

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, October 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, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Commissioner Broyles arrived later in the meeting. Also present were Mr. Joe Jarret, Knox County Law Director, Mr. Tim Burchett, Knox County Mayor, Mr. Dean Rice, Chief of Staff, Knox County Mayor's Office, Mr. John Troyer, Director, Knox County Finance, Dr. Jim McIntyre, Jr., Superintendent, Knox County Schools, Mr. J. J. Jones, Knox County Sheriff, Mr. Richard Walls, Knox County Internal Auditor and news media.

Commissioner Hammond, Chairman, presided.

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

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IN RE: CALL TO ORDER: 1:45P.M.

Commissioner Hammond, Chairman of Knox County Board of Commissioners called the meeting to order.

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IN RE: PUBLIC FORUM:

No one present to speak under public forum.

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IN RE: HONORARY RESOLUTION:

IN RE CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING ANN D. ACUFF FOR HER YEARS OF LAUDABLE SERVICE TO KNOX COUNTY GOVERNMENT:R-11-10-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Ann D. Acuff for her years of laudable service to Knox County Government was before the Board of Commissioners.

Mr. Tim Burchett, Knox County Mayor, was present and spoke on the matter.

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

Commissioner Anders moved to approve R-11-10-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Ann D. Acuff for her years of laudable service to Knox County Government. All Commissioners seconded the motion and upon roll

call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Commissioner Broyles arrived later in the meeting.

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IN RE: ROLL CALL: 2:00 P.M.

Mrs. Kim Ellis, Minutes Clerk to the Knox County Clerk, called the roll. Those Commissioners responding were Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse. Commissioner Broyles arrived later in the meeting.

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IN RE: DEVOTIONAL:

Commissioner Mike Brown gave the devotional.

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IN RE: PLEDGE OF ALLEGIANCE TO THE FLAG:

Commissioner Dave Wright led the Pledge of Allegiance to the Flag.

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

Consideration of approval of minutes of the previous meeting held on September 1, 2011 (Special Session) and September 26, 2011 (Regular Session) was before the Board of Commissioners.

Commissioner Smith moved to approve the minutes of the previous meeting on September 1, 2011 (Special Session) and September 26, 2011 (Regular Session). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: AMENDMENTS TO THE AGENDA:

Commissioner Wright moved to amend the agenda as follows:

1. Add discussion regarding county finances.
2. Add discussion on hillsides.
3. Remove from the consent calendar and add to the regular agenda R-11-10-802 – Consideration of a Resolution of the Commission of Knox County, Tennessee regarding the issuance of not to exceed fourteen million four hundred thousand dollars (\$14,400,000.00) general obligation bonds of Knox County, Tennessee.

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4. Remove from the consent calendar and add to the regular agenda

R-11-10-803 – Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the issuance of general obligation bonds, in the aggregate principal amount of not to exceed fourteen million four hundred thousand dollars (\$14,400,000) of Knox County, Tennessee; making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds.

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5. Remove from the consent calendar and add to the regular agenda R-11-10-804 – Consideration of a Resolution of the Commission of Knox County, Tennessee (1) authorizing the issuance of general obligation refunding bonds in the aggregate principal amount of not to exceed twenty-three million five hundred thousand dollars (\$23,500,000); making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and disposition of proceeds therefrom; providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds; and (2) in connection with the County’s series VI-A-1 loan agreement, and series VI-K-1 loan agreement, and series D-3-A loan agreement and the related Public Building Authority bonds, authorizing the conversion of the interest rate period to the index rate and approving certain amendments and the form and execution and delivery of documents in connection therewith.

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6. Withdraw from the agenda R-11-10-806 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving an appropriation in the amount of \$134,277.95 from the General Fund Balance for the purpose of reimbursing former Knox County Sheriff Timothy Hutchison for reasonable attorney’s fees incurred while successfully defending an ouster lawsuit, as provided by Tennessee Law.

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7. Add R-11-10-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring Ann D. Acuff for her years of laudable service to Knox County Government.

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8. Add to consent calendar R-11-10-902 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2011-2012 Juvenile Accountability Block Grant in the amount of \$39,904.00 (requires a local match of \$4,434.00) from the Tennessee Commission on Children and Youth to plan and implement a Substance Abuse Program.

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9. Add to the consent calendar R-11-10-903 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease agreement with the Town of Farragut for Knox County Clerk and Knox County Trustee Satellite Offices in the Farragut Town Hall for a four (4) year term with a monthly rent of \$900.00 for the first year of the lease with the monthly rent increasing by \$50.00 each year thereafter for the term of the lease. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: DRIVES AND ROADS:

No drives and roads received.

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IN RE: LINE ITEM TRANSFERS:

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

Commissioner Anders moved to approve the Line Item Transfers. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: NOTARY APPLICATIONS:

Consideration of notary applications was before the Board of Commissioners.

Commissioner Brown moved to approve 129 notary applications. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSENT CALENDAR:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPOINTING TOMMY DAUGHERTY AS AN ALTERNATE MEMBER OF THE KNOX COUNTY SHERIFF'S OFFICE MERIT SYSTEM COUNCIL: R-11-10-110:

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

Commissioner Smith moved to approve R-11-10-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee appointing Tommy Daugherty as an alternate member of the Knox County Sheriff's Office Merit System Council. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE CONFIRMING THE KNOX COUNTY MAYOR'S APPOINTMENT OF LEWIS COSBY TO THE PUBLIC BUILDING AUTHORITY (PBA) BOARD OF DIRECTORS: R-11-10-112:

Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor's appointment of Lewis Cosby to the Public Building Authority (PBA) Board of Directors was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-112 - Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor's appointment of Lewis Cosby to the Public Building Authority (PBA) Board of Directors. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING AMENDMENT NO. 1 TO THE PACT AGREEMENT WITH TRANE U.S. INC. FOR PHASE III-A OF THE SELF-FUNDED ENERGY CONSERVATION AND INFRASTRUCTURE IMPROVEMENT PROGRAM FOR KNOX COUNTY SCHOOLS IN ORDER TO INCREASE THE TOTAL CONTRACT AMOUNT OF \$387,303.00 FOR EQUIPMENT AT SOUTH DOYLE HIGH SCHOOL, BEARDEN CTE AND WEST HILLS ELEMENTARY SCHOOL: R-11-10-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment No. 1 to the pact agreement with Trane U.S. Inc. for Phase III-A of the self-funded Energy Conservation and Infrastructure Improvement Program for Knox County Schools in order to increase the total contract amount of \$387,303.00 for equipment at South Doyle High School, Bearden CTE and West Hills Elementary School was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment No. 1 to the pact agreement with Trane U.S. Inc. for Phase III-A of the self-funded Energy Conservation and Infrastructure Improvement Program for Knox County Schools in order to increase the total contract amount of \$387,303.00 for equipment at South Doyle High School, Bearden CTE and West Hills Elementary School. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH DYNAMIC SECURITY, INC. FOR UNARMED SECURITY GUARD SERVICES AT LAWSON MCGHEE LIBRARY AND THE EAST TENNESSEE HISTORY CENTER:R-11-10-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Dynamic Security, Inc. for unarmed security guard services at Lawson McGhee Library and the East Tennessee History Center was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Dynamic Security, Inc. for unarmed security guard services at Lawson McGhee Library and the East Tennessee History Center. . Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH VOLUNTEER HIGHWAY SUPPLY INC. FOR

PAVEMENT MARKING MATERIALS AND ROAD STRIPING SERVICES: R-11-10-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Volunteer Highway Supply Inc. for pavement marking materials and road striping services was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Volunteer Highway Supply Inc. for pavement marking materials and road striping services. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE TOWN OF FARRAGUT TO PROVIDE FOR THE TOWN OF FARRAGUT'S RE-IMBURSEMENT IN THE AMOUNT OF NOT TO EXCEED \$100,000.00 TO KNOX COUNTY FOR THE COSTS ASSOCIATED WITH THE REALIGNMENT OF FARLOW DRIVE: R-11-10-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the Town of Farragut to provide for the Town of Farragut's re-imburement in the amount of not to exceed \$100,000.00 to Knox County for the costs associated with the realignment of Farlow Drive was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Memorandum of Understanding with the Town of Farragut to provide for the Town of Farragut's re-imburement in the amount of not to exceed \$100,000.00 to Knox County for the costs associated with the realignment of Farlow Drive. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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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 \$181,063.10 WITH APAC-ATLANTIC FOR ROAD IMPROVEMENTS ON WEST BEAVER CREEK ROAD ADJACENT TO THE BLUEBERRY RIDGE SENIOR HOUSING DEVELOPMENT: R-11-10-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$181,063.10 with APAC-Atlantic for road improvements on West Beaver Creek Road adjacent to the Blueberry Ridge Senior Housing Development was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a construction contract in the amount of \$181,063.10 with APAC-Atlantic for road improvements on West Beaver Creek Road adjacent to the Blueberry Ridge Senior Housing Development. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING A TECHNICAL CORRECTION TO RESOLUTION R-07-10-403 REGARDING THE AMOUNT OF THE CONTRACT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) FOR THE REPLACEMENT OF THE CONNOR BRIDGE OVER BULL RUN CREEK (RESOLUTION R-07-10-403 STATED THE ESTIMATED COST OF THE CONTRACT TO BE \$70,000.00 BUT THE ACTUAL CONTRACT AMOUNT IS \$744,000.00 WITH \$595,200.00 (80%) PROVIDED BY THE STATE AND \$148,800.00 (20%) PROVIDED BY KNOX COUNTY): R-11-10-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing a technical correction to Resolution R-07-10-403 regarding the amount of the contract with the Tennessee Department of Transportation (TDOT) for the replacement of the Connor Bridge over Bull Run Creek (Resolution R-07-10-403 stated the estimated cost of the contract to be \$70,000.00 but the actual contract amount is \$744,000.00 with \$595,200.00 (80%) provided by the State and \$148,800.00 (20%) provided by Knox County) was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing

a technical correction to Resolution R-07-10-403 regarding the amount of the contract with the Tennessee Department of Transportation (TDOT) for the replacement of the Connor Bridge over Bull Run Creek (Resolution R-07-10-403 stated the estimated cost of the contract to be \$70,000.00 but the actual contract amount is \$744,000.00 with \$595,200.00 (80%) provided by the State and \$148,800.00 (20%) provided by Knox County). Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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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 EMERALD INVESTMENT LIMITED PARTNERSHIP OF KNOXVILLE FOR PROPERTY LOCATED AT 264 SOUTH PETERS ROAD:R-11-10-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Emerald Investment Limited Partnership of Knoxville for property located at 264 South Peters Road was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Emerald Investment Limited Partnership of Knoxville for property located at 264 South Peters Road. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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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 GALLOWS POINT PROPERTIES, LLC FOR PROPERTY LOCATED AT 10140 GALLOWS POINT DRIVE: R-11-10-406:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Gallows Point Properties, LLC for property located at 10140 Gallows Point Drive was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-406 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Gallows Point Properties, LLC for property located at 10140 Gallows Point Drive. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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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 BURR, LLC FOR PROPERTY LOCATED AT 0 SPRING BLUFF WAY:R-11-10-407:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Burr, LLC for property located at 0 Spring Bluff Way was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-407 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with Burr, LLC for property located at 0 Spring Bluff Way. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE ACCEPTANCE OF A \$5,000.00 AWARD FROM THE NATIONAL ASSOCIATION OF LOCAL BOARDS OF HEALTH AND THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS TO COORDINATE A ONE (1) DAY PLANNING

MEETING TO BE HELD ON DECEMBER 7, 2011 TO DISCUSS STRATEGIES TO SUSTAIN LOCAL TOBACCO CONTROL EFFORTS AND TO SUPPORT STATE EFFORTS: R-11-10-601:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of a \$5,000.00 award from the National Association of Local Boards of Health and the National Association of County and City Health Officials to coordinate a one (1) day planning meeting to be held on December 7, 2011 to discuss strategies to sustain local tobacco control efforts and to support state efforts was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-601 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of a \$5,000.00 award from the National Association of Local Boards of Health and the National Association of County and City Health Officials to coordinate a one (1) day planning meeting to be held on December 7, 2011 to discuss strategies to sustain local tobacco control efforts and to support state efforts. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE ACCEPTANCE OF \$600.00 FROM PAUL CAMPBELL ERWIN, MD, DRPH TO KNOX COUNTY HEALTH DEPARTMENT FOR WORKFORCE DEVELOPMENT CLASSES/SUPPLIES: R-11-10-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of \$600.00 from Paul Campbell Erwin, MD, DrPH to Knox County Health Department for workforce development classes/supplies was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the acceptance of \$600.00 from Paul Campbell Erwin, MD, DrPH to Knox County Health Department for workforce development classes/supplies. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT WITH EARTH GRAINS D/B/A SARA LEE FOR BREAD FOR THE KNOX COUNTY SHERIFF'S OFFICE, RICHARD L. BEAN JUVENILE SERVICE CENTER, THE KNOXVILLE-KNOX COUNTY COMMUNITY ACTION COMMITTEE'S MOBILE MEALS KITCHEN AND HEAD START PROGRAMS, THREE RIDGES GOLF COURSE, AND THE JOHN T. O'CONNOR SENIOR CENTER: R-11-10-805:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Earth Grains d/b/a Sara Lee for bread for the Knox County Sheriff's Office, Richard L. Bean Juvenile Service Center, the Knoxville-Knox County Community Action Committee's Mobile Meals Kitchen and Head Start programs, Three Ridges Golf Course, and the John T. O'Connor Senior Center was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-101-805 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Earth Grains d/b/a Sara Lee for bread for the Knox County Sheriff's Office, Richard L. Bean Juvenile Service Center, the Knoxville-Knox County Community Action Committee's Mobile Meals Kitchen and Head Start programs, Three Ridges Golf Course, and the John T. O'Connor Senior Center. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REQUESTING THE METROPOLITAN PLANNING COMMISSION TO REVIEW THE KNOX COUNTY ZONING ORDINANCE REGARDING THE MANNER IN WHICH KNOX COUNTY REGULATES SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES AND TO PRESENT RECOMMENDATIONS TO THE KNOX COUNTY COMMISSION RELATIVE TO LAND USE REGULATIONS NECESSARY TO MORE ADEQUATELY REGULATE SIGNS, BILLBOARDS, AND OTHER ADVERTISING STRUCTURES IN KNOX COUNTY: R-11-10-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Metropolitan Planning Commission to review the

Knox County Zoning Ordinance regarding the manner in which Knox County regulates signs, billboards, and other advertising structures and to present recommendations to the Knox County Commission relative to land use regulations necessary to more adequately regulate signs, billboards, and other advertising structures in Knox County was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Metropolitan Planning Commission to review the Knox County Zoning Ordinance regarding the manner in which Knox County regulates signs, billboards, and other advertising structures and to present recommendations to the Knox County Commission relative to land use regulations necessary to more adequately regulate signs, billboards, and other advertising structures in Knox County. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE 2011-2012 JUVENILE ACCOUNTABILITY BLOCK GRANT IN THE AMOUNT OF \$39,904.00 (REQUIRES A LOCAL MATCH OF \$4,434.00) FROM THE TENNESSEE COMMISSION ON CHILDREN AND YOUTH TO PLAN AND IMPLEMENT A SUBSTANCE ABUSE PROGRAM: R-11-10-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2011-2012 Juvenile Accountability Block Grant in the amount of \$39,904.00 (requires a local match of \$4,434.00) from the Tennessee Commission on Children and Youth to plan and implement a Substance Abuse Program was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving the 2011-2012 Juvenile Accountability Block Grant in the amount of \$39,904.00 (requires a local match of \$4,434.00) from the Tennessee Commission on Children and Youth to plan and implement a Substance Abuse Program. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A LEASE AGREEMENT WITH THE TOWN OF FARRAGUT FOR KNOX COUNTY CLERK AND KNOX COUNTY TRUSTEE SATELLITE OFFICES IN THE FARRAGUT TOWN HALL FOR A FOUR (4) YEAR TERM WITH A MONTHLY RENT OF \$900.00 FOR THE FIRST YEAR OF THE LEASE WITH THE MONTHLY RENT INCREASING BY \$50.00 EACH YEAR THEREAFTER FOR THE TERM OF THE LEASE: R-11-10-903:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease agreement with the Town of Farragut for Knox County Clerk and Knox County Trustee Satellite Offices in the Farragut Town Hall for a four (4) year term with a monthly rent of \$900.00 for the first year of the lease with the monthly rent increasing by \$50.00 each year thereafter for the term of the lease was before the Board of Commissioners.

Commissioner Smith moved to approve R-11-10-903 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease agreement with the Town of Farragut for Knox County Clerk and Knox County Trustee Satellite Offices in the Farragut Town Hall for a four (4) year term with a monthly rent of \$900.00 for the first year of the lease with the monthly rent increasing by \$50.00 each year thereafter for the term of the lease. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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

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

1. Wakan Lane in Tamara Subdivision, District 8.
2. Angakot Road in Tamara Subdivision, District 8.
3. Poskita Lane in Tamara Subdivision, District 8.

Commissioner Smith moved to approve the above acceptance of new county roads. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE RATIFYING THE KNOX COUNTY MAYOR'S APPOINTMENT/REAPPOINTMENT OF _____ (CITIZEN MEMBER) AND REAPPOINTING COMMISSIONER RICHARD BRIGGS AND APPOINTING/REAPPOINTING _____ (CITIZEN MEMBER) TO THE KNOX COUNTY ETHICS COMMITTEE: R-11-10-111:

Consideration of a Resolution of the Commission of Knox County, Tennessee ratifying the Knox County Mayor's appointment/reappointment of _____ (citizen member) and reappointing Commissioner Richard Briggs and appointing/reappointing _____ (citizen member) to the Knox County Ethics Committee was before the Board of Commissioners.

Commissioner Wright moved to defer to the November Board of Commissioners meeting the Mayor's appointment and approve Commissioner Richard Briggs regarding R-11-10-111 - Consideration of a Resolution of the Commission of Knox County, Tennessee ratifying the Knox County Mayor's appointment/reappointment of _____ (citizen member) and reappointing Commissioner Richard Briggs and appointing/reappointing _____ (citizen member) to the Knox County Ethics Committee. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-1-1. Commissioner Briggs recused himself from the vote. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A CONTRACT IN THE APPROXIMATE ANNUAL AMOUNT OF \$750,000.00 WITH COCA-COLA REFRESHMENTS FOR WATER, FLAVORED WATER AND LOW CALORIE ISOTONIC BEVERAGES FOR THE KNOX COUNTY SCHOOLS SCHOOL NUTRITION PROGRAM:R-11-10-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the approximate annual amount of \$750,000.00 with Coca-Cola refreshments for water, flavored water and low calorie isotonic beverages for the Knox County Schools School Nutrition program was before the Board of Commissioners.

Dr. Jim McIntyre, Jr., Superintendent, Knox County Schools, was present and spoke on the matter.

Mr. John Dickel, Director of Student Nutrition Services, Knox County Schools, was present and spoke on the matter.

Commissioner Anders moved to approve R-11-10-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the approximate annual amount of \$750,000.00 with Coca-Cola refreshments for water, flavored water and low calorie isotonic beverages for the Knox County Schools School Nutrition program. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING CONTRACTS FOR GREENWASTE DISPOSAL SERVICES WITH NATURE'S BEST ORGANICS OF TENNESSEE, LLC (\$14.41 PER TON FOR THE DISPOSAL OF GREENWASTE AND NO CHARGE FOR PALLET DISPOSAL) AND KNOX AG, DBA SHAMROCK ORGANIC PRODUCTS (\$28.82 PER TON FOR THE DISPOSAL OF GREENWASTE AND A PALLET DISPOSAL FEE OF \$0.50 PER PALLET): R-11-10-408:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts for greenwaste disposal services with Nature's Best Organics of Tennessee, LLC (\$14.41 per ton for the disposal of greenwaste and no charge for pallet disposal) and Knox Ag, dba Shamrock Organic Products (\$28.82 per ton for the disposal of greenwaste and a pallet disposal fee of \$0.50 per pallet) was before the Board of Commissioners.

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

Mr. John King, Attorney, representing Nature's Best, was present and spoke on the matter.

Mr. Randy Graves, owner, Shamrock Organic Products, was present and spoke on the matter.

Mr. Brad Mays, concerned citizen, was present and spoke on the matter.

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

Commissioner Anders moved to approve R-11-10-408 - Consideration of a Resolution of the Commission of Knox County,

Tennessee approving contracts for greenwaste disposal services with Nature's Best Organics of Tennessee, LLC (\$14.41 per ton for the disposal of greenwaste and no charge for pallet disposal) and Knox Ag, dba Shamrock Organic Products (\$28.82 per ton for the disposal of greenwaste and a pallet disposal fee of \$0.50 per pallet). Commissioner Brown seconded the motion.

Commissioner Briggs moved as a substitute motion stated as follows: When the Court renders their final judgement and the state upholds the false claims, what they refer to as reverse false claims are justified. The contract will be void. McKenzie seconded the motion and upon roll call vote Commissioners Briggs and Shouse voted aye. Commissioners McKenzie, Norman, Ownby, Anders, Smith, Wright, Brown and Hammond voted no. Commissioner Broyles was absent from the vote. The substitute motion failed 2-8-0-1.

Upon roll call vote of the original motion to approve R-11-10-408 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts for greenwaste disposal services with Nature's Best Organics of Tennessee, LLC (\$14.41 per ton for the disposal of greenwaste and no charge for pallet disposal) and Knox Ag, dba Shamrock Organic Products (\$28.82 per ton for the disposal of greenwaste and a pallet disposal fee of \$0.50 per pallet), Commissioners McKenzie, Norman, Anders, Wright, Brown, Hammond and Shouse voted aye. Commissioners Ownby, Briggs and Smith voted no. The original motion carried 7-3-0-1. Commissioner Broyles was absent from the vote.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING THE PROVISIONS OF TENNESSEE CODE ANNOTATED SECTIONS 68-211-701 THROUGH 704 AND 707, ALSO KNOWN AS THE JACKSON LAW, AS AMENDED: R-11-10-409:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving the provisions of Tennessee Code Annotated Sections 68-211-701 through 704 and 707, also known as the Jackson Law, as amended was before the Board of Commissioners.

Mr. Dwight Van de Vate, Director, Engineering and Public Works, was present and spoke on the matter.

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

Commissioner Brown moved to approve R-11-10-409 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving

the provisions of Tennessee Code Annotated Sections 68-211-701 through 704 and 707, also known as the Jackson Law, as amended. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE REGARDING THE ISSUANCE OF NOT TO EXCEED FOURTEEN MILLION FOUR HUNDRED THOUSAND DOLLARS (\$14,400,000) GENERAL OBLIGATION BONDS OF KNOX COUNTY, TENNESSEE: R-11-10-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee regarding the issuance of not to exceed fourteen million four hundred thousand dollars (\$14,400,000) general obligation bonds of Knox County, Tennessee was before the Board of Commissioners.

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

Commissioner Anders moved to approve R-11-10-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee regarding the issuance of not to exceed fourteen million four hundred thousand dollars (\$14,400,000) general obligation bonds of Knox County, Tennessee. Commissioner Shouse seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FOURTEEN MILLION FOUR HUNDRED THOUSAND DOLLARS (\$14,400,000.00) OF KNOX COUNTY, TENNESSEE; MAKING PROVISION FOR THE ISSUANCE, SALE AND PAYMENT OF SAID BONDS; ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION OF PROCEEDS THEREFROM; PROVIDING FOR THE LEVY OF TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS: R-11-10-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the issuance of general obligation bonds, in the aggregate principal amount of not to exceed fourteen million four hundred thousand dollars (\$14,400,000.00) of Knox County, Tennessee; making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds was before the Board of Commissioners.

Commissioner Anders moved to approve R-11-10-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the issuance of general obligation bonds, in the aggregate principal amount of not to exceed fourteen million four hundred thousand dollars (\$14,400,000.00) of Knox County, Tennessee; making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds. Commissioner Brown seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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**IN RE: CONSIDERATION OF A RESOLUTION OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE (1) AUTHORIZING
THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS
IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED
TWENTY-THREE MILLION FIVE HUNDRED THOUSAND
DOLLARS (\$23,500,000.00); MAKING PROVISION FOR THE
ISSUANCE, SALE AND PAYMENT OF SAID BONDS;
ESTABLISHING THE TERMS THEREOF AND THE DISPOSITION
OF PROCEEDS THEREFROM; PROVIDING FOR THE LEVY OF
TAXES FOR THE PAYMENT OF PRINCIPAL OF, PREMIUM, IF
ANY, AND INTEREST ON THE BONDS; AND (2) IN CONNECTION
WITH THE COUNTY'S SERIES VI-A-1 LOAN AGREEMENT, AND
SERIES VI-K-1 LOAN AGREEMENT, AND SERIES D-3-A LOAN
AGREEMENT AND THE RELATED PUBLIC BUILDING
AUTHORITY BONDS, AUTHORIZING THE CONVERSION OF THE
INTEREST RATE PERIOD TO THE INDEX RATE AND APPROVING
CERTAIN AMENDMENTS AND THE FORM AND EXECUTION AND
DELIVERY OF DOCUMENTS IN CONNECTION THEREWITH:
R-11-10-804:**

Consideration of a Resolution of the Commission of Knox County, Tennessee (1) authorizing the issuance of general obligation refunding bonds in the aggregate principal amount of not to exceed twenty-three million five hundred thousand dollars (\$23,500,000.00); making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds; and (2) in connection with the county's series VI-A-1 loan agreement, and series VI-K-1 loan agreement, and series D-3-A loan agreement and the related Public Building Authority bonds, authorizing the conversion of the interest rate period to the index rate and approving certain amendments and the form and execution and delivery of documents in connection therewith was before the Board of Commissioners.

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

Mr. Joe Ayres, Morgan Keegan, was present and spoke on the matter.

Commissioner McKenzie moved to approve R-11-10-804 -
Consideration of a Resolution of the Commission of Knox County, Tennessee (1) authorizing the issuance of general obligation refunding bonds in the aggregate principal amount of not to exceed twenty-three million five hundred thousand dollars (\$23,500,000.00); making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds; and (2) in connection with the county's series VI-A-1 loan agreement, and series VI-K-1 loan agreement, and series D-3-A loan agreement and the related Public Building Authority bonds, authorizing the conversion of the interest rate period to the index rate and approving certain amendments and the form and execution and delivery of documents in connection therewith.

Commissioner Briggs seconded the motion and upon roll call vote Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-0-1-1. Commissioner Smith recused himself from the vote. Commissioner Broyles arrived later in the meeting.

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IN RE: AMENDMENT TO THE AGENDA:

At this time R-11-10-801 was heard next on the agenda.

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

KNOX COUNTY FY 2011-2012 BUDGET TO APPROPRIATE \$1,577,611.64 FOR THE PURPOSE OF PROVIDING A THREE PERCENT (3%) PAY INCREASE FOR BUDGETED KNOX COUNTY EMPLOYEES, EFFECTIVE JANUARY 1, 2012: R-11-10-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County FY 2011-2012 Budget to appropriate \$1,577,611.64 for the purpose of providing a three percent (3%) pay increase for budgeted Knox County employees, effective January 1, 2012 was before the Board of Commissioners.

Ms. Frances Fogerson, Director, Knox County Human Resources, was present and spoke on the matter.

Mr. Tim Burchett, Knox County Mayor, was present and spoke on the matter.

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

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

Commissioner Anders moved to approve R-11-10-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County FY 2011-2012 Budget to appropriate \$1,577,611.64 for the purpose of providing a three percent (3%) pay increase for budgeted Knox County employees, effective January 1, 2012. Commissioner Brown seconded the motion.

Commissioner McKenzie moved as a substitute motion to make the 3% raise retroactive to July 1, 2011. The motion failed for lack of a second.

Commissioner Wright moved as a substitute motion to take the money and divide it on a monthly basis and each person would receive the same amount regarding R-11-10-801 – Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County FY 2011-2012 Budget to appropriate \$1,577,611.64 for the purpose of providing a three percent (3%) pay increase for budgeted Knox County employees, effective January 1, 2012. Commissioner Norman seconded the motion and upon roll call vote Commissioners Norman and Wright voted aye. Commissioners McKenzie, Ownby, Briggs, Anders, Smith, Brown, Hammond and Shouse voted no. The substitute motion failed 2-8-0-1. Commissioner Broyles arrived later in the meeting.

Upon roll call vote of the original motion to approve R-11-10-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee amending the Knox County FY 2011-2012 Budget to appropriate \$1,577,611.64 for the purpose of providing a three percent (3%) pay

increase for budgeted Knox County employees, effective January 1, 2012, Commissioners McKenzie, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 10-0-0-1. Commissioner Broyles arrived later in the meeting.

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IN RE: ORDINANCES ON FIRST READING:

**IN RE: CONSIDERATION OF AN ORDINANCE OF THE
COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX
COUNTY CODE, SECTION 2-31 ENTITLED "DISTRICTS" TO
ESTABLISH THE COUNTY COMMISSION DISTRICTS FOR THE
COUNTY OF KNOX (ORD. NO. O-91-11-104, ADOPTED 12-16-91;
ORD. NO. O-01-7-103, ADOPTED 8-27-01: ORD. O-09-8-103,
ADOPTED 9-28-09): O-11-10-101: FIRST READING:**

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Section 2-31 entitled "Districts" to establish the County Commission Districts for the County of Knox (Ord. No. O-91-11-104, adopted 12-16-91; Ord. No. O-01-7-103, adopted 8-27-01: Ord. O-09-8-103, adopted 9-28-09) O-11-10-101 was before the Board of Commissioners on first reading.

Mr. Tim Kuhn, Manager, Geographic Information Services, was present and spoke on the matter.

Mr. Clifford Rogers, Administrator of Elections, was present and spoke on the matter.

Ms. Jamie Dobbs, President, League of Women Voters, was present and spoke on the matter.

Commissioner Briggs moved to approve Plan 2A on O-11-10-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Section 2-31 entitled "Districts" to establish the County Commission Districts for the County of Knox (Ord. No. O-91-11-104, adopted 12-16-91; Ord. No. O-01-7-103, adopted 8-27-01: Ord. O-09-8-103, adopted 9-28-09) on first reading. Commissioner Anders seconded the motion and upon roll call vote Commissioners McKenzie, Briggs, Anders and Shouse voted aye. Commissioners Norman, Ownby, Smith, Wright, Brown and Hammond voted no. The motion failed 4-6-0-1. Commissioner Broyles was absent from the vote.

Commissioner McKenzie moved to approve Plan 3A on O-11-10-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Section 2-31 entitled "Districts" to establish the County Commission Districts for the County of

Knox (Ord. No. O-91-11-104, adopted 12-16-91; Ord. No. O-01-7-103, adopted 8-27-01; Ord. O-09-8-103, adopted 9-28-09) on first reading. Commissioner Smith seconded the motion.

Commissioner Briggs moved as a substitute motion to approve Plan 1A on O-11-10-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Section 2-31 entitled "Districts" to establish the County Commission Districts for the County of Knox (Ord. No. O-91-11-104, adopted 12-16-91; Ord. No. O-01-7-103, adopted 8-27-01; Ord. O-09-8-103, adopted 9-28-09) on first reading. Commissioner Norman seconded the motion and upon roll call vote Commissioners Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners McKenzie and Broyles voted no. The substitute motion carried 9-2-0-0.

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IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING CHAPTER 2 OF THE KNOX COUNTY CODE ENTITLED "ADMINISTRATION" BY ADDING A NEW ARTICLE XIII TO ESTABLISH THE BOARD OF EDUCATION DISTRICTS FOR THE COUNTY OF KNOX (ORD. NO. O-01-11-101-SS, ADOPTED 11-19-01; ORD. NO. O-01-12-104, ADOPTED 1-28-02): O-11-101-102: FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2 of the Knox County Code entitled "Administration" by adding a new Article XIII to establish the Board of Education Districts for the County of Knox (Ord. No. O-01-11-101-SS, adopted 11-19-01; Ord. No. O-01-12-104, adopted 1-28-02) was before the Board of Commissioners on first reading.

Ms. Cynthia Buttry, School Board Member, was present and spoke on the matter.

Mr. Tim Kuhn, Manager, Geographic Information Services, was present and spoke on the matter.

Mr. Clifford Rogers, Administrator of Elections, was present and spoke on the matter.

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

Commissioner Wright moved to approve Plan 1A on O-11-10-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2 of the Knox County Code entitled "Administration" by adding a new Article XIII to establish the Board of

Education Districts for the County of Knox (Ord. No. O-01-11-101-SS, adopted 11-19-01; Ord. No. O-01-12-104, adopted 1-28-02) on first reading. Commissioner McKenzie seconded the motion.

Commissioner Anders moved as a substitute motion to approve Plan 3A on O-11-10-102 Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2 of the Knox County Code entitled "Administration" by adding a new Article XIII to establish the Board of Education Districts for the County of Knox (Ord. No. O-01-11-101-SS, adopted 11-19-01; Ord. No. O-01-12-104, adopted 1-28-02) on first reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners Ownby, Anders, Brown and Shouse voted aye. Commissioners McKenzie, Broyles, Norman, Briggs, Smith, Wright and Hammond voted no. The substitute motion failed 4-7-0-0.

Upon roll call vote of the original motion to approve Plan 1A on O-11-10-102 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2 of the Knox County Code entitled "Administration" by adding a new Article XIII to establish the Board of Education Districts for the County of Knox (Ord. No. O-01-11-101-SS, adopted 11-19-01; Ord. No. O-01-12-104, adopted 1-28-02) on first reading, Commissioners McKenzie, Ownby, Briggs, Smith, Wright, Brown, Hammond and Shouse voted aye. Commissioners Broyles, Norman and Anders voted no. The original motion carried 8-3-0-0.

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IN RE: ORDINANCES ON SECOND READNG:

No Ordinances received for second reading.

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IN RE: PUBLIC FORUM:

No one present to speak under public forum.

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IN RE: AMENDMENT TO THE AGENDA:

Commissioner Anders moved to hold a Special Session of the Board of Commissioners on Thursday, November 10, 2011 at 4:30 p.m. in the Main Assembly Room regarding the second reading of Ordinances O-11-101-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Section 2-31 entitled "Districts" to establish the County Commission Districts for the County of Knox (Ord. No. O-91-11-104, adopted 12-16-91; Ord. No. O-01-7-103, adopted 8-27-01; Ord. O-09-8-103, adopted 9-28-09) and O-11-101-102 – Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Chapter 2 of the Knox County Code entitled

“Administration” by adding a new Article XIII to establish the Board of Education Districts for the County of Knox (Ord. No. O-01-11-101-SS, adopted 11-19-01; Ord. No. O-01-12-104, adopted 1-28-02. Commissioner Smith seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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

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IN RE: OTHER BUSINESS:

IN RE: Discussion regarding an amendment to the Commission Meeting Rules of Procedure was before the Board of Commissioners. No action was taken.

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IN RE: Discussion regarding county finances was before the Board of Commissioners.

Mr. John Duncan, Knox County Trustee, was present and spoke on the matter.

No action was taken.

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IN RE: Discussion regarding hillsides was before the Board of Commissioners.

Commissioner Norman spoke on the matter.

No action was taken.

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IN RE: ZONINGS:

Request of Vance and Pam Griffin for rezoning from RA (Low Density Residential) to A (Agricultural) was before the Board of Commissioners. Property located southwest side Shoffner Lane, northwest of Griffith Road. 7th Commission District. 6-D-11-RZ.

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

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

Commissioner Smith moved to deny 6-D-11-RZ - Request of Vance and Pam Griffin for rezoning from RA (Low Density Residential) to A (Agricultural). Property located southwest side Shoffner Lane, northwest of Griffith Road. 7th Commission District. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles,

Norman, Ownby, Briggs, Anders, Smith, Wright, Brown and Hammond voted aye. The motion carried 10-0-0-1. Commissioner Shouse was absent from the vote.

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Request of the Metropolitan Planning Commission to adopt the South City Sector Plan. 9th Commission District was before the Board of Commissioners. 8-A-11-SAP.

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

Commissioner Brown moved to defer to the November Board of Commissioners meeting 8-A-11-SAP - Request of the Metropolitan Planning Commission to adopt the South City Sector Plan. 9th Commission District. 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 vote. The motion carried 10-0-0-1.

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IN RE: Request of Oliver A. Smith for Southwest County Sector Plan amendment from LDR (Low Density Residential) to O (Office) 6-H-06-SP was before the Board of Commissioners. Property located northeast side of Lake Heritage Way, southwest side I-140, southeast of Westland Drive. 5th Commission District.

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

Commissioner Briggs moved to approve 6-H-06-SP - Request of Oliver A. Smith for Southwest County Sector Plan amendment from LDR (Low Density Residential) to O (Office) as per Metropolitan Planning Commission's Recommendation: Adopt Resolution #6-H-06-SP amending the Southwest County Sector Plan to O (Office) and recommend the Knox County Commission also adopt the amendment. 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 vote. The motion carried 10-0-0-1. RZ-11-10-101:

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IN RE: Request of Oliver A. Smith for rezoning from PR (Planned Residential) and CA (General Business) to OB (Office, Medical and Related Services) 6-S-06-RZ was before the Board of Commissioners. Property located on the northeast side of Lake Heritage Way, southwest of I-140, southeast of Westland Drive. 5th Commission District.

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

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

Commissioner Briggs moved to approve 6-S-06-RZ - Request of Oliver A. Smith for rezoning from PR (Planned Residential) and CA (General Business) to OB (Office, Medical and Related Services) as per Metropolitan Planning Commission's recommendation: Approve OB (Office, Medical, and Related Services). 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 vote. The motion carried 10-0-0-1. RZ-11-10-102:

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IN RE: Request of Benchmark Associates, Inc. for rezoning from PC (Planned Commercial) /TO (Technology Overlay) to OB (Office, Medical and Related Services) /TO (Technology Overlay) 9-B-11-RZ was before the Board of Commissioners. Property located southeast side Greenland Way, southeast of Hardin Valley Road. 6th Commission District.

Mr. Tim Kelly, Benchmark Associates, Inc. was present and spoke on behalf of the request.

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

Commissioner Anders moved to approve 9-B-11-RZ - Request of Benchmark Associates, Inc. for rezoning from PC (Planned Commercial) /TO (Technology Overlay) to OB (Office, Medical and Related Services) /TO (Technology Overlay) as per Metropolitan Planning Commission's Recommendation: Recommend the Knox County Commission approve OB (Office, Medical and Related Services)/TO(Technology Overlay). Property located southeast side Greenland Way, southeast of Hardin Valley Road. 6th Commission District. Commissioner Briggs 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 vote. The motion carried 10-0-0-1. RZ-11-10-103:

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IN RE: Request of Anne Folsom Smith for rezoning from A (Agricultural) to OB (Office, Medical and Related Services)

9-D-11-RZ was before the Board of Commissioners. Property located northeast side Huckleberry Lane, southeast of Strawberry Plains Pike. Commission District 8.

Commissioner Wright moved to defer to the November Board of Commissioners meeting 9-D-11-RZ - Request of Anne Folsom Smith for rezoning from A (Agricultural) to OB (Office, Medical and Related Services). Property located northeast side Huckleberry Lane, southeast of Strawberry Plains. Pike. Commission District 8. Commissioner Broyles 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 vote. The motion carried 10-0-0-1.

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IN RE: ADJOURNMENT:

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

MIKE HAMMOND, CHAIRMAN