

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, January 24, 2011 at 1:45 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. John Troyer, Senior Director for Knox County Finance, Mr. Dean Rice, Chief of Staff for the Knox County Mayor, Mr. Mark Donaldson, Executive Director for Metropolitan Planning Commission, Mr. Ewing "Buzz" Johnson, Deputy Director for Metropolitan Planning Commission, and members of the news media.

Commissioner Hammond, Chairman, presided.

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

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IN RE: ROLL CALL – (1:45 P.M.):

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

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IN RE: AMENDMENTS TO THE AGENDA:

1. Commissioner McKenzie moved to amend the agenda to add the following item to be heard at this time: Resolution R-11-1-103 - Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Knoxville Mayor Daniel T. Brown. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: HONORARY RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING KNOXVILLE MAYOR DANIEL T. BROWN: - R-11-1-103:

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Knoxville Mayor Daniel T. Brown was before the Board of Commissioners.

Commissioner McKenzie moved to approve Resolution R-11-1-103 - Resolution of the Commission of Knox County, Tennessee, honoring Knoxville Mayor Daniel T. Brown. All Commissioners seconded

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

Ms. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, read the resolution into the record.

Knoxville Mayor Daniel Brown was present to accept the resolution and expressed appreciation to the Commission for the resolution.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING CHESTER KILGORE – R-11-1-101:

Consideration of a resolution of the Commission of Knox County, Tennessee, honoring Chester Kilgore was before the Board of Commissioners.

Commissioner Broyles moved to approve Resolution R-11-1-101 - Resolution of the Commission of Knox County, Tennessee, honoring Chester Kilgore. 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.

Ms. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, read the resolution into the record.

Ms. Lauren Rider, President for the Old North Knoxville, Inc., and Mr. Nick Arning, former co-worker of Mr. Kilgore, were present and spoke on the matter.

Mr. Kilgore was unable to attend the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, MEMORIALIZING DAN YORK BORING – R-11-1-102:

Consideration of a resolution of the Commission of Knox County, Tennessee, memorializing Dan York Boring was before the Board of Commissioners.

Commissioner Smith moved to approve Resolution R-11-102 - Resolution of the Commission of Knox County, Tennessee, memorializing Dan York Boring. Commissioner Norman seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

Ms. Angie Nesbitt, Minutes Clerk to the Knox County Clerk, read the resolution into the record.

Ms. Mary Ruth Boring, wife, and family members, were present to accept the resolution and expressed appreciation to the commission for the resolution.

Mr. Roy Braden, Central High School Alumni Class of 1974, and Mr. Tommy Schumpert, former coach at Central High School, were present and spoke on the matter.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, HONORING KNOXVILLE MAYOR DANIEL T. BROWN – R-11-1-103:

This item was heard earlier at the day's meeting. (See Page _____)

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IN RE: PUBLIC FORUM:

1. Mr. Brad Mayes, concerned citizen, was present and spoke concerning a deposition of Mr. William Thomas Salter, Director for the Knox County Solid Waste Department, regarding contaminated mulch being sold to the public.

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IN RE: ROLL CALL – (2:00 P.M.):

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

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IN RE: DEVOTIONAL:

Reverend Benji Fowler, Minister at Stock Creek Baptist Church, gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE:

Commissioner Wright led the Pledge of Allegiance to the Flag.

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IN RE: APPROVAL OF MINUTES OF THE PREVIOUS MEETING:

Consideration of approval of minutes from the previous meeting held on December 13, 2010 (Regular Session) was before the Board of Commissioners.

Commissioner Anders moved to approve the minutes from the previous meeting held on December 13, 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: AMENDMENTS TO THE AGENDA – (CONTINUED):

2. Commissioner Hammond amended the agenda to add the following item: Resolution R-11-1-203 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving the lease agreement between Station Eighty-Two, Ltd. and the Knox County Board of Education for the lease of property known as the L&N Station and Depot located at 800 and 806 World's Fair Park Drive, respectively, for the purpose of housing the new STEM Academy High School.

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3. Commissioner Hammond amended the agenda to defer the following items to the February 2011 Board of Commissioners meeting: Resolution R-11-1-801 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting the Public Building Authority of the County of Knox and the City of Knoxville, Tennessee, to approve and authorize certain energy conservation services and installations for the City County Building to be provided pursuant to the Energy Services Agreement between the City and Ameresco, Inc.; and Resolution R-11-1-802 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a Memorandum of Understanding with the City of Knoxville and the Knox County Public Building Authority for the purpose of making those improvements to the City/County Building designed to achieve greater energy efficiency.

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4. Without objection, Commissioner Hammond amended the agenda to withdraw the following item: Discussion regarding alcohol use in Knox County funded Ten Year Plan housing.

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5. At this time, there was discussion regarding scheduling a workshop for the Hillside and Ridgetop Protection Plan.

The date for the workshop was selected later at the day's meeting. (See Amendments to the Agenda, Page _____)

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6. Commissioner Hammond amended the agenda to remove the following items from the Consent Calendar: Resolution R-11-1-301 - Consideration of a resolution of the Commission of Knox County, Tennessee, regarding the distribution of proceeds from property forfeited as

a result of criminal activity; and Resolution R-11-1-902 - Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Law Director advise the Knox County Commission on a monthly basis as to the status of the TBI investigation of former Knox County Trustee employee John Haun and the status of efforts to recover public monies alleged to have been misappropriated by and/or improperly paid to John Haun.

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7. Commissioner Hammond amended the agenda to hear the following item during the zoning session of the day's meeting: Discussion regarding Commission's responsibility as it pertains to Midway Road. (See Page _____)

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8. Commissioner Hammond amended the agenda to remove the following item from the Consent Calendar: Resolution R-11-1-404 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Goodwill Industries-Knoxville to provide comprehensive recycling and reuse services at Knox County Convenience Centers.

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9. Commissioner Brown moved to amend the agenda to add the following items: Resolution R-11-1-302 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to the three year grant agreement with the Tennessee Board of Probation and Parole for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP) to increase the maximum liability of the State under the contract by \$136,500.00 for the purpose of hiring a new case manager; Notary Public Applications; Discussion regarding the Knox County Beer Board; and Discussion regarding the Hillside and Ridgetop Protection Plan. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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10. Commissioner Brown moved to amend the agenda to defer the following items to the February 2011 Board of Commissioners meeting: Resolution R-11-1-112 - Consideration of a resolution of the Commission of Knox County, Tennessee, confirming the Knox County Mayor's appointment of a "Hearing Officer" for violations associated with the Ordinance regulating sexually oriented businesses within Knox County;

Resolution R-11-1-113 - Consideration of a resolution of the Commission of Knox County, Tennessee, appointing an individual to the Knox County Personnel Board; and Resolution R-11-1-401 - Consideration of a resolution of the Commission of Knox County, Tennessee, approving CMAQ contract with the Tennessee Department of Transportation for the addition of a westbound turn lane on Westland Drive and northbound right turn lane on Ebenezer Road; engineering, right of way and construction is included in the contract; Knox County is paying \$50,000.00 for right of way; engineering and construction cost is \$250,000.00, with a 20% match by Tennessee Department of Transportation. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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11. Commissioner Brown moved to amend the agenda to withdraw the following item: Resolution R-11-1-905 - Consideration of a resolution of the Commission of Knox County, Tennessee, regarding Carter Elementary School. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: DRIVES AND ROADS – (TO BE CLOSED):
No request received.

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IN RE: LINE ITEM TRANSFERS:
Consideration of Line Item Transfers was before the Board of Commissioners.

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

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, RATIFYING THE KNOX COUNTY SHERIFF'S APPOINTMENT OF LIEUTENANT TOM COX TO THE KNOX COUNTY ETHICS COMMITTEE – R-11-1-110:

Consideration of a resolution of the Commission of Knox County, Tennessee, ratifying the Knox County Sheriff's appointment of Lieutenant Tom Cox to the Knox County Ethics Committee was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-110 - Resolution of the Commission of Knox County, Tennessee, ratifying the Knox County Sheriff's appointment of Lieutenant Tom Cox to the Knox County Ethics Committee. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING FRED CORUM, BOB FEHLING AND SAM ANDERSON; AND REAPPOINTING TONY NORMAN, TOMMY SCHUMPERT AND JOHN MILLS TO THE THREE RIDGES GOLF BOARD – R-11-1-111:

Consideration of a resolution of the Commission of Knox County, Tennessee, appointing Fred Corum, Bob Fehling and Sam Anderson; and reappointing Tony Norman, Tommy Schumpert and John Mills to the Three Ridges Golf Board was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-111 - Resolution of the Commission of Knox County, Tennessee, appointing Fred Corum, Bob Fehling and Sam Anderson; and reappointing Tony Norman, Tommy Schumpert and John Mills to the Three Ridges Golf Board. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AN AGREEMENT IN THE AMOUNT OF \$2,500.00 FOR THE CONVEYANCE OF AN EASEMENT ON THE ADRIAN BURNETT ELEMENTARY SCHOOL PROPERTY TO BILLSOUTH TELECOMMUNICATIONS, INC. D/B/A AT&T TENNESSEE FOR THE PURPOSE OF STORING EQUIPMENT ON THE PROPERTY – R-11-1-201:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving an agreement in the amount of \$2,500.00 for the conveyance of an easement on the Adrian Burnett Elementary School property to BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee for the purpose of storing equipment on the property was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-201 - Resolution of the Commission of Knox County, Tennessee, approving an agreement in the amount of \$2,500.00 for the conveyance of an easement on the Adrian Burnett Elementary School property to BellSouth Telecommunications, Inc. d/b/a AT&T Tennessee for the purpose of storing equipment on the property. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT ONE TO THE GRANT AGREEMENT WITH THE TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT FOR ADULT EDUCATION SERVICES TO INCREASE THE MAXIMUM LIABILITY OF THE STATE UNDER CONTRACT BY \$40,778.00 FOR A NEW TOTAL CONTRACT AMOUNT OF \$364,985.00 – R-11-1-202:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to the grant agreement with the Tennessee Department of Labor and Workforce Development for Adult Education Services to increase the maximum liability of the state under contract by \$40,778.00 for a new total contract amount of \$364,985.00 was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-202 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to the grant agreement with the Tennessee Department of Labor and Workforce Development for Adult Education Services to increase the maximum liability of the state under contract by \$40,778.00 for a new total contract amount of \$364,985.00. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT ONE TO THE THREE YEAR GRANT AGREEMENT WITH THE TENNESSEE BOARD OF PROBATION AND PAROLE FOR THE KNOX COUNTY SHERIFF'S OFFICE COMMUNITY ALTERNATIVES TO PRISON PROGRAM (CAPP) TO INCREASE THE MAXIMUM LIABILITY OF THE STATE UNDER THE CONTRACT BY \$136,500.00 FOR THE PURPOSE OF HIRING A NEW CASE MANAGER – R-11-1-302:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to the three year grant agreement with the Tennessee Board of Probation and Parole for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP) to increase the maximum liability of the state under the contract by \$136,500.00 for the purpose of hiring a new case manager was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-302 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to the three year grant agreement with the Tennessee Board of Probation and Parole for the Knox County Sheriff's Office Community Alternatives to Prison Program (CAPP) to increase the maximum liability of the state under the contract by \$136,500.00 for the purpose of hiring a new case manager. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$210,000.00 (100% FEDERALLY FUNDED) WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT MILLERTOWN PIKE AND MILL ROAD – R-11-1-402:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$210,000.00 (100% Federally Funded) with the Tennessee Department of Transportation (TDOT) for the installation of a traffic signal at Millertown Pike and Mill Road was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution

R-11-1-402 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$210,000.00 (100% Federally Funded) with the Tennessee Department of Transportation (TDOT) for the installation of a traffic signal at Millertown Pike and Mill Road. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT IN THE AMOUNT OF \$182,600.00 (100% FEDERALLY FUNDED) WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE DEVELOPMENT OF A SIGNAL SYSTEM COMMUNICATIONS MASTER PLAN AND SIGNAL TIMING OPTIMIZATION PROGRAM – R-11-1-403:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$182,600.00 (100% Federally Funded) with the Tennessee Department of Transportation (TDOT) for the development of a signal system communications master plan and signal timing optimization program was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-403 - Resolution of the Commission of Knox County, Tennessee, approving a contract in the amount of \$182,600.00 (100% Federally Funded) with the Tennessee Department of Transportation (TDOT) for the development of a signal system communications master plan and signal timing optimization program. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING COVENANTS FOR PERMANENT MAINTENANCE OF STORMWATER FACILITIES AND BEST MANAGEMENT PRACTICES WITH THE LEGENDS AT WASHINGTON PIKE, LLC FOR PROPERTY LOCATED AT 5805 HOLLY GROVE WAY – R-11-1-405:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices with The Legends at Washington Pike, LLC for property located at 5805 Holly Grove Way was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-405 - Resolution of the Commission of Knox County, Tennessee, approving covenants for permanent maintenance of stormwater facilities and best management practices with The Legends at Washington Pike, LLC for property located at 5805 Holly Grove Way. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$157,227.50 WITH THE EC CORPORATION FOR THE LOVELL ROAD AT OUTLET DRIVE INTERSECTION IMPROVEMENT PROJECT – R-11-1-406:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a construction contract in the amount of \$157,227.50 with the EC Corporation for the Lovell Road at Outlet Drive Intersection Improvement Project was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-406 - Resolution of the Commission of Knox County, Tennessee, approving a construction contract in the amount of \$157,227.50 with the EC Corporation for the Lovell Road at Outlet Drive Intersection Improvement Project. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE AGREEMENTS OF SALE IN THE TOTAL AMOUNT OF \$2,400.00 WITH THE KNOXVILLE HABITAT FOR HUMANITY, INC. FOR SURPLUS PROPERTIES LOCATED AT 3400 ASHLAND AVENUE, 3337 THOMAS STREET, AND 2510 EAST GLENWOOD AVENUE – R-11-1-501:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the agreements of sale in the total amount of \$2,400.00 with the Knoxville Habitat for Humanity, Inc. for surplus properties located at 3400 Ashland Avenue, 3337 Thomas Street, and 2510 East Glenwood Avenue was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-501 - Resolution of the Commission of Knox County, Tennessee, approving the agreements of sale in the total amount of \$2,400.00 with the Knoxville Habitat for Humanity, Inc. for surplus properties located at 3400 Ashland Avenue, 3337 Thomas Street, and 2510 East Glenwood Avenue. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE USE OF \$4,674.68 IN TENNESSEE HOUSING DEVELOPMENT AGENCY (THDA) PROGRAM INCOME TO SATISFY DELINQUENT CITY OF KNOXVILLE PROPERTY TAXES FOR SURPLUS PROPERTIES LOCATED AT 3400 ASHLAND AVENUE AND 3337 THOMAS STREET – R-11-1-502:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the use of \$4,674.68 in Tennessee Housing Development Agency (THDA) program income to satisfy delinquent City of Knoxville property taxes for surplus properties located at 3400 Ashland Avenue and 3337 Thomas Street was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-502 - Resolution of the Commission of Knox County, Tennessee, approving the use of \$4,674.68 in Tennessee Housing Development Agency (THDA) program income to satisfy delinquent City of Knoxville property taxes for surplus properties located at 3400 Ashland Avenue and 3337 Thomas Street. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE SECOND AMENDMENT TO THE MEDICAL SCREENING SERVICES

AGREEMENT WITH SILOAM HEALTH SERVICES, LLC, RELATIVE TO THE TENNESSEE REFUGEE MEDICAL SCREENING PROGRAM R-11-1-601:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the Second Amendment to the Medical Screening Services Agreement with Siloam Health Services, LLC, relative to the Tennessee Refugee Medical Screening Program was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-601 - Resolution of the Commission of Knox County, Tennessee, approving the Second Amendment to the Medical Screening Services Agreement with Siloam Health Services, LLC, relative to the Tennessee Refugee Medical Screening Program. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING AMENDMENT ONE TO A GRANT AGREEMENT WITH THE STATE OF TENNESSEE DEPARTMENT OF HEALTH FOR SCHOOL BASED ORAL DISEASE PREVENTION SERVICES TO ADD ARRA LANGUAGE TO THE GRANT CONTRACT - R-11-1-602:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the State of Tennessee Department of Health for school based Oral Disease Prevention Services to add ARRA language to the grant contract was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-602 - Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the State of Tennessee Department of Health for school based Oral Disease Prevention Services to add ARRA language to the grant contract. 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.

The caption for Resolution R-11-1-602 was revised to read as follows: Resolution of the Commission of Knox County, Tennessee, approving Amendment One to a grant agreement with the Tennessee

Department of Health for school based Oral Disease Prevention Services to add ARRA language to the grant contract.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A CONTRACT WITH ENA SERVICES, LLC/EDUCATION NETWORKS OF AMERICA, INC. FOR AN INTERNET SERVICES PROVIDER FOR KNOX COUNTY GOVERNMENT – R-11-1-901:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with ENA Services, LLC/Education Networks of America, Inc. for an Internet Services Provider for Knox County Government was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-901 - Resolution of the Commission of Knox County, Tennessee, approving a contract with ENA Services, LLC/Education Networks of America, Inc. for an Internet Services Provider for Knox County Government. 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.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THE RULES COMMITTEE TO CONSIDER AMENDING THE KNOX COUNTY COMMISSION RULES FOR THE ZONING SESSION TO BEGIN AT 4:00 P.M. OR IMMEDIATELY FOLLOWING THE CONCLUSION OF THE COMMISSION'S LEGISLATIVE AGENDA – R-11-1-903:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting the Rules Committee to consider amending the Knox County Commission Rules for the Zoning Session to begin at 4:00 p.m. or immediately following the conclusion of the Commission's Legislative Agenda was before the Board of Commissioners.

Commissioner Brown moved to approve Resolution R-11-1-903 - Resolution of the Commission of Knox County, Tennessee, requesting the Rules Committee to consider amending the Knox County Commission Rules for the Zoning Session to begin at 4:00 p.m. or immediately following the conclusion of the Commission's Legislative Agenda. 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: ACCEPTANCE OF NEW KNOX COUNTY ROADS:

Consideration of acceptance of the following new Knox County roads was before the Board of Commissioners:

1. Mountain Pass Lane, The Preserve Subdivision, District 5.
2. Ariel Lane, The Preserve Subdivision, District 5.
3. Basil Lane, The Preserve Subdivision, District 5.
4. Celtic Lane, The Preserve Subdivision, District 5.
5. Rum Hill Lane, The Preserve Subdivision, District 5.
6. Gilbert Hills Drive, Gilbert Estates Subdivision, District 6.

Commissioner Brown moved to approve the above acceptance of new county roads. 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: NOTARY PUBLIC APPLICATIONS:

217 Notary Public Applications received.

Commissioner Anders moved to approve the 217 Notary Public Applications. 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: AMENDMENT TO THE AGENDA – (CONTINUED):

12. Commissioner Hammond amended the agenda to hear Ordinances on first reading at this time.

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IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING SECTION 4-3 OF THE KNOX COUNTY CODE ENTITLED “SALE OF BEER; PERMIT REQUIRED” TO PROVIDE A PROCEDURE TO MANAGE DORMANT BEER PERMITS. (AMENDING ORDINANCE O-09-3-107, ADOPTED APRIL 27, 2009) – O-11-1-101 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Section 4-3 of the Knox County Code entitled "Sale of Beer; Permit Required" to provide a procedure to manage dormant beer permits. (amending Ordinance O-09-3-107, adopted April 27, 2009) was before the Board of Commissioners on first reading.

Commissioner Anders moved to approve Ordinance O-11-1-101 - Ordinance of the Commission of Knox County, Tennessee, amending Section 4-3 of the Knox County Code entitled "Sale of Beer; Permit Required" to provide a procedure to manage dormant beer permits. (amending Ordinance O-09-3-107, adopted April 27, 2009) on first reading. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF 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-11-1-102 – (FIRST READING):

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) was before the Board of Commissioners on first reading.

Mr. Joe Jarret, Knox County Law Director, Mr. Dean Rice, Chief of Staff for the Knox County Mayor Office, and Ms. Sherry Witt, Knox County Register of Deeds, were present and spoke on the matter.

Commissioner Smith moved to approve Ordinance O-11-1-102 - 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) on first reading. Commissioner Anders 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: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, CONFIRMING THE KNOX COUNTY MAYOR'S APPOINTMENT OF A "HEARING OFFICER" FOR VIOLATIONS ASSOCIATED WITH THE ORDINANCE REGULATING SEXUALLY ORIENTED BUSINESSES WITHIN KNOX COUNTY – R-11-1-112:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPOINTING AN INDIVIDUAL TO THE KNOX COUNTY PERSONNEL BOARD – R-11-1-113:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING THE LEASE AGREEMENT BETWEEN STATION EIGHTY-TWO, LTD. AND THE KNOX COUNTY BOARD OF EDUCATION FOR THE LEASE OF PROPERTY KNOWN AS THE L&N STATION AND DEPOT LOCATED AT 800 AND 806 WORLD'S FAIR PARK DRIVE, RESPECTIVELY, FOR THE PURPOSE OF HOUSING THE NEW STEM ACADEMY HIGH SCHOOL – R-11-1-203:

Consideration of a resolution of the Commission of Knox County, Tennessee, approving the lease agreement between Station Eighty-Two, Ltd. and the Knox County Board of Education for the lease of property known as the L&N Station and Depot located at 800 and 806 World's Fair Park Drive, respectively, for the purpose of housing the new STEM Academy High School was before the Board of Commissioners.

Mr. Doug Dillingham, Supervisor of Facilities and Construction for Knox County Schools, Mr. Joe Jarret, Knox County Law Director, Mr.

Russ Oaks, Chief of Staff for Knox County Schools, Dr. Jim McIntyre, Superintendent for Knox County Schools, and Mr. Dean Rice, Chief of Staff for the Knox County Mayor, were present and spoke on the matter.

Commissioner McKenzie moved to approve Resolution R-11-1-203 - Resolution of the Commission of Knox County, Tennessee, approving the lease agreement between Station Eighty-Two, Ltd. and the Knox County Board of Education for the lease of property known as the L&N Station and Depot located at 800 and 806 World's Fair Park Drive, respectively, for the purpose of housing the new STEM Academy High School. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Briggs, Anders, Brown, Hammond and Shouse voted aye. Commissioner Ownby voted no. Commissioner Smith and Wright abstained from voting. The motion carried 8-1-2-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REGARDING THE DISTRIBUTION OF PROCEEDS FROM PROPERTY FORFEITED AS A RESULT OF CRIMINAL ACTIVITY – R-11-1-301:

Consideration of a resolution of the Commission of Knox County, Tennessee, regarding the distribution of proceeds from property forfeited as a result of criminal activity was before the Board of Commissioners.

Mr. Carlton Bryant, Special Counsel for the Knox County Sheriff's Department, was present and spoke on the matter.

Commissioner Anders moved to approve Resolution R-11-1-301 - Resolution of the Commission of Knox County, Tennessee, regarding the distribution of proceeds from property forfeited as a result of criminal activity. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING CMAQ CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR THE ADDITION OF A WESTBOUND TURN LANE ON WESTLAND DRIVE AND NORTHBOUND RIGHT TURN LANE ON EBENEZER ROAD; ENGINEERING, RIGHT OF WAY AND CONSTRUCTION IS INCLUDED IN THE CONTRACT; KNOX

**COUNTY IS PAYING \$50,000.00 FOR RIGHT OF WAY;
ENGINEERING AND CONSTRUCTION COST IS \$250,000.00 WITH A
20% MATCH BY TENNESSEE DEPARTMENT OF
TRANSPORTATION – R-11-1-401:**

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

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, APPROVING A
CONTRACT WITH GOODWILL INDUSTRIES-KNOXVILLE TO
PROVIDE COMPREHENSIVE RECYCLING AND REUSE SERVICES
AT KNOX COUNTY CONVENIENCE CENTERS – R-11-1-404:**

Consideration of a resolution of the Commission of Knox County, Tennessee, approving a contract with Goodwill Industries-Knoxville to provide comprehensive recycling and reuse services at Knox County Convenience Centers was before the Board of Commissioners.

Mr. Dwight Van De Vate, Director for Knox County Engineering and Public Works, was present and spoke on the matter.

Commissioner Anders moved to approve Resolution R-11-1-404 - Resolution of the Commission of Knox County, Tennessee, approving a contract with Goodwill Industries-Knoxville to provide comprehensive recycling and reuse services at Knox County Convenience Centers. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING
THE PUBLIC BUILDING AUTHORITY OF THE COUNTY OF KNOX
AND THE CITY OF KNOXVILLE, TENNESSEE, TO APPROVE AND
AUTHORIZE CERTAIN ENERGY CONSERVATION SERVICES AND
INSTALLATIONS FOR THE CITY COUNTY BUILDING TO BE
PROVIDED PURSUANT TO THE ENERGY SERVICES AGREEMENT
BETWEEN THE CITY AND AMERESCO, INC. – R-11-1-801:**

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

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

MEMORANDUM OF UNDERSTANDING WITH THE CITY OF KNOXVILLE AND THE KNOX COUNTY PUBLIC BUILDING AUTHORITY FOR THE PURPOSE OF MAKING THOSE IMPROVEMENTS TO THE CITY/COUNTY BUILDING DESIGNED TO ACHIEVE GREATER ENERGY EFFICIENCY – R-11-1-802:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE KNOX COUNTY LAW DIRECTOR ADVISE THE KNOX COUNTY COMMISSION ON A MONTHLY BASIS AS TO THE STATUS OF THE TBI INVESTIGATION OF FORMER KNOX COUNTY TRUSTEE EMPLOYEE JOHN HAUN AND THE STATUS OF EFFORTS TO RECOVER PUBLIC MONIES ALLEGED TO HAVE BEEN MISAPPROPRIATED BY AND/OR IMPROPERLY PAID TO JOHN HAUN – R-11-1-902:

Consideration of a resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Law Director advise the Knox County Commission on a monthly basis as to the status of the TBI investigation of former Knox County Trustee employee John Haun and the status of efforts to recover public monies alleged to have been misappropriated by and/or improperly paid to John Haun was before the Board of Commissioners.

Commissioner Hammond moved to approve Resolution R-11-1-902 - Resolution of the Commission of Knox County, Tennessee, requesting that the Knox County Law Director advise the Knox County Commission on a monthly basis as to the status of the TBI investigation of former Knox County Trustee employee John Haun and the status of efforts to recover public monies alleged to have been misappropriated by and/or improperly paid to John Haun with the following amendment: Request the Knox County Law Director to send a letter to the Knox County Attorney General and the Knox County Finance Director asking them to keep the Commission advised of any change in the investigation on a monthly basis. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, REQUESTING THAT THE 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-11-1-904:

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 as before the Board of Commissioners.

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

Commissioner Smith moved to withdraw Resolution R-11-1-904 - 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. 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-11-1-905:

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

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AUTHORIZING THE EXPENDITURE OF TWENTY THOUSAND DOLLARS (\$20,000.00) FROM THE PUBLIC IMPROVEMENT FUND FOR RENOVATIONS TO THE PROPOSED LEASED OFFICE SPACE ON THE FIRST FLOOR OF THE MIDWAY REHABILITATION CENTER WHICH THE KNOX COUNTY DRUG COURT DESIRES TO RELOCATE ITS OPERATIONS – R-11-1-906:

Consideration of a resolution of the Commission of Knox County, Tennessee, authorizing the expenditure of Twenty Thousand Dollars (\$20,000.00) from the public improvement fund for renovations to

the proposed leased office space on the first floor of the Midway Rehabilitation Center which the Knox County Drug Court desires to relocate its operations was before the Board of Commissioners.

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

Commissioner Anders moved to table Resolution R-11-1-906 - Resolution of the Commission of Knox County, Tennessee, authorizing the expenditure of Twenty Thousand Dollars (\$20,000.00) from the public improvement fund for renovations to the proposed leased office space on the first floor of the Midway Rehabilitation Center which the Knox County Drug Court desires to relocate its operations. 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: NOTARY PUBLIC APPLICATIONS:

_____) This item was heard earlier at the day's meeting. (See Page _____)

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IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE, AMENDING SECTION 4-3 OF THE KNOX COUNTY CODE ENTITLED "SALE OF BEER; PERMIT REQUIRED" TO PROVIDE A PROCEDURE TO MANAGE DORMANT BEER PERMITS. (AMENDING ORDINANCE O-09-3-107, ADOPTED APRIL 27, 2009) - O-11-1-101 - (FIRST READING):

_____) This item was heard earlier at the day's meeting. (See Page _____)

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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-11-1-102 - (FIRST READING):

_____) This item was heard earlier at the day's meeting. (See Page

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IN RE: OTHER BUSINESS:

IN RE: DISCUSSION REGARDING THE PAM REEVES REPORT:

Discussion regarding the Pam Reeves report was before the Board of Commissioners.

This item was tabled.

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

13. At this time, Commissioner Hammond acknowledged the presence of Ms. Gloria Deathridge, Knox County School Board member.

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IN RE: OTHER BUSINESS – (CONTINUED):

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

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

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IN RE: DISCUSSION REGARDING THE COMMISSION'S RESPONSIBILITY AS IT PERTAINS TO MIDWAY ROAD:

_____) This item was heard later at the day's meeting. (See Page

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IN RE: DISCUSSION REGARDING KNOX COUNTY'S FALSE ALARM POLICY:

Discussion regarding Knox County's False Alarm Policy was before the Board of Commissioners.

No action was taken.

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IN RE: DISCUSSION REGARDING THE KNOX COUNTY BEER BOARD:

Discussion regarding the Knox County Beer Board was before the Board of Commissioners.

No action was taken.

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IN RE: DISCUSSION REGARDING THE HILLSIDE AND RIDGETOP PROTECTION PLAN:

A workshop was scheduled regarding this matter later at the day's meeting. (See Amendments to the Agenda, Page _____)

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

14. At this time, there was discussion regarding the possibility of appointing an ad hoc committee to review potential uses of the Midway Road property and possible improvements to the sector plan.

Mr. Dean Rice, Chief of Staff for the Knox County Mayor, Ms. Gloria Ray, CEO for Knoxville Tourism & Sports Corporation, and Mr. Joe Jarret, Knox County Law Director, were present and spoke on the matter.

No action was taken.

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15. At this time, there was discussion regarding a workshop for the Hillside and Ridgetop Protection Plan.

The workshop was scheduled for Tuesday, February 22, 2011 at 4:00 p.m. or following the Board of Commissioners Agenda Work Session.

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16. At this time, there was discussion regarding the NACO Legislative Conference scheduled for March 2011.

No action was taken.

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IN RE: ROLL CALL – (6:00 P.M.):

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

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

17. At this time, Commissioner Hammond informed individuals attending the zoning session, that a workshop for the Hillside and Ridgetop Protection Plan was scheduled for Tuesday, February 22, 2011 at 4:00 p.m. or following the Board of Commissioners Agenda Work Session.

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IN RE: ZONING REQUESTS:

1. Consideration of the request of Parnell C. Powell, Jr. for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone was before the Board of Commissioners. Property located southeast side of Oak Ridge Highway, east of Karns Crossing Lane. (6th Commission District)

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

Commissioner Anders moved to approve zoning request RZ-11-1-101 – Request of Parnell C. Powell, Jr. for rezoning from A Agricultural Zone to CB Business and Manufacturing Zone as per MPC’s recommendation. Commissioner McKenzie seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1. Property located southeast side of Oak Ridge Highway, east of Karns Crossing Lane. (6th Commission District) MPC’s file number: 12-A-10-RZ.

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2. Consideration of the request of Roy L. and Marian Jo Haun, Jr. for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located southeast side of North Ruggles Ferry Pike, southwest of North Wooddale Road. (8th Commission District)

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

Commissioner Wright moved to approve zoning request RZ-11-1-102 – Request of Roy L. and Marian Jo Haun, Jr. 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, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1. Property located southeast side of North Ruggles Ferry Pike, southwest of North Wooddale Road. (8th Commission District) MPC’s file number: 12-B-10-RZ.

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3. Consideration of the request of Cedar Springs Presbyterian Church for rezoning from RAE Exclusive Residential Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located south side of Brandon Road, west of Clearfield Road, south of Kingston Pike. (5th Commission District)

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

Commissioner Briggs moved to approve zoning request RZ-11-1-103 – Request of Cedar Springs Presbyterian Church for rezoning from RAE Exclusive Residential Zone to RA Low Density Residential Zone

as per MPC's recommendation. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1. Property located south side of Brandon Road, west of Clearfield Road, south of Kingston Pike. (5th Commission District) MPC's file number: 12-C-10-RZ.

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4. Consideration of the request of Browning Capital and Investment Corporation for rezoning from A Agricultural Zone to RA Low Density Residential Zone was before the Board of Commissioners. Property located northwest side of Foust Drive, southwest of Mascot Road. (8th Commission District)

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

Commissioner Wright moved to approve zoning request RZ-11-1-104 - Request of Browning Capital and Investment Corporation for rezoning from A Agricultural Zone to RA Low Density Residential Zone as per MPC's recommendation. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1. Property located northwest side of Foust Drive, southwest of Mascot Road. (8th Commission District) MPC's file number: 12-E-10-RZ.

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5. Consideration of the request of Metropolitan Planning Commission to adopt the Knoxville Knox County Hillside and Ridgetop Protection Plan was before the Board of Commissioners.

Commissioner Norman moved to defer to the February 2011 Board of Commissioners meeting the request of Metropolitan Planning Commission to adopt the Knoxville Knox County Hillside and Ridgetop Protection Plan. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1. MPC's file number: 12-A-09-SAP.

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6. 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)

The applicant was not present to represent the request.

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

Commissioner Wright moved to deny the request of Ron Scott, Jr. or Ben Kizer for rezoning from A Agricultural Zone to CA General Business Zone. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1. 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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7. 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 east side of Branch Lane, north of North Ruggles Ferry Pike. (8th Commission District)

The applicant was not present to represent the request.

Commissioner Wright moved to deny the request of TN Valley Surveying, Inc. for rezoning from A Agricultural and RA Low Density Residential Zone to PR Planned Residential Zone. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1. Property located 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: ZONING APPEALS:

No rezoning appeals received.

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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 2, ARTICLE 3 AND ARTICLE 5 OF THE KNOX COUNTY

ZONING ORDINANCE REGARDING SIDE YARD SETBACKS ON CORNER LOTS (AMENDING ORDINANCE O-90-9-130, ADOPTED SEPTEMBER 10, 1990, AS AMENDED – O-11-1-103 – (FIRST READING):

Consideration of an Ordinance of the Commission of Knox County, Tennessee, amending Article 2, Article 3 and Article 5 of the Knox County Zoning Ordinance regarding side yard setbacks on corner lots (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended was before the Board of Commissioners on first reading.

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

Commissioner Anders moved to approve Ordinance O-11-1-103 - Ordinance of the Commission of Knox County, Tennessee, amending Article 2, Article 3 and Article 5 of the Knox County Zoning Ordinance regarding side yard setbacks on corner lots (amending Ordinance O-90-9-130, adopted September 10, 1990, as amended on first reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. Commissioner Shouse was absent from the meeting. The motion carried 10-0-0-1.

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IN RE: DISCUSSION REGARDING COMMISSION'S RESPONSIBILITY AS IT PERTAINS TO MIDWAY ROAD:

Discussion regarding Commission's responsibility as it pertains to Midway Road was before the Board of Commissioners.

Mr. Robert Wolfenbarger, concerned citizen, was present and spoke on the matter.

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

Ms. Lisa Starbuck, concerned citizen, was present and spoke on the matter.

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

No action was taken.

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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

MIKE HAMMOND, CHAIRMAN