REIMBURSEMENT OF OVERTIME SALARY COSTS: R-09-2-301:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Agreement with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) for the purpose of reimbursement of overtime salary costs was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Agreement with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) for the purpose of reimbursement of overtime salary costs. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES MARSHALS SERVICE FOR THE PURPOSE OF REIMBURSEMENT OF OVERTIME SALARY COSTS ASSOCIATED WITH THE DISTRICT FUGITIVE TASK FORCE: R-09-2-302:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the United States Marshals Service for the purpose of reimbursement of overtime salary costs associated with the District Fugitive Task Force was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-302 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the United States Marshals Service for the purpose of reimbursement of overtime salary costs associated with the District Fugitive Task Force. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith,

Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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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 \$633,570.91 WITH DURACAP ASPHALT FOR ROAD ALIGNMENT IMPROVEMENTS TO NUBBIN RIDGE ROAD AND BEAVER RIDGE ROAD: R-09-2-401:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$633,570.91 with Duracap Asphalt for road alignment improvements to Nubbin Ridge Road and Beaver Ridge Road was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$633,570.91 with Duracap Asphalt for road alignment improvements to Nubbin Ridge Road and Beaver Ridge Road. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING A DONATION IN THE AMOUNT OF \$1,000.00 FROM WAL-MART TO SUPPORT THE KNOX COUNTY FIRE PREVENTION BUREAU'S SMOKE ALARM PROGRAM FOR THE DEAF AND HARD-OF HEARING: R-09-2-402:**

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a donation in the amount of \$1,000.00 from Wal-Mart to support the Knox County Fire Prevention Bureau's Smoke Alarm program for the deaf and hard-of hearing was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee accepting a donation in the amount of \$1,000.00 from Wal-Mart to support the Knox County Fire Prevention Bureau's Smoke Alarm program for the deaf and hard-of hearing. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland,

Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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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 BY PROFFITT PROPERTIES, LLC FOR PROPERTY LOCATED AT 6960 KARNS CROSSING LANE: R-09-2-403:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities by Proffitt Properties, LLC for property located at 6960 Karns Crossing Lane was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities by Proffitt Properties, LLC for property located at 6960 Karns Crossing Lane. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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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 BY LYLAN FITZGERALD FOR PROPERTY LOCATED AT 9828 S. NORTHSORE DRIVE: R-09-2-404:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance Of Stormwater Facilities by Lylan Fitzgerald for property located at 9828 S. Northshore Drive was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance Of Stormwater Facilities by Lylan Fitzgerald for property located at 9828 S. Northshore Drive. Commissioner Shouse seconded the motion and upon roll call vote



Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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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 BY E. DOYLE JOHNSON CONSTRUCTION CO. FOR PROPERTY LOCATED AT 5211 DEVONBROOK WAY: R-09-2-405:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance Of Stormwater Facilities by E. Doyle Johnson Construction Co. for property located at 5211 Devonbrook Way was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance Of Stormwater Facilities by E. Doyle Johnson Construction Co. for property located at 5211 Devonbrook Way. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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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 BY MCDONALDS USA, LLC FOR PROPERTY LOCATED AT 7134 OAK RIDGE HIGHWAY: R-09-2-406:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance Of Stormwater Facilities by McDonalds USA, LLC for property located at 7134 Oak Ridge Highway was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-406 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance Of Stormwater Facilities by McDonalds USA, LLC for property located at 7134 Oak Ridge Highway. Commissioner Shouse seconded the motion and upon roll call

vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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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 \$239,800.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR IMMUNIZATION SERVICES: R-09-2-601:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$239,800.00 with the Tennessee Department of Health for Immunization Services was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant Agreement in the amount of \$239,800.00 with the Tennessee Department of Health for Immunization Services. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE FISCAL YEAR 2009-2010 KNOX COUNTY INDIGENT CARE PROGRAM AGREEMENT IN THE AMOUNT OF \$5,250,000.00: R-09-2-602:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Fiscal Year 2009-2010 Knox County Indigent Care Program Agreement in the amount of \$5,250,000.00 was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the Fiscal Year 2009-2010 Knox County Indigent Care Program Agreement in the amount of \$5,250,000.00. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders,

Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MEDICAL SCREENING SERVICES AGREEMENT WITH SILOAM HEALTH SERVICES, LLC FOR THE TENNESSEE REFUGEE MEDICAL SCREENING PROGRAM: R-09-2-604:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Medical Screening Services Agreement with Siloam Health Services, LLC for the Tennessee Refugee Medical Screening program was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-604 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Medical Screening Services Agreement with Siloam Health Services, LLC for the Tennessee Refugee Medical Screening program. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO REQUEST UNCLAIMED BALANCE OF ACCOUNTS REMITTED TO STATE TREASURER UNDER THE UNCLAIMED PROPERTY ACT: R-09-2-801:**

Consideration of a Resolution of the Commission of Knox County, Tennessee to request unclaimed balance of accounts remitted to State Treasurer under the Unclaimed Property Act was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee to request unclaimed balance of accounts remitted to State Treasurer under the Unclaimed Property Act. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried

19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE (1) AUTHORIZING ONE OR MORE LOANS UNDER ONE OR MORE LOAN AGREEMENTS BETWEEN KNOX COUNTY, TENNESSEE AND A PUBLIC BUILDING AUTHORITY IN TENNESSEE TO REFINANCE THE COUNTY'S OUTSTANDING SERIES III-B-3, SERIES VI-A-1, SERIES VI-K-1 AND D-3-A LOAN AGREEMENTS; (2) AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE LOAN AGREEMENTS AND OTHER DOCUMENTS RELATING TO SAID BORROWINGS; (3) PROVIDING FOR THE APPLICATION OF THE PROCEEDS OF SAID BORROWINGS AND THE PAYMENT OF THE COUNTY'S OBLIGATIONS UNDER THE LOAN AGREEMENTS; AND (4) CONSENTING TO THE ASSIGNMENT OF THE COUNTY'S OBLIGATIONS UNDER THE LOAN AGREEMENTS: R-09-2-802:**

Consideration of a Resolution of the Commission of Knox County, Tennessee (1) Authorizing one or more loans under one or more Loan Agreements between Knox County, Tennessee and a Public Building Authority in Tennessee to refinance the County's outstanding Series III-B-3, Series VI-A-1, Series VI-K-1 and D-3-A loan agreements; (2) Authorizing the execution and delivery of one or more loan agreements and other documents relating to said borrowings; (3) Providing for the application of the proceeds of said borrowings and the payment of the County's obligations under the loan agreements; and (4) Consenting to the assignment of the County's obligations under the loan agreements was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee (1) Authorizing one or more loans under one or more Loan Agreements between Knox County, Tennessee and a Public Building Authority in Tennessee to refinance the County's outstanding Series III-B-3, Series VI-A-1, Series VI-K-1 and D-3-A loan agreements; (2) Authorizing the execution and delivery of one or more loan agreements and other documents relating to said borrowings; (3) Providing for the application of the proceeds of said borrowings and the payment of the County's obligations under the loan agreements; and (4) Consenting to the assignment of the County's obligations under the loan agreements. Commissioner Shouse seconded the motion and upon roll call vote

Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT NOT TO EXCEED \$229,442.00 WITH TRANE U.S. INC. FOR AN INVESTMENT GRADE ENERGY AUDIT: R-09-2-804:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract not to exceed \$229,442.00 with Trane U.S. Inc. for an Investment Grade Energy Audit was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-804 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract not to exceed \$229,442.00 with Trane U.S. Inc. for an Investment Grade Energy Audit. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ACCEPTING FROM THE KNOX COUNTY BOARD OF EDUCATION SURPLUS PROPERTY LOCATED AT THE OLD EASTPORT ELEMENTARY SCHOOL, DECLARING SAID PROPERTY AS SURPLUS AND AUTHORIZING THE CONVEYANCE OF SAID PROPERTY TO KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION (KCDC) FOR THE DEVELOPMENT OF LOW-INCOME ELDERLY HOUSING IN THE FIVE POINTS COMMUNITY: R-09-2-901:**

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting from the Knox County Board of Education Surplus Property located at the Old Eastport Elementary School, declaring said property as surplus and authorizing the Conveyance of said property to Knoxville's Community Development Corporation (KCDC) for the development of low-income elderly housing in the Five Points Community was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-901 -

Consideration of a Resolution of the Commission of Knox County, Tennessee accepting from the Knox County Board of Education Surplus Property located at the Old Eastport Elementary School, declaring said property as surplus and authorizing the Conveyance of said property to Knoxville's Community Development Corporation (KCDC) for the development of low-income elderly housing in the Five Points Community. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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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 \$4,800.00 WITH THE STATE OF TENNESSEE FOR CERTIFIED VOTING EQUIPMENT: R-09-2-902:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant agreement in the amount of \$4,800.00 with the State of Tennessee for Certified Voting Equipment was before the Board of Commissioners.

Commissioner Leuthold moved to approve R-09-2-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Grant agreement in the amount of \$4,800.00 with the State of Tennessee for Certified Voting Equipment. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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

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

- Chesney Hills Lane in Chesney Hills Subdivision, District 3.
- Sloping Hill Lane in Chesney Hills Subdivision, District 3.
- Mountain Hill Lane in Chesney Hills Subdivision, District 3.
- Winding Hill Lane in Chesney Hills Subdivision, District 3.
- Casa Bella Drive in Cass Bella Subdivision, District 8.

Bella Capri Lane in Casa Bella Subdivision, District 8.  
Waldon Pond Lane in Walker Hills Subdivision, District 8.  
Whitewater Drive in Walker Hills Subdivision, District 8.  
Laurens Glen Lane in Lauren's Glen Subdivision, District 5.  
Friars Path Lane in Lauren's Glen Subdivision, District 5.

Commissioner Leuthold moved to approve the above consideration of acceptance of new county roads. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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

Consideration of approval of minutes of the previous meeting on January 26, 2009 was before the Board of Commissioners.

Commissioner Ivan Harmon moved to approve the minutes on January 26, 2009. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE APPOINTMENT OF \_\_\_\_\_ AS KNOX COUNTY JUDICIAL COMMISSIONER: R-09-2-110:**

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the appointment of \_\_\_\_\_ as Knox County Judicial Commissioner was before the Board of Commissioners.

Commissioner Strickland stated there were six (6) candidates for the position: Mr. Robert Broome, Mr. Chris Cawood, Mr. Robert Cole, Mr. Joe Guess, Mr. Stanley DeDuke and Mr. Harold Stewart.

Upon roll call vote Commissioner McKenzie passed, Commissioner Thomas Strickland passed, Commissioner Mark Harmon nominated Mr. Harold Stewart, Commissioner Broyles was absent from the vote, Commissioner Norman passed, Commissioner Ivan Harmon passed, Commissioner Saunders nominated Mr. Joe Guess, Commissioner Shouse passed, Commissioner Hammond passed, Commissioner Leuthold passed, Commissioner Briggs passed, Commissioner Anders passed, Commissioner

Lambert passed, Commissioner Smith passed, Commissioner Carringer passed, Commissioner Armstrong passed, Commissioner Wright passed, Commissioner Brown passed and Commissioner Pinkston passed.

Commissioner Strickland asked if there was anyone from the audience that would like to nominate someone.

There was no response.

Commissioner Leuthold moved that the nomination cease.

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

Mr. Harold Stewart and Mr. Joe Guess were the two (2) nominees.

Upon roll vote Commissioners McKenzie, Saunders, Shouse, Hammond, Leuthold and Briggs voted for Mr. Joe Guess.

Commissioners Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted for Mr. Harold Stewart.

Mr. Joe Guess received 6 votes.

Mr. Harold Stewart received 13 votes.

Mr. Harold Stewart was appointed Judicial Commissioner.

Mr. Harold Stewart, was present and thanked the Commission.

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**IN RE: DRIVES AND ROADS:**

Consideration of closure of an unnamed right of way located off of Old Rutledge Pike was before the Board of Commissioners on second reading. Property located off of Old Rutledge Pike in the 8<sup>th</sup> Commission District. Property owners: Larry and Deborah Burchett.

Commissioner Pinkston moved to approve consideration of closure of an unnamed right of way located off of Old Rutledge Pike on second reading. Property located off of Old Rutledge Pike in the 8<sup>th</sup> Commission District. Property owners: Larry and Deborah Burchett. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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

Without objection, Commissioner Strickland amended the agenda to hear from Mr. Fred Sisk, Knox County Trustee.

Mr. Fred Sisk, Knox County Trustee, was present and spoke regarding the Trustee's Office.

No action was taken.

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**IN RE:** Mr. J.J. Jones, Sheriff, Knox County, was present and spoke on the lawsuit on overcrowding jails. He stated there would be a meeting in March.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING KELLY TIPTON FOR WINNING THE NEWS SENTINEL KNOX COUNTY SPELLING BEE 2009: R-09-2-101:**

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Kelly Tipton for winning the News Sentinel Knox County Spelling Bee 2009 was before the Board of Commissioners.

Commissioner Wright moved to approve R-09-2-101 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Kelly Tipton for winning the News Sentinel Knox County Spelling Bee 2009. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE ADOPTING THE STATE OPEN RECORDS COMMISSION'S PUBLIC RECORDS FEE SCHEDULE: R-09-2-803:**

Consideration of a Resolution of the Commission of Knox County, Tennessee adopting the State Open Records Commission's Public Records Fee Schedule was before the Board of Commissioners.

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

Commissioner Pinkston moved to approve R-09-2-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee adopting the State Open Records Commission's Public Records Fee Schedule. Commissioner Leuthold seconded the motion and upon roll

call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THE KNOX COUNTY PURCHASING DIVISION TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR THE PURCHASE OF THE HILLCREST PROPERTIES: R-09-2-907: PLEASE NOTE: THE RESOLUTION WAS AMENDED TO READ AS FOLLOWS:**

**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE INSTRUCTING THE KNOX COUNTY LAW DIRECTOR TO DRAFT AN AMENDMENT TO THE LEASE AGREEMENT WITH HILLCREST HEALTHCARE: R-09-2-907:**

Consideration of a Resolution of the Commission of Knox County, Tennessee instructing the Knox County Law Director to draft an amendment to the Lease Agreement with Hillcrest Healthcare was before the Board of Commissioners.

Mr. Lee Bell, representing Hillcrest and Volunteer Board member of Hillcrest, was present and spoke on the matter.

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

Ms. Carolyn Pointer, CEO at Hillcrest, was present and spoke on the matter.

Mr. Stan Bowling, representing Covenant Health System, was present and spoke on the matter.

Mr. Danny Higginbotham, representing Hillcrest, was present and spoke on the matter.

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

Commissioner Armstrong moved to approve R-09-2-907 – Consideration of a Resolution of the Commission of Knox County, Tennessee instructing the Knox County Law Director to draft an amendment to the Lease Agreement with Hillcrest Healthcare with the following amendments: Extend the lease for Hillcrest through June 30, 2016 and give them a cause for termination. We will have a negotiated purchase in accordance with the legal perimeters required upon us in this type of

negotiated sale. We will allow for sub-leasing the space at Hillcrest. Sub-lease the space at 15% above \$100,000.00 a month for the rent coming back to the county. The partnership if any will be with a not for profit. The lease will have a provision in it: "If there is an acquisition or if Hillcrest takes on a business partner that the entity that is operating the Nursing Home facility must remain not for profit or that lease will terminate." Mr. Bill Lockett, Knox County Law Director will draw up a lease and commission will have a special session to approve the lease. Commissioner Hammond seconded the motion.

Commissioner Pinkston moved as a substitute motion to withdraw the motion to put out for bids. Give Hillcrest 1.2 million even if this has to be taken out of the fund balance then extend the lease and withdraw the sale. Hillcrest has until 2012 and let them show us they have made concessions in their losses in trying to turn this around. The motion fails for lack of a second.

There was a call for the question and Commissioner Brown seconded the motion and upon roll call vote to end debate on the substitute motion Commissioners McKenzie, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. Commissioners Strickland and Leuthold voted no. The motion carried 17-2-0-0.

Upon roll call of the original motion to extend the lease for Hillcrest through June 30, 2016 and give them a cause for termination. We will have a negotiated purchase in accordance with the legal perimeters required upon us in this type of negotiated sale. We will allow for sub-leasing the space at Hillcrest. Sub-lease the space at 15% above \$100,000.00 a month for the rent coming back to the county. The partnership if any will be with a not for profit. The lease will have a provision in it: "If there is an acquisition or if Hillcrest takes on a business partner that the entity that is operating the Nursing Home facility must remain not for profit or that lease will terminate." Mr. Bill Lockett, Knox County Law Director will draw up a lease and commission will have a special session to approve the lease; Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE TO TAKE FURTHER ACTION IN REGARD TO THE VACANT,**

**DETERIORATED OR BLIGHTED PROPERTY ORDINANCE FOR  
PROPERTY LOCATED AT 2010 MARSHY SWAMP POINT (CLT  
#104JD030): R-09-2-903:**

Consideration of a Resolution of the Commission of Knox County, Tennessee to take further action in regard to the Vacant, Deteriorated or Blighted Property Ordinance for property located at 2010 Marshy Swamp Point (CLT #104JD030) was before the Board of Commissioners.

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

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

Commissioner McKenzie moved to approve R-09-2-903 – Consideration of a Resolution of the Commission of Knox County, Tennessee to take further action in regard to the Vacant, Deteriorated or Blighted Property Ordinance for property located at 2010 Marshy Swamp Point (CLT #104JD030) with the following amendment: Take the property by eminent domain and clean up the property first before it is put up for sale. Commissioner Briggs seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE ENCOURAGING  
SENATOR LAMAR ALEXANDER, SENATOR BOB CORKER AND  
REPRESENTATIVE JOHN DUNCAN, JR. TO SUPPORT THE  
DISTRIBUTION OF ECONOMIC STIMULUS MONIES IN FULL OR  
IN PART DIRECTLY TO LOCAL GOVERNMENTS: R-09-2-905:**

Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging Senator Lamar Alexander, Senator Bob Corker and Representative John Duncan, Jr. to support the distribution of economic stimulus monies in full or in part directly to local governments was before the Board of Commissioners.

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

Commissioner Pinkston moved to approve R-09-2-905 - Consideration of a Resolution of the Commission of Knox County, Tennessee encouraging Senator Lamar Alexander, Senator Bob Corker and Representative John Duncan, Jr. to support the distribution of economic

stimulus monies in full or in part directly to local governments.  
Commissioner Norman seconded the motion and upon roll call vote  
Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman,  
Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders,  
Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted  
aye. The motion carried 19-0-0-0.

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

**IN RE:           CONSIDERATION OF AN ORDINANCE OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX  
COUNTY CODE CHAPTER 58, ARTICLE I, SECTION 58-1, MOTOR  
VEHICLE REGISTRATION FEE, BY ADDING A PROVISION TO  
EXEMPT ACTIVE DUTY SERVICE MEMBERS (ORD. NO. O-03-5-101,  
§§ 1-7, ADOPTED 6-23-03; ORD. NO. O-04-5-101 (A), §§ 1-6,  
ADOPTED 6-28-04) O-09-2-101: FIRST READING**

Consideration of an Ordinance of the Commission of Knox County,  
Tennessee amending Knox County Code Chapter 58, Article I, Section 58-1,  
Motor Vehicle Registration Fee, by adding a provision to exempt Active  
Duty Service Members (Ord. No. O-03-5-101, §§ 1-7, adopted 6-23-03; Ord.  
No. O-04-5-101 (A), §§ 1-6, adopted 6-28-04) was before the Board of  
Commissioners on first reading.

Commissioner Leuthold moved to approve on first reading  
O-09-2-101 - Consideration of an Ordinance of the Commission of Knox  
County, Tennessee amending Knox County Code Chapter 58, Article I,  
Section 58-1, Motor Vehicle Registration Fee, by adding a provision to  
exempt Active Duty Service Members (Ord. No. O-03-5-101, §§ 1-7,  
adopted 6-23-03; Ord. No. O-04-5-101 (A), §§ 1-6, adopted 6-28-04).  
Commissioner Norman seconded the motion and upon roll call vote  
Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman,  
Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders,  
Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted  
aye. The motion carried 19-0-0-0.

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**IN RE:           CONSIDERATION OF AN ORDINANCE OF THE  
COMMISSION OF KNOX COUNTY, TENNESSEE ESTABLISHING  
LOBBYISTS REGISTRATION AND DISCLOSURE REQUIREMENTS  
(KNOX COUNTY CODE, PART II, CHAPTER 2, ESTABLISHING  
ARTICLE XIII, SEC. 2-921 ET SEQ): O-09-2-102: FIRST READING:**

Consideration of an Ordinance of the Commission of Knox County, Tennessee establishing lobbyists registration and disclosure requirements (Knox County Code, Part II, Chapter 2, establishing Article XIII, SEC. 2-921 ET SEQ) was before the Board of Commissioners on first reading.

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

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

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

Commissioner Pinkston moved to approve on first reading O-09-2-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee establishing lobbyists' registration and disclosure requirements (Knox County Code, Part II, Chapter 2, establishing Article XIII, SEC. 2-921 ET SEQ). Commissioner Hammond seconded the motion and upon roll call vote Commissioners Mark Harmon, Broyles, Norman, Saunders, Shouse, Hammond, Leuthold, Briggs, Smith, Carringer, Armstrong and Wright voted aye. Commissioners McKenzie, Ivan Harmon, Anders, Lambert and Pinkston voted no. Commissioner Strickland abstained from the vote. Commissioner Brown was absent from the vote. The motion carried 12-5-1-1.

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**IN RE: ROLL CALL:**

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

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**IN RE: ZONING REQUESTS:**

**IN RE:** Request of Wanis Rghebi for rezoning from A (Agricultural) to PR (Planned Residential) at a density up to 5 dwelling units per acre 1-F-09-RZ was before the Board of Commissioners. Property located northeast side Cate Road, southeast of Lexi Landing Drive. Sixth Commission District.

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

Commissioner Anders moved to approve 1-F-09-RZ - Request of Wanis Rghebi for rezoning from A (Agricultural) to PR (Planned Residential) at a density up to 5 dwelling units per acre as per Metropolitan Planning Commission's Recommendation: Recommend that Knox County

Commission approve PR (Planned Residential) at a density up to 5 dwelling units per acre. Commissioner Lambert seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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

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

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

Commissioner Pinkston moved to defer to the March Board of Commissioners meeting 11-B-08-RZ - Request of John King for rezoning from RA (Low Density Residential) to PR (Planned Residential) at a density up to 5 dwelling units per acre. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE:** Request of J. L. Turner for rezoning from A (Agricultural) to PR (Planned Residential) 9-C-08-RZ was before the Board of Commissioners. Property located north side Ebenezer Oaks Lane, east of Ebenezer Road. 4<sup>th</sup> Commission District.

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

Commissioner Leuthold moved to defer to the March Board of Commissioners meeting 9-C-08-RZ - Request of J. L. Turner for rezoning from A (Agricultural) to PR (Planned Residential). Property located north side Ebenezer Oaks Lane, east of Ebenezer Road. 4<sup>th</sup> Commission District. Commissioner Saunders seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE EXPRESSING APPRECIATION FOR THE EFFECTIVE ACTION OF LAW ENFORCEMENT AND THE JUDICIARY IN THE PROSECUTION OF THE SHOOTER AT THE TENNESSEE VALLEY UNITARIAN UNIVERSALIST CHURCH: R-09-2-105:**

Consideration of a Resolution of the Commission of Knox County, Tennessee expressing appreciation for the effective action of Law Enforcement and the Judiciary in the prosecution of the shooter at the Tennessee Valley Unitarian Universalist Church was before the Board of Commissioners.

Commissioner Mark Harmon moved to approve R-09-2-105 - Consideration of a Resolution of the Commission of Knox County, Tennessee expressing appreciation for the effective action of Law Enforcement and the Judiciary in the prosecution of the shooter at the Tennessee Valley Unitarian Universalist Church. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Strickland, Mark Harmon, Broyles, Norman, Ivan Harmon, Saunders, Shouse, Hammond, Leuthold, Briggs, Anders, Lambert, Smith, Carringer, Armstrong, Wright, Brown and Pinkston voted aye. The motion carried 19-0-0-0.

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**IN RE: PUBLIC FORUM:**

Mr. Brad Mays was present and spoke on Natural Resources. No action was taken.

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

Without objection, Commissioner Strickland stated the following would serve on the Redistricting Committee:

Commissioner Ivan Harmon  
Commissioner Michele Carringer  
Commissioner Thomas Strickland  
Mr. Rick Emmitt  
Mr. Josh Wood  
Mr. Lloyd Daugherty

Commissioner Strickland also stated there would be a presentation from Mr. Bruce Walston's class from UT Geography Department regarding redistricting.

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**IN RE: PUBLIC FORUM:**

Mr. Richard Swann, concerned resident was present and spoke on the county budget, he also is a member of Lakewood Subdivision and spoke on the process of the Knox County Engineering Department installing speed breakers in the subdivision and also speeding and cut through traffic.

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**IN RE: DISCUSSION ITEMS:**

Commissioner Leuthold ask that Commissioner Strickland send to the Rules Committee to review discussion items that are added to the agendas and come back to the Board of Commissioners with a recommendation.

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Discussion of length of Audit Committee member terms as it relates to O-08-7-102.

Defer to the March Commission meeting.

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Withdraw from the agenda discussion regarding the Board of Zoning and Appeals membership.

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Discussion and possible action regarding vacancies on the Knox County Vacant Property Review Commission.

No action was taken.

\* \* \* \* \*

Withdraw from the agenda Discussion regarding Natural Resources Recovery.

\* \* \* \* \*

Discussion regarding Community Grants and the Citizen Review Committee process.

Ms. Suzanne Dupes, Deputy Director of Communication and Media Relations, Knox County Mayor's Office, was present and spoke on the matter.

No action was taken.

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Discussion regarding the appointment of a Task Force to address possible prisoner transportation and intake solutions.

No action was taken.

\* \* \* \* \*

Withdraw from the agenda discussion regarding The Discretionary Budget.

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Discussion on criteria for applicants applying for Board of Zoning and Appeals Committee.

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

Every commission district (except 4<sup>th</sup> and 7<sup>th</sup> district) will meet at their designated area to interview applicants.

The Fifth Commission District will meet for interviews on March 11, 2009 at 7:30 pm. at the Farragut Library.

The Second Commission District will meet for interviews on March 4, 2009 from 6:00 – 8:00 p.m. Larry Cox Recreation Center.

The Ninth Commission District will meet for interviews on March 10, 2009 at 6:00 p.m. at Howard Pinkston Library.

The Eighth Commission District will meet at Carter High School Cafeteria on February 24, 2009 in the evening to set their date for interviews.

No action was taken.

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Discussion of Fee Offices.

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

Without objection, this item was sent to the Audit Committee.

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**IN RE:      ADJOURNMENT:**

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

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THOMAS STRICKLAND, CHAIRMAN

