

KNOX COUNTY BOARD OF COMMISSIONERS

The Knox County Board of Commissioners met in Regular Session on Monday, February 24, 2014 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. David Buuck, Knox County Chief Deputy Law Director, Mr. Chris Caldwell, Director, Knox County Finance, Dr. James McIntyre, Jr., Knox County Superintendent of Schools, Mr. J.J. Jones, Knox County Sheriff, Mr. Dwight Van de Vate, Director, Engineering and Public Works, Mr. Mark Jones, Senior Director for Knox County Human Resources and Risk Management, Mr. Hugh Holt, Director, Knox County Purchasing and news media.

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

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IN RE: CALL TO ORDER/ROLL CALL: (1:45 P.M.)

Commissioner Anders called the meeting to order.

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

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IN RE: PUBLIC FORUM:

Mr. Xavier Presley, concerned citizen was present and spoke regarding the School Board retreat.

No action was taken.

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Mrs. Carolyn Greenwood, concerned citizen was present and spoke regarding a billboard at the Karns red light.

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

Mr. Richard Armstrong, Knox County Law Director, was present and spoke on the matter.

No action was taken.

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IN RE: AMENDMENT TO THE AGENDA:

Without objection, Commissioner Anders stated that Resolution

R-14-2-101 – Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Fulton High School Marching Band would be heard at 4:45P.M.

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IN RE: CALL TO ORDER/ROLL CALL: (2:00 P.M.)

Commissioner Anders called the meeting to order.

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

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IN RE: DEVOTIONAL:

Commissioner Broyles gave the devotional.

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IN RE: PLEDGE TO THE FLAG:

Commissioner Norman led the Pledge 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 January 27, 2014 was before the Board of Commissioners.

Commissioner Smith moved to approve the minutes of the previous meeting held on January 27, 2014. Commissioner Shouse 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:

Commissioner Brown moved to amend the agenda as follows:

The Knox County Law Department handed out the contract that goes with R-14-2-405 – Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the exchange of 3.99 acres of real property located at 7330 Oak Ridge Highway, Knox County, Tennessee, and a permanent ingress and egress easement to said real property from Traci K. Smith, Rufus Haynes Smith, III, and James Thomas Smith to Knox County and 3.99 acres of real property located at 3106 Water plant Road, Knox County, Tennessee, from Knox County to Rufus H. Smith, Jr. & Company, LLC, a Tennessee LLC, said transfer of properties and easement being contingent upon the execution of a contract by the parties regarding the transfer of the properties and easement; and approving the sale by Knox County, Tennessee, to Rufus H. Smith, Jr. & Company, LLC of the

remaining 9.61 acres of real property owned by Knox County at 3106 Water Plant Road for the purchase price of \$409,838.25.

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Add R-14-2-110 – Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor’s reappointment of Bill Belser to serve on the Knox County Historic Zoning Commission.

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Defer to the March 2014 Board of Commissioners meeting and also add to the agenda R-14-2-903 –Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the Public Building Authority and the Knox County Department of Information Technology to perform an analysis of the Main and Small Assembly Rooms and recommend updates to technology in those rooms including an electronic voting tracking system.

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Add to the regular agenda R-14-2-904 – Consideration of a Resolution of the Commission of Knox County, Tennessee expressing support of SB 2464/HB 2371 to abolish annexation by ordinance at the initiative of a municipality, which act is known as the “End of Forced Annexation of Tennessee Act.”

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Add a discussion item regarding the Tazewell Pike Development.

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Add a discussion item regarding the Arena Use Committee.

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Add a discussion item regarding the School Board’s retreat.

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Add to the regular agenda R-14-2-407 –Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with M. A. Schubert, Jr. & John C. Schubert, Trustees, for property located at 0 Westland Drive.

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Add to the agenda recognizing Regal Cinemas regarding the pedestrian bridge to connect with the Halls Greenway.

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Add Line Item Transfers.

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Withdraw from the agenda R-14-2-805 – Consideration of a Resolution of the Commission of Knox County, Tennessee amending Resolution R-13-9-805 previously approved by the Commission of Knox County, Tennessee determining

the method of disposal of property owned by Knox County and located at 3106 Water Plant Road to be by negotiated exchange and sale with Traci K. Smith, Rufus Haynes Smith, III, James Thomas Smith, and Rufus H. Smith, Jr. & Company, LLC.

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Defer to the March 2014 Board of Commissioners Agenda Work Session R-14-2-204 – Consideration of a Resolution of the Commission of Knox County, Tennessee approving a lease agreement with the Boys & Girls Club of the Tennessee Valley for utilization of the former Carter Elementary School gymnasium and associated classrooms and property.

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:

Consideration of the closure of a portion of Brandon Road. Road located off Clearfield Road in Wedgewood Hills Subdivision Unit 1 in Commission District 3. Property owner is Cedar Springs Presbyterian Church was before the Board of Commissioners on second reading.

Commissioner Ownby moved to approve consideration of the closure of a portion of Brandon Road. Road located off Clearfield Road in Wedgewood Hills Subdivision Unit 1 in Commission District 3. Property owner is Cedar Springs Presbyterian Church on second reading. 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: LINE ITEM TRANSFERS:

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

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

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IN RE: NOTARY APPLICATIONS:

Consideration of Notary Applications was before the Board of Commissioners.

Commissioner Hammond moved to approve 169 Notary Applications. 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 CONFIRMING THE KNOX COUNTY MAYOR'S REAPPOINTMENT OF BILL BELSER TO SERVE ON THE KNOX COUNTY HISTORIC ZONING COMMISSION:R-14-2-110:

Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor's reappointment of Bill Belser to serve on the Knox County Historic Zoning Commission was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-110 - Consideration of a Resolution of the Commission of Knox County, Tennessee confirming the Knox County Mayor's reappointment of Bill Belser to serve on the Knox County Historic Zoning Commission. 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 AGREEMENTS WITH SCHOOLWIRES, INC. FOR SERVICES AND SUPPORT RELATED TO A COMPREHENSIVE DISTRICT WEB CONTENT MANAGEMENT SYSTEM IN THE AMOUNT OF \$50,390.00 FOR A (5) MONTH PERIOD BEGINNING FEBRUARY 1, 2014 AND ENDING JUNE 30, 2014 AND \$106,800.00 PER YEAR FOR A THREE (3) YEAR PERIOD BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2017 WITH THE OPTION TO RENEW ANNUALLY FOR AN ADDITIONAL SEVEN (7) YEARS FOR A TOTAL OF TEN (10) YEARS: R-14-2-201:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving agreements with Schoolwires, Inc. for services and support related to a comprehensive district web content management system in the amount of \$50,390.00 for a (5) month period beginning February 1, 2014 and ending June 30, 2014 and \$106,800.00 per year for a three (3) year period beginning July 1, 2014 and ending June 30, 2017 with the option to renew annually for an additional

seven (7) years for a total of ten (10) years was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-201 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving agreements with Schoolwires, Inc. for services and support related to a comprehensive district web content management system in the amount of \$50,390.00 for a (5) month period beginning February 1, 2014 and ending June 30, 2014 and \$106,800.00 per year for a three (3) year period beginning July 1, 2014 and ending June 30, 2017 with the option to renew annually for an additional seven (7) years for a total of ten (10) years. 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 A CONTRACT WITH BACKFLOW SPECIALTY CO., INC. IN THE AMOUNT NOT TO EXCEED \$80,000.00 ANNUALLY FOR THE PROVISION OF BACKFLOW INSPECTION, REPAIR AND INSTALLATION SERVICES AS NEEDED FOR THE KNOX COUNTY SCHOOLS MAINTENANCE AND OPERATIONS DEPARTMENT. (FIRST YEAR FUNDED IN CURRENT BUDGET): R-14-2-202:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Backflow Specialty Co., Inc. in the amount not to exceed \$80,000.00 annually for the provision of backflow inspection, repair and installation services as needed for the Knox County Schools Maintenance and Operations Department. (First year funded in current budget) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-202 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Backflow Specialty Co., Inc. in the amount not to exceed \$80,000.00 annually for the provision of backflow inspection, repair and installation services as needed for the Knox County Schools Maintenance and Operations Department. (First year funded in current budget). 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 A CONTRACT IN THE AMOUNT OF \$1,343,670.00 WITH K&F CONSTRUCTION, INC. FOR THE AUSTIN-EAST HIGH SCHOOL STADIUM REPLACEMENT:R-14-2-203:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$1,343,670.00 with K&F Construction, Inc. for the Austin-East High School stadium replacement was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-203 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract in the amount of \$1,343,670.00 with K&F Construction, Inc. for the Austin-East High School stadium replacement. 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 A GRANT IN THE AMOUNT OF \$1,000.00 FROM THE EAST TENNESSEE FOUNDATION TO PURCHASE BULLETPROOF VESTS FOR THE K-9 DIVISION OF THE KNOX COUNTY SHERIFF'S OFFICE. (NO LOCAL MATCH REQUIRED): R-14-2-301:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant in the amount of \$1,000.00 from the East Tennessee Foundation to purchase bulletproof vests for the K-9 division of the Knox County Sheriff's Office (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-301 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant in the amount of \$1,000.00 from the East Tennessee Foundation to purchase bulletproof vests for the K-9 division of the Knox County Sheriff's Office. (No local match required) 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 COVENANTS FOR STORMWATER MAINTENANCE AND BEST MANAGEMENT PRACTICES WITH TMAC, LLC FOR PROPERTY LOCATED AT 0 VIEWCREST LANE:

R-14-2-401:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Stormwater Maintenance and Best Management Practices with TMAC, LLC for property located at 0 Viewcrest Lane was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-401 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Stormwater Maintenance and Best Management Practices with TMAC, LLC for property located at 0 Viewcrest Lane. 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 BUDGET SUPPLEMENT AGREEMENT NO. 1 IN THE AMOUNT OF \$102,610.00 WITH CANNON & CANNON, INC. FOR PROFESSIONAL SURVEY AND ENGINEERING DESIGN SERVICES FOR ROADWAY IMPROVEMENTS RELATED TO PHASE 2 OF THE KARNS CONNECTOR ROADWAY PROJECT: (FUNDED IN CURRENT BUDGET):R-14-2-402:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Budget Supplement Agreement No. 1 in the amount of \$102,610.00 with Cannon & Cannon, Inc. for professional survey and engineering design services for roadway improvements related to Phase 2 of the Karns Connector Roadway Project: (Funded in current budget) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-402 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Budget Supplement Agreement No. 1 in the amount of \$102,610.00 with Cannon & Cannon, Inc. for professional survey and engineering design services for roadway improvements related to Phase 2 of the Karns Connector Roadway Project: (Funded in current budget). 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 A UTILITY EASEMENT

AGREEMENT IN THE AMOUNT OF \$150.00 WITH THE KNOXVILLE UTILITIES BOARD (KUB) FOR A PERMANENT UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT ON KNOX COUNTY OWNED PROPERTY LOCATED AT 4258 IVY AVENUE FOR THE PURPOSE OF UPGRADING OVERHEAD FACILITIES. (AGREEMENT DOES NOT REQUIRE AN EXPENDITURE OF FUNDS):R-14-2-403:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a utility easement agreement in the amount of \$150.00 with the Knoxville Utilities Board (KUB) for a permanent utility easement and temporary construction easement on Knox County owned property located at 4258 Ivy Avenue for the purpose of upgrading overhead facilities. (Agreement does not require an expenditure of funds) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-403 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a utility easement agreement in the amount of \$150.00 with the Knoxville Utilities Board (KUB) for a permanent utility easement and temporary construction easement on Knox County owned property located at 4258 Ivy Avenue for the purpose of upgrading overhead facilities. (Agreement does not require an expenditure of funds). 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 CONTRACTS WITH VOLUNTEER EROSION CONTROL, LLC AND OUTDOOR DESIGNS PROFESSIONAL SERVICES FOR VARIOUS DRAINAGE IMPROVEMENTS AS SPECIFIED IN THE KNOX COUNTY ENVIRONMENTAL STEWARDSHIP PROGRAM: (FIRST YEAR FUNDED IN CURRENT BUDGET):R-14-2-404:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Volunteer Erosion Control, LLC and Outdoor Designs Professional Services for various drainage improvements as specified in the Knox County Environmental Stewardship Program: (First year funded in current budget) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-404 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving contracts with Volunteer Erosion Control, LLC and Outdoor Designs Professional Services for various drainage improvements as specified in the Knox County Environmental Stewardship Program: (First year funded in current budget). 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 A GRANT CONTRACT IN THE AMOUNT OF \$4,000.00 WITH THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR THE COLLECTION AND RECYCLING OF USED OIL AT KNOX COUNTY CONVENIENCE CENTERS. (NO LOCAL MATCH REQUIRED):R-14-2-406:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$4,000.00 with the Tennessee Department of Environment and Conservation for the Collection and Recycling of used oil at Knox County Convenience Centers. (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-406 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$4,000.00 with the Tennessee Department of Environment and Conservation for the Collection and Recycling of used oil at Knox County Convenience Centers. (No local match required). 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 AN AGREEMENT WITH CATHOLIC CHARITIES OF EAST TENNESSEE TO PROVIDE \$75,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR THE PURCHASE AND INSTALLATION OF A DIESEL GENERATOR AT THE SAMARITAN PLACE FACILITY. (FEDERALLY FUNDED THROUGH HUD CDBG PROGRAM FUNDS AND THESE FUNDS WILL BE MATCHED WITH PRIVATE FOUNDATION FUNDING IN THE AMOUNT OF \$35,000.00):R-14-2-501:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Catholic Charities of East Tennessee to provide \$75,000.00 in Community Development Block Grant (CDBG) funds for the purchase and installation of a diesel generator at the Samaritan Place Facility. (Federally funded through HUD CDBG Program funds and these funds will be matched with private foundation funding in the amount of \$35,000.00) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-501 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement with Catholic Charities of East Tennessee to provide \$75,000.00 in Community Development Block Grant (CDBG) funds for the purchase and installation of a diesel generator at the Samaritan Place Facility. (Federally funded through HUD CDBG Program funds and these funds will be matched with private foundation funding in the amount of \$35,000.00). 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 A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) OPERATING AGREEMENT WITH KNOX COUNTY PARTNERSHIP TO PROVIDE A TOTAL OF \$29,000.00 IN CHDO OPERATING FUNDS FOR ADMINISTRATIVE EXPENSES RELATED TO THE DEMOLITION AND CONSTRUCTION OF A SINGLE-FAMILY HOUSE LOCATED AT 6008 ATKINS ROAD FOR SALE TO A FIRST-TIME HOMEBUYER. (FEDERALLY FUNDED THROUGH HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM FUNDS AND WHICH AMOUNT WAS INCLUDED IN THE KNOX HOUSING PARTNERSHIP CHDO AGREEMENT APPROVED BY RESOLUTION R-14-1-502 OF THE KNOX COUNTY COMMISSION): R-14-2-502:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Community Housing Development Organization (CHDO) Operating Agreement with Knox County Partnership to provide a total of \$29,000.00 in CHDO operating funds for administrative expenses related to the demolition and construction of a single-family house located at 6008 Atkins Road for sale to a first-time homebuyer. (Federally funded through Home Investment Partnerships (HOME) Program funds and which amount was included in the Knox Housing Partnership CHDO Agreement approved by Resolution R-14-1-502 of the Knox County Commission) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-502 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a Community Housing Development Organization (CHDO) Operating Agreement with Knox County Partnership to provide a total of \$29,000.00 in CHDO operating funds for administrative expenses related to the demolition and construction of a single-family house located at 6008 Atkins Road for sale to a first-time homebuyer. (Federally funded through Home Investment Partnerships (HOME) Program funds and which amount was included in the Knox Housing Partnership

CHDO Agreement approved by Resolution R-14-1-502 of the Knox County Commission). 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 AMENDMENT NO. ONE TO THE COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) AGREEMENT WITH NEIGHBORHOOD HOUSING, INC. RELATIVE TO THE CONSTRUCTION OF FOUR (4) SINGLE FAMILY HOMES, WHICH AMENDMENT PROVIDES FOR MULTIPLE CHANGES TO THE AGREEMENT, INCLUDING BUT NOT LIMITED TO THE SCOPE OF SERVICES, TERM, AFFORDABILITY REQUIREMENTS, AND PROJECT TIMELINE. (CONTRACT DOES NOT REQUIRE AN EXPENDITURE OF FUNDS):R-14-2-503:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment No. One to the Community Housing Development Organization (CHDO) Agreement with Neighborhood Housing, Inc. relative to the construction of four (4) single family homes, which amendment provides for multiple changes to the agreement, including but not limited to the scope of services, term, affordability requirements, and project timeline. (Contract does not require an expenditure of funds) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-503 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment No. One to the Community Housing Development Organization (CHDO) Agreement with Neighborhood Housing, Inc. relative to the construction of four (4) single family homes, which amendment provides for multiple changes to the agreement, including but not limited to the scope of services, term, affordability requirements, and project timeline. (Contract does not require an expenditure of funds). 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, APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$40,000.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR RAPE PREVENTION EDUCATION SERVICES. (NO LOCAL MATCH REQUIRED):R-14-2-601:

Consideration of a Resolution of the Commission of Knox County, approving a grant contract in the amount of \$40,000.00 with the Tennessee

Department of Health for Rape Prevention Education Services. (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-601 - Consideration of a Resolution of the Commission of Knox County, approving a grant contract in the amount of \$40,000.00 with the Tennessee Department of Health for Rape Prevention Education Services. (No local match required). 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 A GRANT CONTRACT IN THE AMOUNT OF \$283,300.00 WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR IMMUNIZATION SERVICES. (NO LOCAL MATCH REQUIRED):R-14-2-602:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$283,300.00 with the Tennessee Department of Health for Immunization Services. (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-602 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$283,300.00 with the Tennessee Department of Health for Immunization Services. (No local match required). 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 AMENDMENT 1 TO A GRANT CONTRACT WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR THE PROVISION OF TENNDERCARE OUTREACH SERVICES, WHICH AMENDMENT INCREASES THE MAXIMUM LIABILITY OF THE STATE UNDER THE GRANT BY \$65,300.00, FOR A TOTAL GRANT AMOUNT OF \$401,600.00, TO ESTABLISH THE WELCOME BABY PROJECT. (NO LOCAL MATCH REQUIRED):R-14-2-603:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment 1 to a grant contract with the Tennessee Department of Health for the provision of TENNderCare outreach services, which amendment increases the maximum liability of the State under the grant by

\$65,300.00, for a total grant amount of \$401,600.00, to establish the Welcome Baby Project. (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-603 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Amendment 1 to a grant contract with the Tennessee Department of Health for the provision of TENNderCare outreach services, which amendment increases the maximum liability of the State under the grant by \$65,300.00, for a total grant amount of \$401,600.00, to establish the Welcome Baby Project. (No local match required). 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 AN AGREEMENT FOR THE ACCEPTANCE OF A \$3,500.00 AWARD FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) TO BUILD THE CAPACITY OF KNOX COUNTY MEDICAL RESERVE CORPS (MRC) UNIT 0298. (NO LOCAL MATCH REQUIRED): R-14-2-604:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement for the acceptance of a \$3,500.00 Award from the National Association of County and City Health Officials (NACCHO) to build the capacity of Knox County Medical Reserve Corps (MRC) Unit 0298. (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-604 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an agreement for the acceptance of a \$3,500.00 Award from the National Association of County and City Health Officials (NACCHO) to build the capacity of Knox County Medical Reserve Corps (MRC) Unit 0298. (No local match required). 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 A FIVE-YEAR GRANT CONTRACT IN THE AMOUNT OF \$353,000.00, OR \$70,600.00 PER YEAR, WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR THE PROVISION OF CHRONIC DISEASE MANAGEMENT AND SCHOOL HEALTH PROMOTION SERVICES. (NO LOCAL MATCH REQUIRED):R-14-2-605:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a five-year grant contract in the amount of \$353,000.00, or \$70,600.00 per year, with the Tennessee Department of Health for the provision of Chronic Disease Management and School Health Promotion Services. (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-605 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a five-year grant contract in the amount of \$353,000.00, or \$70,600.00 per year, with the Tennessee Department of Health for the provision of Chronic Disease Management and School Health Promotion Services. (No local match required). 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 A GRANT CONTRACT IN THE AMOUNT OF \$39,700.00 (REQUIRES A LOCAL MATCH OF \$16,100.00) WITH THE TENNESSEE DEPARTMENT OF HEALTH FOR TOBACCO USE PREVENTION AND CONTROL SERVICES. (LOCAL MATCH FUNDED IN CURRENT BUDGET):R-14-2-606:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$39,700.00 (requires a local match of \$16,100.00) with the Tennessee Department of Health for Tobacco Use Prevention and Control Services. (Local match funded in current budget) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-606 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$39,700.00 (requires a local match of \$16,100.00) with the Tennessee Department of Health for Tobacco Use Prevention and Control Services. (Local match funded in current budget). 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 A CONTRACT WITH LASTING IMPRESSIONS LAWN CARE IN THE ESTIMATED ANNUAL AMOUNT OF \$62,000.00 TO PROVIDE MOWING AND GENERAL GROUNDS MAINTENANCE SERVICES FOR KNOX COUNTY PROPERTY MANAGEMENT. (FIRST YEAR FUNDED IN CURRENT BUDGET):

R-14-2-801:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Lasting Impressions Lawn Care in the estimated annual amount of \$62,000.00 to provide mowing and general grounds maintenance services for Knox County Property Management. (First year funded in current budget) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-801 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a contract with Lasting Impressions Lawn Care in the estimated annual amount of \$62,000.00 to provide mowing and general grounds maintenance services for Knox County Property Management. (First year funded in current budget). 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 REQUESTING THE UNCLAIMED BALANCE OF ACCOUNTS REMITTED TO THE STATE TREASURER UNDER THE UNCLAIMED PROPERTY ACT FOR THE REPORT YEAR ENDING DECEMBER 31, 2012: R-14-2-802:

Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the unclaimed balance of accounts remitted to the State Treasurer under the Unclaimed Property Act for the report year ending December 31, 2012 was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-802 - Consideration of a Resolution of the Commission of Knox County, Tennessee requesting the unclaimed balance of accounts remitted to the State Treasurer under the Unclaimed Property Act for the report year ending December 31, 2012. 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 A REAL ESTATE SALES CONTRACT IN THE AMOUNT OF \$17,000.00 PLUS THE BUYER'S PREMIUM WITH TOM MILLER FOR PROPERTY LOCATED AT 7128 TAZEWELL PIKE (PARCEL ID 02105815), ALSO KNOWN AS THE FORMER GIBBS CONVENIENCE CENTER. (AGREEMENT DOES NOT REQUIRE AN EXPENDITURE OF FUNDS): R-14-2-803:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a real estate sales contract in the amount of \$17,000.00 plus the buyer's premium with Tom Miller for property located at 7128 Tazewell Pike (Parcel ID 02105815), also known as the former Gibbs Convenience Center. (Agreement does not require an expenditure of funds) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-803 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a real estate sales contract in the amount of \$17,000.00 plus the buyer's premium with Tom Miller for property located at 7128 Tazewell Pike (Parcel ID 02105815), also known as the former Gibbs Convenience Center. (Agreement does not require an expenditure of funds). 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 STATING THE INTENT OF THE COUNTY TO REIMBURSE ANY COSTS INCURRED BY THE COUNTY RELATING TO PHASE III-C OF THE ENERGY CONSERVATION AND INFRASTRUCTURE IMPROVEMENT PROGRAM FOR KNOX COUNTY SCHOOLS FROM THE PROCEEDS OF A LEASE FINANCING AGREEMENT FOR WHICH THE COUNTY HAS REQUESTED PROPOSALS (RFP #1932):R-14-2-804:

Consideration of a Resolution of the Commission of Knox County, Tennessee stating the intent of the County to reimburse any costs incurred by the County relating to Phase III-C of the Energy Conservation and Infrastructure Improvement Program for Knox County Schools from the proceeds of a lease financing agreement for which the County has requested proposals (RFP #1932) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-804 - Consideration of a Resolution of the Commission of Knox County, Tennessee stating the intent of the County to reimburse any costs incurred by the County relating to Phase III-C of the Energy Conservation and Infrastructure Improvement Program for Knox County Schools from the proceeds of a lease financing agreement for which the County has requested proposals (RFP #1932). 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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RESOLUTION

A RESOLUTION OF THE COMMISSION
OF KNOX COUNTY, TENNESSEE
STATING THE INTENT OF THE COUNTY
TO REIMBURSE ANY COSTS INCURRED
BY THE COUNTY RELATING TO
PHASE III-C OF THE ENERGY CONSERVATION
AND INFRASTRUCTURE IMPROVEMENT
PROGRAM FOR KNOX COUNTY
SCHOOLS FROM THE PROCEEDS OF
A LEASE FINANCING AGREEMENT
FOR WHICH THE COUNTY HAS
REQUESTED PROPOSALS (RFP # 1932).

RESOLUTION: R-14-2-804

REQUESTED BY: COUNTY MAYOR AND
FINANCE DEPARTMENT

PREPARED BY: BASS, BERRY & SIMS PLC
KNOXVILLE, TN AND
KNOX COUNTY LAW
DIRECTOR'S OFFICE

APPROVED AS TO FORM
AND CORRECTNESS: *Richard B. Armstrong Jr.*
DIRECTOR OF LAW

APPROVED: 2/24/14
DATE

VETOED: _____
DATE

VETO
OVERRIDE: _____
DATE

MINUTE
BOOK _____ PAGE _____

WHEREAS, Knox County, Tennessee (the "County"), on behalf of the Knox County Board of Education, intends to make certain capital improvements relating to energy savings equipment pursuant to a program known as Phase III-C of the Energy Conservation and Infrastructure Improvement Program for Knox County Schools (the "Energy Savings Program"); and

WHEREAS, in order to pay the costs of the Energy Savings Program, the County has requested proposals (RFP # 1932) to enter into a lease financing agreement under which the selected vendor would acquire the necessary equipment and lease such equipment to the County (the "Lease Agreement"); and

WHEREAS, it is the intention of the County Commission (the "Governing Body") of the County to provide for the funding of the costs of the Energy Savings Program by entering into the Lease Agreement; and

WHEREAS, it has been and will be necessary to make expenditures for payment of costs relating to the Energy Savings Program prior to the execution of the Lease Agreement; and

WHEREAS, the Governing Body wishes to state its intentions with respect to reimbursement for said expenditures in accordance with the requirements of the regulations applicable thereto promulgated by the United States Department of Treasury.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF KNOX COUNTY AS FOLLOWS:

It is reasonably expected that the County will reimburse itself for capital expenditures made by the County in connection with the Energy Savings Program prior to the execution of the Lease Agreement. The County intends, upon receiving the necessary legislative approvals to do so, to reimburse all such expenditures by entering into the Lease Agreement.

BE IT FURTHER RESOLVED, the maximum principal amount expected to be available for paying the costs of the Energy Savings Program pursuant to the Lease Agreement is \$15,200,000.

BE IT FURTHER RESOLVED, this Resolution shall be placed in the minutes of the Governing Body and shall be made available for inspection by the general public at the office of the County Clerk.

BE IT FURTHER RESOLVED, the County reasonably anticipates that it will be permitted to reimburse the original expenditures from amounts available under the Lease Agreement.

BE IT FURTHER RESOLVED, this Resolution constitutes a declaration of official intent under Treas. Reg. §1.150-2.

BE IT FURTHER RESOLVED, that if any notifications are to be made to effectuate this Resolution, then the County Clerk is hereby requested to forward a copy of this Resolution to the proper authority.

BE IT FURTHER RESOLVED, that this Resolution is to take effect from and after its passage, as provided by the Charter of Knox County, Tennessee, the public welfare requiring it.

Bob Ales 2-24-14
Presiding Officer of the Commission Date

HOAG 2-25-14
County Clerk Date

Approved: [Signature] 3/10/14
County Mayor Date

Vetoed: _____
County Mayor Date

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE APPROVING A GRANT CONTRACT IN THE AMOUNT OF \$16,000.00 (NO LOCAL MATCH REQUIRED) WITH THE TENNESSEE EMERGENCY MANAGEMENT AGENCY (TEMA) TO PURCHASE EQUIPMENT TO ENHANCE CAPABILITIES TO RESPOND OFF-SITE DURING DEPARTMENT OF ENERGY (DOE) EMERGENCIES. (NO LOCAL MATCH REQUIRED): R-14-2-901:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$16,000.00 (No local match required) with the Tennessee Emergency Management Agency (TEMA) to purchase equipment to enhance capabilities to respond off-site during Department of Energy (DOE) emergencies. (No local match required) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-901 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving a grant contract in the amount of \$16,000.00 (No local match required) with the Tennessee Emergency Management Agency (TEMA) to purchase equipment to enhance capabilities to respond off-site during Department of Energy (DOE) emergencies. (No local match required). 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 AN EASEMENT AGREEMENT WITH REGAL CINEMAS, INC. FOR THE CONSTRUCTION AND MAINTENANCE OF A PEDESTRIAN BRIDGE ON KNOX COUNTY OWNED PROPERTY LOCATED AT HALLS GREENWAY PARK. (AGREEMENT DOES NOT REQUIRE AN EXPENDITURE OF FUNDS): R-14-2-902:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving an easement agreement with Regal Cinemas, Inc. for the construction and maintenance of a pedestrian bridge on Knox County owned property located at Halls Greenway Park. (Agreement does not require an expenditure of funds) was before the Board of Commissioners.

Commissioner Smith moved to approve R-14-2-902 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving an easement agreement with Regal Cinemas, Inc. for the construction and maintenance of a pedestrian bridge on Knox County owned property located at Halls Greenway Park. (Agreement does not require an expenditure of funds). 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 THE ACCEPTANCE OF NEW COUNTY ROADS:

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

- A. Orange Blossom Lane located in Greenbrook Subdivision, Unit 4, District 6.
- B. Cedar Branch Road located in Greenbrook Subdivision, Unit 4, District 6.
- C. Sunset Ridge Lane located in Mountain Place Subdivision, Unit III, District 9.
- D. Long Meadow Drive located in Mountain Place Subdivision, Unit II, District 9.
- E. Stonewood Creek Drive located in Stonewood Creek Subdivision, Unit II, District 8.
- F. Cedar Knoll Lane located in Stonewood Creek Subdivision, Unit II, District 8.

Commissioner Smith moved to approve the above acceptance of new county roads. 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: AMENDMENT TO THE AGENDA:

At this time Commissioner Smith introduced Mr. R. Jackson Pope and Mr. Ted Hatfield with Regal Cinemas regarding the Pedestrian Bridge to connect with the Halls Greenway.

Mr. R. Jackson Pope was present and spoke on the matter.

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IN RE: RESOLUTIONS:

IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AUTHORIZING THE EXCHANGE OF 3.99 ACRES OF REAL PROPERTY LOCATED AT 7330 OAK RIDGE HIGHWAY, KNOX COUNTY, TENNESSEE, AND A PERMANENT INGRESS AND EGRESS EASEMENT TO SAID REAL PROPERTY FROM TRACI K. SMITH, RUFUS HAYNES SMITH, III, AND JAMES THOMAS SMITH TO KNOX COUNTY AND 3.99 ACRES OF REAL PROPERTY LOCATED AT

3106 WATER PLANT ROAD, KNOX COUNTY, TENNESSEE, FROM KNOX COUNTY TO RUFUS H. SMITH, JR. & COMPANY, LLC, A TENNESSEE LLC, SAID TRANSFER OF PROPERTIES AND EASEMENT BEING CONTINGENT UPON THE EXECUTION OF A CONTRACT BY THE PARTIES REGARDING THE TRANSFER OF THE PROPERTIES AND EASEMENT; AND APPROVING THE SALE BY KNOX COUNTY, TENNESSEE, TO RUFUS H. SMITH, JR. & COMPANY, LLC OF THE REMAINING 9.61 ACRES OF REAL PROPERTY OWNED BY KNOX COUNTY AT 3106 WATER PLANT ROAD FOR THE PURCHASE PRICE OF \$409,838.25:R-14-2-405:

Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the exchange of 3.99 acres of real property located at 7330 Oak Ridge Highway, Knox County, Tennessee, and a permanent ingress and egress easement to said real property from Traci K. Smith, Rufus Haynes Smith, III, and James Thomas Smith to Knox County and 3.99 acres of real property located at 3106 Water plant Road, Knox County, Tennessee, from Knox County to Rufus H. Smith, Jr. & Company, LLC, a Tennessee LLC, said transfer of properties and easement being contingent upon the execution of a contract by the parties regarding the transfer of the properties and easement; and approving the sale by Knox County, Tennessee, to Rufus H. Smith, Jr. & Company, LLC of the remaining 9.61 acres of real property owned by Knox County at 3106 Water Plant Road for the purchase price of \$409,838.25 was before the Board of Commissioners.

Commissioner Anders moved to approve R-14-2-405 - Consideration of a Resolution of the Commission of Knox County, Tennessee authorizing the exchange of 3.99 acres of real property located at 7330 Oak Ridge Highway, Knox County, Tennessee, and a permanent ingress and egress easement to said real property from Traci K. Smith, Rufus Haynes Smith, III, and James Thomas Smith to Knox County and 3.99 acres of real property located at 3106 Water plant Road, Knox County, Tennessee, from Knox County to Rufus H. Smith, Jr. & Company, LLC, a Tennessee LLC, said transfer of properties and easement being contingent upon the execution of a contract by the parties regarding the transfer of the properties and easement; and approving the sale by Knox County, Tennessee, to Rufus H. Smith, Jr. & Company, LLC of the remaining 9.61 acres of real property owned by Knox County at 3106 Water Plant Road for the purchase price of \$409,838.25. Commissioner Wright seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE EXPRESSING SUPPORT OF SB 2464/HB 2371 TO ABOLISH ANNEXATION BY ORDINANCE AT THE INITIATIVE OF A MUNICIPALITY, WHICH ACT IS KNOWN AS THE “END OF FORCED ANNEXATION IN TENNESSEE ACT”:R-14-2-904:

Consideration of a Resolution of the Commission of Knox County, Tennessee expressing support of SB 2464/HB 2371 to abolish annexation by ordinance at the initiative of a municipality, which act is known as the “End of Forced Annexation in Tennessee Act” was before the Board of Commissioners.

Mr. Andy Andrew, concerned citizen, was present and spoke on the matter.

Commissioner Brown moved to approve R-14-2-904 - Consideration of a Resolution of the Commission of Knox County, Tennessee expressing support of SB 2464/HB 2371 to abolish annexation by ordinance at the initiative of a municipality, which act is known as the “End of Forced Annexation in Tennessee Act”. Commissioner Wright seconded the motion and upon roll call vote Commissioners Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-2-0-0. Commissioners McKenzie and Broyles voted no.

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IN RE: ORDINANCES ON FIRST READING:

IN RE: CONSIDERATION OF AN ORDINANCE OF THE COMMISSION OF KNOX COUNTY, TENNESSEE AMENDING KNOX COUNTY CODE, CHAPTER 2, SECTIONS 2-286, 2-771, AND 2-783 TO ADD LANGUAGE RELATIVE TO AN EMPLOYEE’S RIGHT TO SPEAK OPENLY AND FREELY REGARDING ANY ISSUE INVOLVING KNOX COUNTY GOVERNMENT, ITS AGENCIES, BOARDS OR ITS ELECTED OR APPOINTED OFFICIALS SO LONG AS SUCH SPEECH DOES NOT VIOLATE THE LAWS OF SLANDER AND LIBEL (ORD. NO. O-02-7-101, ADOPTED AUGUST 26, 2002 AND ORD. NO. O-11-7-102, ADOPTED AUGUST 22, 2011):O-14-2-101:FIRST READING:

Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 2, Sections 2-286, 2-771, and 2-783 to add language relative to an employee’s right to speak openly and freely regarding any issue involving Knox County government, its agencies, boards or its elected or appointed officials so long as such speech does not violate the laws of slander and libel (Ord. No. O-02-7-101, adopted August 26, 2002 and Ord. No. O-11-7-102, adopted August 22, 2011) was before the Board of Commissioners on first reading.

Commissioner Broyles moved to approve O-14-2-101 - Consideration of an Ordinance of the Commission of Knox County, Tennessee amending Knox County Code, Chapter 2, Sections 2-286, 2-771, and 2-783 to add language relative to an employee's right to speak openly and freely regarding any issue involving Knox County government, its agencies, boards or its elected or appointed officials so long as such speech does not violate the laws of slander and libel (Ord. No. O-02-7-101, adopted August 26, 2002 and Ord. No. O-11-7-102, adopted August 22, 2011) on first reading. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 11-0-0-0.

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IN RE: RESOLUTION:

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 M. A. SCHUBERT, JR. & JOHN C. SCHUBERT, TRUSTEES, FOR PROPERTY LOCATED AT 0 WESTLAND DRIVE:R-14-2-407:

Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with M. A. Schubert, Jr. & John C. Schubert, Trustees, for property located at 0 Westland Drive was before the Board of Commissioners.

Commissioner Anders moved to approve R-14-2-407 - Consideration of a Resolution of the Commission of Knox County, Tennessee approving Covenants for Permanent Maintenance of Stormwater Facilities and Best Management Practices with M. A. Schubert, Jr. & John C. Schubert, Trustees, for property located at 0 Westland Drive. 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: OTHER BUSINESS:

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

The Rules Committee will meet on March 17, 2014 at 1:00 p.m. in the Main Assembly Room of the City-County Building, Main Avenue.

No action was taken.

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IN RE: Discussion regarding compensation for public works employees during inclement weather was before the Board of Commissioners.

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

Mr. Chris Caldwell, Director, Knox County Finance, was present and spoke on the matter.

No action was taken.

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IN RE: Discussion regarding the status of the Sheriff Department's salary survey was before the Board of Commissioners.

Mr. Chris Caldwell, Director, Knox County Finance, was present and spoke on the matter.

No action was taken.

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IN RE: Discussion regarding the Tazewell Pike Development was before the Board of Commissioners.

Mr. Richard Armstrong, Knox County Law Director, was present and spoke on the matter.

No action was taken.

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IN RE: Discussion regarding the Arena Use Committee was before the Board of Commissioners.

No action was taken.

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

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

No action was taken.

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IN RE: **CALL TO ORDER/ROLL CALL (4:45 P.M.)**

Commissioner Anders called the meeting to order.

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

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IN RE: AMENDMENT TO THE AGENDA:

At this time R-14-2-101 was heard next on the agenda.

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IN RE: CONSIDERATION OF A RESOLUTION OF THE COMMISSION OF KNOX COUNTY, TENNESSEE HONORING THE FULTON HIGH SCHOOL MARCHING BAND:R-14-2-101:

Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Fulton High School Marching Band was before the Board of Commissioners.

Mr. David King, Band Director, Fulton High School, was present and thanked the Commissioners for the Resolution.

Commissioner McKenzie moved to approve R-14-2-101 - Consideration of a Resolution of the Commission of Knox County, Tennessee honoring the Fulton High School Marching Band. Commissioner Broyles seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown, Hammond and Shouse voted aye. Commissioner Smith was absent from the vote. The motion carried 10-0-0-1.

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IN RE: ZONING REQUESTS:

IN RE: Request of Orlino Baldonado for a Northwest County Sector Plan Amendment from TP (Technology Park) to GC (General Commercial) 1-D-14-SP was before the Board of Commissioners. Property located north side Hardin Valley Road, east of Cherahala Boulevard. Commission District 6.

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

Commissioner Anders moved to approve 1-D-14-SP - Request of Orlino Baldonado for a Northwest County Sector Plan Amendment from TP (Technology Park) to GC (General Commercial) as per Metropolitan Planning Commission's Recommendation: Adopt Resolution #1-D-14-SP amending the Northwest County Sector Plan to GC (General Commercial) and recommend the Knox County Commission also approve the sector plan amendment, to make it operative. Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Ownby, Briggs, Anders, Wright, Brown, Hammond and Shouse voted aye. Commissioners Smith and Norman were absent from the vote. The motion carried 9-0-0-2. Property located north side Hardin Valley Road, east of Cherahala Boulevard. Commission District 6. (RZ-14-2-101)

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IN RE: Request of Orlino Baldonado for rezoning from BP (Business and Technology)/TO (Technology Overlay) to CA (General Business)/TO (Technology

Overlay) 1-D-14-RZ was before the Board of Commissioners. Property located north side Hardin Valley Road, east of Cherahala Boulevard. Commission District 6.

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

Commissioner Anders moved to approve 1-D-14-RZ - Request of Orline Baldonado for rezoning from BP (Business and Technology)/TO (Technology Overlay) to CA (General Business)/TO (Technology Overlay) as per Metropolitan Planning Commission's Recommendation: Recommend the Knox County Commission approve CA (General Business)/TO (Technology Overlay). Commissioner Ownby seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Wright, Brown, Hammond and Shouse voted aye. Commissioner Smith was absent from the vote. The motion carried 10-0-0-1. Property located north side Hardin Valley Road, east of Cherahala Boulevard. Commission District 6. (RZ-14-2-102)

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IN RE: ZONING APPEALS:

IN RE: Appeal by Steve Hobbs of MPC denial of his request to rezone from A (Agricultural) to CA (General Business) 11-A-13-RZ was before the Board of Commissioners. Property located north side Hall Dr., southwest of Dutchtown Rd., Commission District 3.

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

Mr. Buzz Johnson, Metropolitan Planning Commission, was present and spoke on the matter.

Mr. Steve Hobbs, was present and spoke on the matter.

Mr. Daniel Sanders, Knox County Deputy Law Director, was present and spoke on the matter.

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

Commissioner Norman moved to initiate a Sector Plan Amendment from (LDR) Low Density Residential to C (Commercial) regarding the appeal by Steve Hobbs of MPC denial of his request to rezone from A (Agricultural) to CA (General Business). Property located north side Hall Dr., southwest of Dutchtown Rd., Commission District 3. Commissioner Briggs seconded the motion and upon roll call vote Commissioners Norman, Ownby, Briggs, Anders, Smith, Wright, Brown, Hammond and Shouse voted aye. The motion carried 9-2-0-0. Commissioners McKenzie and Broyles voted no.

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IN RE: Appeal by Mesana Investments, LLC of MPC denial of their request to rezone from BP (Business and Technology)/TO (Technology Overlay) to PR (Planned Residential)/TO (Technology Overlay) 12-H-13-RZ was before the Board of Commissioners. Property located south side Coward Mill Rd., northeast of Pellissippi Pkwy. Commission District 6.

Commissioner Anders asked if there was any opposition to the request.

Mr. Andrew Siminerio, concerned resident, was present and spoke in opposition to the request.

Mr. Frederick Thorne, concerned resident, was present and spoke in opposition to the request.

Mr. Neil Caldwell, concerned resident, was present and spoke in opposition to the request.

Mr. John Johnson, concerned resident, was present and spoke in opposition to the request.

Mr. Howard Friedman, concerned resident, was present and spoke in opposition to the request.

Mr. Scott Davis, Developer, was present and spoke on the matter.

Ms. Gayle Cox and Ms. Patty Saunders, owners of the property, were present and spoke on the matter.

Mr. Ewing (Buz) Johnson, Deputy Director, Metropolitan Planning Commission, was present and spoke on the matter.

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

Commissioner Anders moved to deny the appeal by Mesana Investments, LLC of MPC denial of their request to rezone from BP (Business and Technology)/TO (Technology Overlay) to PR (Planned Residential)/TO (Technology Overlay). Property located south side Coward Mill Rd., northeast of Pellissippi Pkwy. Commission District 6. Commissioner Broyles seconded the motion.

Commissioner Ownby moved as a substitute motion to initiate a Sector Plan Amendment from TP (Technology Park) to LDR (Low Density Residential) regarding the appeal by Mesana Investments, LLC of MPC denial of their request to rezone from BP (Business and Technology)/TO (Technology Overlay) to PR (Planned Residential)/TO (Technology Overlay). Property located south side Coward Mill Rd., northeast of Pellissippi Pkwy. Commission District 6. Commissioner Hammond seconded the motion and upon roll call vote Commissioners McKenzie, Broyles, Norman, Ownby, Briggs, Anders, Smith,

Wright, Brown, Hammond and Shouse voted aye. The substitute motion carried 11-0-0-0.

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IN RE: ADJOURNMENT:

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

BRAD ANDERS, CHAIRMAN