

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, November 15, 2010 at 2:00 p.m. in the auditorium of Fulton High School, 2509 North Broadway Street. The zoning portion of the agenda was held at 6:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue. Those members present were Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Also present were Mr. Joe Jarret, Knox County Law Director, Mr. Richard Walls, Knox County Internal Auditor, Mr. Tim Burchett, Knox County Mayor, Mr. John Troyer, Senior Director for Knox County Finance, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Hammond, Chairman, presided.

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

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IN RE: ROLL CALL:

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

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IN RE: DEVOTIONAL:

Commissioner Ownby gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE:

The Fulton High School Junior ROTC presented the colors.

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Commissioner Norman led the Pledge of Allegiance to the Flag.

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IN RE: AMENDMENTS TO THE AGENDA:

1. At this time, Commissioner Broyles, 2nd District Commissioner, and Chairman Hammond, expressed appreciation to the Fulton High School staff and students for all support and assistance with the meeting being held at the school.

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2. Commissioner Hammond amended the agenda to add the following item: Discussion regarding tax collections.

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3. Commissioner Hammond amended the agenda to table the following items until January 2011: Resolution R-10-11-903 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Mayor amend the Knox County Employee Handbook to add a section to preclude Knox County from remitting severance payments to County employees for work not performed; and Ordinance O-10-11-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Chapter 2, Article X, Division 2 of the Knox County Code entitled "Base Personnel Policies" by adding a new Section 2-774 to preclude Knox County from remitting severance payments to county employees for work not performed (amending

Knox County Code, Chapter 2, Article X, Division 2, establishing Section 2-774, previously reserved).

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4. Commissioner Hammond amended the agenda to defer the following items to the December 2010 Board of Commissioners meeting: Resolution R-10-11-101 - Consideration of a resolution of the Commission of Knox County, Tennessee, dedicating and naming that portion of Tennessee State Route 62, from the Solway Bridge to that point where the route splits at Karns, the “Veterans Memorial Mile” in honor of our Nation’s Veterans, especially those Killed in Action, Missing in Action or being held as Prisoners of War; and Discussion regarding alcohol use in the Knox County funded Ten Year Plan housing.

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5. Commissioner Anders moved to amend the agenda to add the following items: Resolution R-10-11-102 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Island Home Baptist Church as it prepares to celebrate 150 years of continuous ministry to the people of Knox County; Resolution R-10-11-601 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$189,100.00 (requires a local match of \$109,000.00) with the Tennessee Department of Health in Support of Project Diabetes; and Resolution R-10-11-906 - Consideration of a resolution of the Commission of Knox County, Tennessee, regarding Carter Elementary School. Also included in the motion was to defer the following item to the January 2011 Board of Commissioners meeting: Discussion regarding the Pam Reeves report. 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: CONSENT ITEMS

1. Tax Refunds:

No request received.

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2. Notary Public Applications:

94 Notary Public Applications received.

Commissioner McKenzie moved to approve all Consent Items.

Commissioner Anders seconded the motion and upon roll call vote

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

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

carried 11-0-0-0.

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IN RE: EDUCATION CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE FEDERAL EDUCATION JOBS PROGRAM GRANT AWARD IN THE AMOUNT OF \$8,184,717.00 – R-10-11-201:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Federal Education Jobs Program Grant Award in the amount of \$8,184,717.00 was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-201 - Resolution of the Commission of Knox County, Tennessee, approving the Federal Education Jobs Program Grant Award in the amount of \$8,184,717.00. 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, DEDICATING AND NAMING THAT PORTION OF TENNESSEE STATE ROUTE 62, FROM THE SOLWAY BRIDGE TO THAT POINT WHERE THE ROUTE SPLITS AT KARNS, THE "VETERANS MEMORIAL MILE" IN HONOR OF OUR NATION'S VETERANS, ESPECIALLY THOSE KILLED IN ACTION, MISSING IN ACTION OR BEING HELD AS PRISONERS OF WAR – R-10-11-101:

This item was deferred to the December 2010 Board of Commissioners meeting. (See Amendments to the Agenda, Page 309)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING ISLAND HOME BAPTIST CHURCH AS IT PREPARES TO CELEBRATE 150 YEARS OF CONTINUOUS MINISTRY TO THE PEOPLE OF KNOX COUNTY – R-10-11-102:

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Island Home Baptist Church as it prepares to celebrate 150 years of continuous ministry to the people of Knox County was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-102 - Resolution of the Commission of Knox County, Tennessee, honoring Island Home Baptist Church as it prepares to celebrate 150 years of continuous ministry to the people of 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, RATIFYING THE
KNOX COUNTY MAYOR'S APPOINTMENT OF RICHARD BELL TO
THE KNOX COUNTY ETHICS COMMITTEE – R-10-11-110:

Consideration of a resolution of the Commission of Knox County, Tennessee, ratifying the Knox County Mayor's appointment of Richard Bell to the Knox County Ethics Committee was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-110 - Resolution of the Commission of Knox County, Tennessee, ratifying the Knox County Mayor's appointment of Richard Bell to the Knox County Ethics Committee. 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 AWARD IN THE AMOUNT OF \$1,950.00 FROM ARTS BUILD
COMMUNITIES DESIGNATED AGENCY, THE ARTS AND CULTURE
ALLIANCE OF GREATER KNOXVILLE, TO CONDUCT A PILOT
PROGRAM OF SATURDAY CHILDREN’S PERFORMANCES AT
FOUR LIBRARY LOCATIONS ON TWO SATURDAYS A MONTH FOR
FOUR MONTHS – R-10-11-202:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant award in the amount of \$1,950.00 from Arts Build Communities designated agency, the Arts and Culture Alliance of Greater Knoxville, to conduct a Pilot Program of Saturday Children’s Performances at four library locations on two Saturdays a month for four months was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-202 - Resolution of the Commission of Knox County, Tennessee, approving a grant award in the amount of \$1,950.00 from Arts Build Communities designated agency, the Arts and Culture Alliance of Greater Knoxville, to conduct a Pilot Program of Saturday Children’s Performances at four library locations on two Saturdays a month for four months.

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 AMENDMENT ONE TO THE GRANT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF HUMAN SERVICES FOR CHILD SUPPORT ENFORCEMENT SERVICES FOR THE KNOX COUNTY SHERIFF'S OFFICE – R-10-11-301:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to the grant agreement with the Tennessee Department of Human Services for Child Support Enforcement Services for the Knox County Sheriff's Office was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-301 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to the grant agreement with the Tennessee Department of Human Services for Child Support Enforcement Services for the Knox County Sheriff's Office. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE KNOX COUNTY LAW DIRECTOR TO BEGIN CONDEMNATION

PROCEEDINGS FOR TWO (2) TRACTS OF LAND (TRACTS 119 AND 121) AS ACQUISITION IS NECESSARY FOR KNOX COUNTY TO PROCEED WITH PHASE II OF THE DUTCHTOWN ROAD IMPROVEMENT PROJECT – R-10-11-401:

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the Knox County Law Director to begin condemnation proceedings for two (2) tracts of land (tracts 119 and 121) as acquisition is necessary for Knox County to proceed with Phase II of the Dutchtown Road Improvement Project was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-401 - Resolution of the Commission of Knox County, Tennessee, authorizing the Knox County Law Director to begin condemnation proceedings for two (2) tracts of land (tracts 119 and 121) as acquisition is necessary for Knox County to proceed with Phase II of the Dutchtown Road Improvement 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 \$500.00 WITH GORDON AND WANDA DELANEY FOR KNOX COUNTY'S ACQUISITION OF A RIGHT-OF-WAY LOCATED AT 2400 TIPTON STATION ROAD FOR AN OVERHEAD TRAFFIC SIGN AS

REQUIRED BY THE MEDIATED AGREEMENT IN BEAM V. KNOX COUNTY, ET AL – R-10-11-402:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$500.00 with Gordon and Wanda Delaney for Knox County's acquisition of a right-of-way located at 2400 Tipton Station Road for an overhead traffic sign as required by the mediated agreement in Beam v. Knox County, et al was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-402 – Resolution of the Commission of Knox County, Tennessee, approving an agreement of sale in the amount of \$500.00 with Gordon and Wanda Delaney for Knox County's acquisition of a right-of-way located at 2400 Tipton Station Road for an overhead traffic sign as required by the mediated agreement in Beam v. Knox County, et al. 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, ACCEPTING A GRANT AWARD IN THE AMOUNT OF \$80,560.50 (REQUIRES A LOCAL IN-KIND MATCH OF \$11,508.50) WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) TO DEVELOP A MULTI-JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN – R-10-11-403:

Consideration of a resolution of the Commission of Knox County, Tennessee, accepting a grant award in the amount of \$80,560.50 (requires a local in-kind match of \$11,508.50) with the Tennessee Emergency Management Agency (TEMA) to develop a Multi-Jurisdictional Local Hazard Mitigation Plan was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-403 - Resolution of the Commission of Knox County, Tennessee, accepting a grant award in the amount of \$80,560.50 (requires a local in-kind match of \$11,508.50) with the Tennessee Emergency Management Agency (TEMA) to develop a Multi-Jurisdictional Local Hazard Mitigation Plan. 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 IN THE AMOUNT OF
\$58,984.00 WITH AMEC EARTH & ENVIRONMENTAL, INC. FOR
SERVICES RELATED TO THE DEVELOPMENT OF A MULTI-
JURISDICTIONAL LOCAL HAZARD MITIGATION PLAN –
R-10-11-404:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Professional Services Agreement in the amount of \$58,984.00 with AMEC Earth & Environmental, Inc. for services

related to the development of a Multi-Jurisdictional Local Hazard Mitigation Plan was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-404 - Resolution of the Commission of Knox County, Tennessee, approving a Professional Services Agreement in the amount of \$58,984.00 with AMEC Earth & Environmental, Inc. for services related to the development of a Multi-Jurisdictional Local Hazard Mitigation Plan. 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 DONATION OF THE KNOX COUNTY FIRE PREVENTION BUREAU'S OLD LIFE SAFETY HOUSE TO THE LENOIR CITY FIRE DEPARTMENT – R-10-11-405:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the donation of the Knox County Fire Prevention Bureau's old Life Safety House to the Lenoir City Fire Department was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-405 - Resolution of the Commission of Knox County, Tennessee, approving the donation of the Knox County Fire Prevention Bureau's old Life Safety House to the Lenoir City Fire Department. 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 \$951,486.86 WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY FOR FEDERAL PASS THROUGH FUNDING RELATED TO THE 2010 HOMELAND SECURITY GRANT PROGRAM FOR THE PURPOSE OF FUNDING LOCAL KNOX COUNTY PROJECTS WHICH INCLUDE THE PURCHASE OF APPROVED EQUIPMENT AND TRAINING FOR LOCAL FIRST RESPONDERS – R-10-11-501:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$951,486.86 with the Tennessee Emergency Management Agency for federal pass through funding related to the 2010 Homeland Security Grant Program for the purpose of funding local Knox County projects which include the purchase of approved equipment and training for local first responders was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-501 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$951,486.86 with the Tennessee Emergency Management Agency for federal pass through funding related to the 2010 Homeland Security Grant Program for the purpose of funding local Knox County projects which include the purchase of approved equipment and training for local first responders.

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, DETERMINING
THE METHOD OF DISPOSAL OF SURPLUS PROPERTIES
LOCATED AT 3400 ASHLAND AVENUE (PARCEL 082DQ001), 3337
THOMAS STREET (PARCEL 081IR015), AND 2510 EAST
GLENWOOD AVENUE (PARCEL 082JE005) – R-10-11-502:

This item was heard later on the day's agenda. (See Page 325)

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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 \$189,100.00 (REQUIRES
A LOCAL MATCH OF \$109,000.00) WITH THE TENNESSEE
DEPARTMENT OF HEALTH IN SUPPORT OF PROJECT DIABETES
R-10-11-601:

Consideration of a resolution of the Commission of Knox
County, Tennessee, approving a grant agreement in the amount of
\$189,100.00 (requires a local match of \$109,000.00) with the Tennessee
Department of Health in support of Project Diabetes was before the Board of
Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-601 - Resolution of the Commission of Knox County, Tennessee, approving a grant agreement in the amount of \$189,100.00 (requires a local match of \$109,000.00) with the Tennessee Department of Health in support of Project Diabetes. 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 KNOX COUNTY PURCHASING DIRECTOR TO SELL SURPLUS
PERSONAL PROPERTY AS NEEDED FOR THE TEACHER SUPPLY
DEPOT – R-10-11-801:

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the Knox County Purchasing Director to sell surplus personal property as needed for the Teacher Supply Depot was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-801 - Resolution of the Commission of Knox County, Tennessee, authorizing the Knox County Purchasing Director to sell surplus personal property as needed for the Teacher Supply Depot. 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 REORGANIZATION OF THE CHILD SUPPORT IV-D PROGRAM BY TRANSFERRING THE DUTIES, RESPONSIBILITIES AND FUNDING OF ONE (1) ADMINISTRATIVE ASSISTANT TO THE KNOX COUNTY SHERIFF'S OFFICE, EFFECTIVE NOVEMBER 22, 2010 – R-10-11-901:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a reorganization of the Child Support IV-D Program by transferring the duties, responsibilities and funding of one (1) Administrative Assistant to the Knox County Sheriff's Office, effective November 22, 2010 was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-901 - Resolution of the Commission of Knox County, Tennessee, approving a reorganization of the Child Support IV-D Program by transferring the duties, responsibilities and funding of one (1) Administrative Assistant to the Knox County Sheriff's Office, effective November 22, 2010. 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 AMENDMENT ONE TO A GRANT AGREEMENT WITH THE

TENNESSEE DEPARTMENT OF HUMAN SERVICES FOR CHILD

SUPPORT ENFORCEMENT SERVICES – R-10-11-902:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Human Services for Child Support Enforcement Services was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-902 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee Department of Human Services for Child Support Enforcement Services. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENTS TO THE KNOX COUNTY COMMISSION RULES TO REARRANGE THE ORDER OF THE AGENDA, EXTEND THE DEADLINE FOR LINE ITEM TRANSFERS, AND REQUIRE THE APPROVAL OF THE COMMISSION CHAIR ON ITEMS ADDED TO THE AGENDA AFTER THE DEADLINE – R-10-11-905:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving amendments to the Knox County Commission rules to rearrange the order of the agenda, extend the deadline for line item transfers, and require the approval of the Commission Chair on

items added to the agenda after the deadline was before the Board of Commissioners.

Commissioner Ownby moved to approve Resolution R-10-11-905 - Resolution of the Commission of Knox County, Tennessee, approving amendments to the Knox County Commission rules to rearrange the order of the agenda, extend the deadline for line item transfers, and require the approval of the Commission Chair on items added to the agenda after the deadline. 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: LINE ITEM TRANSFERS:

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

Commissioner Ownby moved to approve all request for Line Item Transfers. 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: AMENDMENTS TO THE AGENDA – (CONTINUED):

6. The agenda was amended to hear the following item at this time: Resolution R-10-11-502 - Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of surplus properties located at 3400 Ashland Avenue (Parcel

082DQ001), 3337 Thomas Street (Parcel 081IR015), and 2510 East Glenwood Avenue (Parcel 082JE005).

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, DETERMINING
THE METHOD OF DISPOSAL OF SURPLUS PROPERTIES
LOCATED AT 3400 ASHLAND AVENUE (PARCEL 082DQ001), 3337
THOMAS STREET (PARCEL 081IR015), AND 2510 EAST
GLENWOOD AVENUE (PARCEL 082JE005) – R-10-11-502:

Consideration of a resolution of the Commission of Knox County, Tennessee, determining the method of disposal of surplus properties located at 3400 Ashland Avenue (Parcel 082DQ001), 3337 Thomas Street (Parcel 081IR015), and 2510 East Glenwood Avenue (Parcel 082JE005) was before the Board of Commissioners.

Mr. Grant Rosenberg, Director for Knox County Community Development, and Mr. Joe Jarret, Knox County Law Director, were present and spoke on the matter.

Commissioner McKenzie moved to approve Resolution R-10-11-502 - Resolution of the Commission of Knox County, Tennessee, determining the method of disposal of surplus properties located at 3400 Ashland Avenue (Parcel 082DQ001), 3337 Thomas Street (Parcel 081IR015), and 2510 East Glenwood Avenue (Parcel 082JE005) to be by negotiated sale. 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: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes from the previous meeting held on October 25, 2010 (Regular Session) was before the Board of Commissioners.

Commissioner Anders moved to approve the minutes from the previous meeting held on October 25, 2010 (Regular Session).

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

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IN RE: ELECTIONS AND APPOINTMENTS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING AN INDIVIDUAL AS AN ALTERNATE MEMBER ON THE KNOX COUNTY SHERIFF'S OFFICE MERIT SYSTEM COUNCIL – R-10-11-111:

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing an individual as an alternate member on the Knox County Sheriff's Office Merit System Council was before the Board of Commissioners.

Upon roll call for nominations for an alternate member on the Knox County Sheriff's Office Merit System Council, Commissioner McKenzie nominated Mr. Roy Kruse. Commissioner Broyles passed. Commissioner Norman passed. Commissioner Ownby nominated Dr. William Lindsey. Commissioner Briggs passed. Commissioner Anders passed. Commissioner Smith passed. Commissioner Wright passed. Commissioner Brown passed. Commissioner Hammond passed. Commissioner Shouse passed.

Upon roll call for an alternate member on the Knox County Sheriff's Office Merit System Council, Commissioners Ownby, Briggs, Anders, Smith, Wright and Hammond voted for Dr. Lindsey. Commissioners McKenzie, Broyles, Norman, Brown and Shouse voted for Mr. Kruse. Dr. Lindsey received 6 votes. Mr. Kruse received 5 votes.

Commissioner Anders moved to approve Resolution R-10-11-111 - Resolution of the Commission of Knox County, Tennessee, appointing Dr. William Lindsey as an alternate member on the Knox County Sheriff's Office Merit System Council. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: DRIVES AND ROADS:

Consideration of the closure of a partial right of way located at Brandon Road west of Clearfield Road was before the Board of Commissioners on first reading. Cedar Springs Presbyterian Church, property owner.

Commissioner Anders moved to approve the closure of a partial right of way located at Brandon Road west of Clearfield Road on first reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0. Cedar Springs Presbyterian Church, property owner.

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IN RE: PUBLIC FORUM:

No one was present to speak.

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IN RE: RESOLUTIONS

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

R-10-11-903:

This item was tabled until January 2011. (See Amendments to the Agenda, Page 308)

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CREATING A TASK FORCE TO REVIEW AND ASSESS THE COMPOSITION,

STRUCTURE, FUNCTION, POWER AND AUTHORITY OF THE

KNOX COUNTY ETHICS COMMITTEE – R-10-11-904:

Consideration of a resolution of the Commission of Knox County, Tennessee, creating a Task Force to review and assess the composition, structure, function, power and authority of the Knox County Ethics Committee was before the Board of Commissioners.

Ms. Elaine Davis, Chairwoman for the Knox County Ethics Committee, was present and spoke on the matter.

Commissioner Briggs moved to approve Resolution R-10-11-904 – Resolution of the Commission of Knox County, Tennessee, creating a Task Force to review and assess the composition, structure, function, power and authority of the Knox County Ethics Committee and that the Task Force consist of the following individuals: Mr. Bob Thompson and Ms. Karen Smith; Commissioners Mike Brown and Dave Wright; representative to be determined by the Knox County Sheriff; and representative to be determined by the Knox County Mayor. 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, REGARDING
CARTER ELEMENTARY SCHOOL – R-10-11-906:

Consideration of a resolution of the Commission of Knox County, Tennessee, regarding Carter Elementary School was before the Board of Commissioners.

Ms. Indya Kincannon, Chairwoman for the Knox County Board of Education, and Mr. Tim Burchett, Knox County Mayor, were present and spoke on the matter.

Commissioner Anders moved to defer to the January 2011 Board of Commissioners meeting Resolution R-10-11-906 - Resolution of the Commission of Knox County, Tennessee, regarding Carter Elementary School. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioner Broyles voted no. The motion carried 10-1-0-0.

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IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING
SECTIONS 2-581, 2-647 AND 2-691 OF THE KNOX COUNTY CODE
RELATIVE TO CONTRACT MODIFICATIONS AND EMERGENCY
PURCHASES (AMENDING ORDINANCE O-08-5-101, ADOPTED
JUNE 23, 2008) – O-10-11-101 – (FIRST READING);

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Sections 2-581, 2-647 and 2-691 of the Knox County Code relative to contract modifications and emergency purchases (amending Ordinance O-08-5-101, adopted June 23, 2008) was before the Board of Commissioners on first reading.

Commissioner Anders moved to approve Ordinance O-10-11-101 - Ordinance of the Commission of Knox County, Tennessee, amending Sections 2-581, 2-647 and 2-691 of the Knox County Code relative to contract modifications and emergency purchases (amending Ordinance O-08-5-101, adopted June 23, 2008) on first reading.

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

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING CHAPTER 2, ARTICLE X, DIVISION 2 OF THE KNOX COUNTY CODE ENTITLED "BASE PERSONNEL POLICIES" BY ADDING A NEW SECTION 2-774 TO PRECLUDE KNOX COUNTY FROM REMITTING SEVERANCE PAYMENTS TO COUNTY EMPLOYEES FOR WORK NOT PERFORMED (AMENDING KNOX COUNTY CODE, CHAPTER 2, ARTICLE X, DIVISION 2, ESTABLISHING SECTION 2-774, PREVIOUSLY RESERVED) – O-10-11-102 – (FIRST READING):

This item was tabled until January 2011. (See Amendments to the Agenda, Page 308)

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IN RE: DISCUSSION REGARDING THE PAM REEVES REPORT.

This item was deferred to the January 2011 Board of Commissioners meeting. (See Amendments to the Agenda, Page 309)

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**IN RE: DISCUSSION REGARDING ALCOHOL USE IN THE
KNOX COUNTY FUNDED TEN YEAR PLAN HOUSING:**

This item was deferred to the January 2011 Board of Commissioners meeting. (See Amendments to the Agenda, Page 309)

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**IN RE: DISCUSSION REGARDING CARTER ELEMENTARY
SCHOOL:**

No action was taken.

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IN RE: DISCUSSION REGARDING TAX COLLECTIONS:

Discussion regarding tax collections was before the Board of Commissioners.

No action was taken.

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

7. At this time, there was discussion regarding the December 2010 meetings. The Board of Commissioners Agenda Work Session is to be held on Monday, December 6, 2010 at 2:00 p.m.; and the Board of Commissioners Regular Session meeting is to be held on Monday, December 13, 2010 at 2:00 p.m.

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8. At this time, Commissioner Broyles indicated the 22nd Annual Victorian Holiday Home Tour is to be held the first weekend in December 2010; and the Community Thanksgiving Pot Luck Dinner is to be held on Monday, November 22, 2010 at 6:00 p.m. at Central United Methodist Church.

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9. At this time, Commissioner Wright gave contact information regarding volunteers for readers on the Three Ramblers Christmas Express Trains.

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10. At this time, there was additional discussion regarding the December 2010 meeting. The Board of Commissioners Zoning Agenda is to be held on Monday, December 13, 2010 at 5:00 p.m.

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IN RE: ROLL CALL – (6:00 P.M.)

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

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Commissioner Anders, Vice-Chairman, presided.

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

11. Commissioner Anders amended the agenda to appoint a temporary Vice-Chairman for the Board of Commissioners for the remainder of the day's meeting at this time.

Commissioner Wright moved that Commissioner Tony Norman be elected temporary Vice-Chairman for the Board of Commissioners for the remainder of the day's meeting by acclamation. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie,

Norman, Ownby, Briggs, Anders, Wright, Brown and Shouse voted aye.

Commissioner Broyles was absent from the vote. Commissioners Smith and Hammond were absent from the meeting. The motion carried 8-0-0-3.

Commissioner Tony Norman was elected Vice-Chairman for the Board of Commissioners for the remainder of the day's meeting.

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12. Commissioner Anders amended the agenda to hear the following item at this time: Ordinance O-10-11-103 - Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 4 of the Knox County Zoning Ordinance to add a new Section 4.103 regarding Standards and Requirements for Flea Markets (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended).

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING
ARTICLE 4 OF THE KNOX COUNTY ZONING ORDINANCE TO ADD
A NEW SECTION 4.103 REGARDING STANDARDS AND
REQUIREMENTS FOR FLEA MARKETS (AMENDING ORDINANCE
O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) –
O-10-11-103 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 4 of the Knox County Zoning Ordinance to add a new Section 4.103 regarding Standards and

Requirements for Flea Markets (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) was before the Board of Commissioners on first reading.

Commissioner Anders moved to table Ordinance O-10-11-103 - Ordinance of the Commission of Knox County, Tennessee, amending Article 4 of the Knox County Zoning Ordinance to add a new Section 4.103 regarding Standards and Requirements for Flea Markets (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended) on first reading. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown and Shouse voted aye. Commissioners Smith and Hammond were absent from the meeting. The motion carried 9-0-0-2.

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IN RE: ZONING REQUESTS:

1. Consideration of the request of Robert G. Campbell and Associates for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located on the southeast side of East Emory Road, southwest of Emory Pointe Lane. (7th Commission District)

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

Commissioner Wright moved to approve zoning request RZ-10-11-101 - Request of Robert G. Campbell and Associates for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC's recommendation. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby,

Briggs, Anders, Wright, Brown and Shouse voted aye. Commissioners Smith and Hammond were absent from the meeting. The motion carried 9-0-0-2. Property located on the southeast side of East Emory Road, southwest of Emory Pointe Lane. (7th Commission District) MPC's file number: 10-B-10-RZ.

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2. Consideration of the request of David Bailey for rezoning from CA General Business and A Agricultural Zone to CB Business and Manufacturing Zone was before the Board of Commissioners. Property located on the east side of Chapman Highway, south of Sevierville Pike. (8th Commission District)

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

Commissioner Wright moved to approve zoning request RZ-10-11-102 – Request of David Bailey for rezoning from CA General Business and A Agricultural Zone to CB Business and Manufacturing Zone as per MPC's recommendation. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown and Shouse voted aye. Commissioners Smith and Hammond were absent from the meeting. The motion carried 9-0-0-2. Property located on the east side of Chapman Highway, south of Sevierville Pike. (8th Commission District) MPC's file number: 10-C-10-RZ.

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3. Consideration of the request of Ray Walker-Walker Trucking Contractors, Inc. for approval of Plan of Operation and

Conditional Use Permit for a mining and mineral extraction (soil removal) facility was before the Board of Commissioners. Property located on the north side of Rutledge Pike, east of Rosewood Road. (8th Commission District)

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

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

Commissioner Wright moved to approve zoning request RZ-10-11-103 - Request of Ray Walker-Walker Trucking Contractors, Inc. for approval for a mining and mineral extraction facility and a stone/gravel storage and distribution operation with plan of operation and conditional use permit as shown on the site plan subject to 10 conditions as per MPC's recommendation. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown and Shouse voted aye. Commissioners Smith and Hammond were absent from the meeting. The motion carried 9-0-0-2. Property located on the north side of Rutledge Pike, east of Rosewood Road. (8th Commission District) MPC's file number: 10-D-10-UR.

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

Commissioner Anders deferred this item to the December 2010 Board of Commissioners meeting. MPC's file number: 2-A-10-SAP.

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5. Consideration of the request of Ron Scott, Jr. or Ben Kizer for rezoning from A Agricultural Zone to CA General Business Zone was before the Board of Commissioners. Property located on the northwest side of Guinn Road, southwest of Oak Ridge Highway. (6th Commission District)

No one was present to represent the request.

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

Commissioner Wright moved to defer to the December 2010 Board of Commissioners meeting the request of Ron Scott, Jr. or Ben Kizer for rezoning from A Agricultural Zone to CA General Business Zone. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown and Shouse voted aye. Commissioners Smith and Hammond were absent from the meeting. The motion carried 9-0-0-2. Property located on the northwest side of Guinn Road, southwest of Oak Ridge Highway. (6th Commission District) MPC's file number: 9-D-10-RZ.

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5. Consideration of the request of TN Valley Surveying, Inc. for rezoning from A Agricultural and RA Low Density Residential Zone to PR Planned Residential Zone was before the Board of Commissioners. Property located on the east side of Branch Lane, north of North Ruggles Ferry Pike. (8th Commission District)

No one was present to represent the request.

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

Commissioner McKenzie moved to defer to the December 2010 Board of Commissioner meeting the request of TN Valley Surveying, Inc. for rezoning from A Agricultural and RA Low Density Residential Zone to PR Planned Residential Zone. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown and Shouse voted aye. Commissioners Smith and Hammond were absent from the meeting. The motion carried 9-0-0-2. Property located on the east side of Branch Lane, north of North Ruggles Ferry Pike. (8th Commission District) MPC's file number: 9-E-10-RZ.

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IN RE: AMENDMENTS TO THE KNOX COUNTY ZONING

ORDINANCE:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING
ARTICLE 4 OF THE KNOX COUNTY ZONING ORDINANCE TO ADD
A NEW SECTION 4.103 REGARDING STANDARDS AND
REQUIREMENTS FOR FLEA MARKETS (AMENDING ORDINANCE
O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED) –
O-10-11-103 – (FIRST READING):

This item was heard earlier on the day's agenda. (See Page 334)

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

13. At this time, there was additional discussion regarding the December 2010 meeting. The Board of Commissioners Zoning Agenda is to be held on Monday, December 13, 2010 at 5:00 p.m.

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

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IN RE: ADJOURNMENT:

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

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KNOX COUNTY BOARD OF COMMISSIONERS

BRAD ANDERS, VICE-CHAIRMAN

MIKE HAMMOND, CHAIRMAN